

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

144th Legislative Day

June 30, 1984

Speaker McPike: "The House will come to order. The House will come to order. The Members will be in their chairs. We will be led in prayer today by a member of our House Democratic Staff, Gary McCants. Gary is the associate pastor of St. John African Methodist Episcopal Church in Springfield. Will the guests in the balcony please rise and join us in the invocation?"

Reverend Gary McCants: "Lord, You said in Your word that the government shall be upon His shoulders. You said that we should obey the laws of the land, that we should pay our taxes. May we pray? Oh heavenly Father, we call on You in the name of Jesus, who ask that You might bless this Body today that they might consider, Oh God, the things that are before them with diligence, and with a right mind and a right heart. Let them, Oh God, be not selfish. Let them consider the needs of others. Bless all of those who labor, Oh God, in this Your vineyard. Bless all the support people, all the staff, the pages and all those people, Oh God, who remain in the backgrounds. But, Oh God, as the decisions be made today, let them be the ones that we can go home with, and that we can live with the decisions that we made. And that we believe, Oh God, in our hearts that we've done what is right. These and other blessings we ask in the name of Jesus. Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance by Representative Ropp."

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

Speaker McPike: "Roll Call for Attendance. 117 Members answering the Roll Call. A quorum is present. Representative

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Matijevich in the Chair."

Speaker Matijevich: "A 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 refused to concur with the House in adoption of their Amendments to the following Bills; Senate Bills 1546, 1549, 1557, 1558, 1570, 1574, 1583 and 1599, action taken by the Senate June 29, 1984. Kenneth Wright, Secretary.'"

Speaker Matijevich: "A 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 refused to concur with the House in adoption of their Amendment to the following Bill; Senate Bill 1555, action taken by the Senate June 29, 1984. Kenneth Wright, Secretary.'"

Speaker Matijevich: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 1150, Slape et al; 1151, Capparelli - Madigan; 1152, Braun - Brookins - Alexander et al; 1154, Piel; 1155, Oblinger; 1156, Pangle - Satterthwaite; Senate Joint Resolution 130, Terzich; and House Joint Resolution 178, Hastert et al."

Speaker Matijevich: "The Gentleman from Winnebago, Representative Giorgi, on the Agreed Resolutions."

Giorgi: "Mr. Speaker, 1150, by Slape, congratulates Monsignor Henry Knoedgler; 1151, by Capparelli, recognizes a senior citizen of Chicago; 1152, by Braun, congratulates the Staple Singers that were visiting us yesterday; 1154, by Piel, honors the Village of Thornton; 1155, by Oblinger, singles out Mrs. Diann Hanauer of Springfield on the 50th anniversary of her birth; 1156, by Pangle - Satterthwaite, notes Dr. Jack C. Cooley in his tireless efforts; Senate Joint by Terzich says that Palos Heights has been in

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existence 25 years; and Hastert's 178 honors our colleagues that won the tennis tournament. Maybe Hastert wants to tell us more about it. I move for the adoption of the Agreed Resolutions."

Speaker Matijevich: "Representative Giorgi moves the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'nay', and the Agreed Resolutions are adopted. On page four of your Calendar on the Order of Nonconcurrency appears Senate Bill 1853. Clerk, read that Bill."

Clerk O'Brien: "Senate Bill 1853, a Bill for an Act to amend the Illinois Highway Code together with House Amendment #4."

Speaker Matijevich: "The Gentleman from Cook, Representative McGann, on Senate Bill 1853."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I refuse to recede from House Amendment #4 to Senate Bill 1853, and I would request a Conference Committee."

Speaker Matijevich: "The Gentleman moves to refuse to recede from House Amendment 4 to Senate Bill 1853. All in favor say 'aye', opposed 'nay'. And the Gentleman's Motion does carry, and he requests the appointment of a Conference Committee on Senate Bill 1853."

McGann: "Thank you, Mr. Speaker."

Speaker Matijevich: "Before the Chair makes an announcement as to our work for the next hour and a half or lack of it, are there any Members who have any Motions on the Calendar that they need to put in order to go into a Conference? Seeing none, announcement from the Chair. Many of... Representative Breslin, the Lady from LaSalle."

Breslin: "Mr. Speaker, I would like to move to recede from Amendment #3 to Senate Bill 1943 which appears on page four on our Calendar on the Order of Nonconcurrences. And then I would like to not recede from Amendment #5. That's Senate Bill 1943 on page four on our Calendar."

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Speaker Matijevich: "Representative Breslin now moves to recede. This is on page four of the Calendar, Senate Bill 1943. The Lady moves to recede from Amendment #3 to Senate Bill 1943. Those in favor signify... She's going to clarify it again."

Breslin: "Okay, this is... The Bill amends the Environmental Facilities Financing Act. It, Amendment #3, put on the Getty Synthetic Fuel Amendment, that has previously already passed under Representative VanDuyne's Bill, and in better language. So, we would like to recede from this Amendment, but still put the Bill in a Conference Committee because of Amendment #5."

Speaker Matijevich: "Representative Piel, the Gentleman from Cook."

Breslin: "No, it is not final action, or will not be."

Speaker Matijevich: "This will be final action on #3."

Breslin: "It does to #3."

Speaker Matijevich: "Is everything alright, Representative Piel? Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As Representative Breslin said, Amendment #3 has already been included in other legislation that has already been passed. And I would support her Motions."

Speaker Matijevich: "Representative Breslin moves to recede from House Amendment #3 to Senate Bill 1943. Those in favor signify by voting 'aye', opposed by voting 'no'. Representative Mulcahey. Have all voted? Have all voted who wish? On this question there are 112 'ayes', no 'nays', 1 answering 'present'. And the House does recede from Amendment #... House Amendment #3 to Senate Bill 1943. The Lady from LaSalle on Amendment #5."

Breslin: "Thank you, Mr. Speaker. Now I would like to move to not recede from Amendment #5 to Senate Bill 1943 and ask

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for a Conference Committee."

Speaker Matijevich: "The Lady moves to refuse to recede from House Amendment #5 to Senate Bill 1943 and ask that a Conference Committee be appointed. All in favor say 'aye', opposed 'nay'. The Motion carries, and the House refuses to recede from House Amendment #5 to Senate Bill 1943 and requests the appointment of a Conference Committee. Announcement from the Chair. Many of you have been appointed to Conference Committees on House Bills, and the times for those Committees have been determined. If you are a member of a Conference Committee on a House Bill and are not aware or have forgotten about the time of your Conference Committee, the times of those Conference Committees and the appointments to those Committees are posted outside of Room 318. That's Gary LaPaille's Office. So if you are in doubt as to the times of your Conference Committee, that's where you'll find out. If you are on a Senate... a Conference Committee of a Senate Bill, those times have not yet been determined. So, you'll have to check the bulletin board. They are going to soon be determined. Check the bulletin board in the Speaker's corridor, as to those times and appointments. The Senate is going to be in recess from 10:30 until 1:00 p.m., and we'll be at ease for a moment. And if there's no further business, I believe that's going to be our particular Order also. Representative Wolf, for what purpose do you rise?"

Wolf: "Mr. Speaker, is it still the policy of the Chair to notify in writing those individuals who have been appointed to Conference Committees?"

Speaker Matijevich: "Yes, and I believe that Members have been notified, if they are on a Conference Committee. On the Motion by Representative Cullerton, the House does stand in recess now from 10:30 to 1:00 p.m.. So that Conference

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Committees can go about some work. We will be in recess from 10:30 to 1:00 p.m., and be here promptly at 1:00 p.m. Cullerton said he withdraws his Motion. We'll see you at 1:00 p.m. The House will be in order. The House will be in order. We're back from our recess. Page four of the Calendar on the Order of Nonconcurrency appears Senate Bill 1864 with House Amendment #3. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the Assembly, I move that the House do refuse to recede from Amendment #3 to Senate Bill 1864."

Speaker Matijevich: "Representative Vinson moves that the House refuse to recede from House Amendment 3 to Senate Bill 1864. There being no discussion, all in favor say 'aye', opposed 'nay' and the Motion carries. And the House does refuse to recede in House Amendment #3 to Senate Bill 1864. And the Gentleman asks that a Conference Committee be appointed. May the Chair have your attention? We are now going to move to another recess until 3:00 p.m.. On the Motion by Representative Cullerton, the House does stand in recess until 3:00 p.m.. We need some more time for the Conference Committees, and I understand... All in favor say 'aye', opposed 'nay'. And the House is in recess. 3:00 p.m.. Be here on time. This is our version of the Lincoln Fest. Be here at 3:00 p.m. While the red light is not on, no pictures are allowed from the gallery. No pictures from the gallery. Thank you. The House will be in order. Announcement from the Clerk."

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

Speaker Matijevich: "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 adopted the

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following Senate Joint Resolution, the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Joint Resolution #123, like Message on; Senate Joint Resolution #131, adopted by the Senate June 30, 1984. Kenneth Wright, Secretary. A like Message on Senate Joint Resolution #122."

Speaker Matijevich: "On page three of your Calendar on the Order of Concurrence appears House Bill 3090 with Senate Amendments 1 and 2. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House nonconcur in Senate Amendment #1 and 2 to House Bill 3090 and request a Conference Committee."

Speaker Matijevich: "Representative Hoffman moves to nonconcur with Senate Amendments 1 and 2 to House Bill 3090. There being no debate, all those in favor say 'aye', opposed 'nay', and the Motion prevails. And the House does nonconcur with Senate Amendments 1 and 2 to House Bill 3090. Representative Karpziel."

Karpziel: "Yes, thank you, Mr. Speaker. I know it's against the rules of this House, but I would like your indulgence. I'd like to introduce two new constituents in my district, and they are Hass and Pfeffer, or Senate and House, or whatever. But I did want to introduce everybody to my two newest constituents in my district, and thank everyone who participated in this venture. We are now removing them from the House floor."

Speaker Matijevich: "That's the best news we've heard all day. On the Order of Conference Committee Reports appears House Bill 2400. Out of the record. On the Order of Conference Committee Reports appears House Bill 2458. The Gentleman from Cook, Representative Capparelli. On the Order of

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Conference Committee Reports appears House Bill 2570, Representative McCracken. Out of the record. On the Order of Conference Committee Reports appears House Bill 2857, Representative McMaster. Out of the record. On the Order of Conference Committee Reports appears House Bill 2876, Representative Gordon Ropp. Representative Ropp on House Bill 2876 Conference Committee Report."

Ropp: "Thank you, Mr. Speaker. On First Conference Committee Report on House Bill 2876, the Senate receded from their Senate Amendment #1, and the Bill was amended to further state that in a certain areas that a special tax could be levied within a special service area..."

Speaker Matijevich: "One moment. We have a request that this be taken out of the record. Would you do that?"

Ropp: "Super. Thank you."

Speaker Matijevich: "Out of the record. House Bill 3136. Out of the record. Has not been printed. Senate Bill 1629, I understand, has not been printed. Out of the record. Senate Bill 1735, Nash. On the Order of Conference Committee Reports, the Gentleman from Cook, Representative Nash."

Nash: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I move to adopt Conference Committee Report #1 to House Bill... Senate Bill 1735."

Speaker Matijevich: "Would you tell the Assembly what... what is in the report, Representative Nash?"

Nash: "In the report, the Bill is the same as it left the House, with one exception. In Conference Committee, we tied up the language to restrict how much money the Board of Education can use for new construction. As it left, the Bill could have used all the money for new construction."

Speaker Matijevich: "Representative Nash has moved to... Yes, Representative Nash..."

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Nash: "Can we take it out of the record for a second?"

Speaker Matijevich: "Out of the record. Leave to return to Senate Bill 1735 on the Order of Conference Committee Reports. The Gentleman from Cook, Representative Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to renew my Motion to accept Conference Committee Report #1 to Senate Bill 1735. What the Conference Committee Report does, it tightens up the language."

Speaker Matijevich: "Representative Nash has moved to adopt the Conference Committee Report on Senate... First Conference Committee Report of Senate Bill 1735. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. As this issue left the House, there was some disagreement on the degree to which we wanted to open this bonding authority to new construction. The language that has been added in the Conference Committee clarifies that and delimits it to acceptable level, and I would move that we concur or that we adopt the First Conference Committee Report on Senate Bill 1735."

Speaker Matijevich: "The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, I didn't understand the substance of the underlying Bill from the explanation. It's a little noisy back here. I wonder if the Sponsor might indicate what the Bill deals with."

Speaker Matijevich: "Representative Nash."

Nash: "Yes, Mr. Speaker. What's your question, Mr. Brummer?"

Brummer: "We adopt this Conference Committee Report, it will be final passage. I wonder if you might explain to the Body what this... what we would be passing to the Governor..."

Nash: "As I stated earlier, all this Conference Committee Report does is tightens up the language. When the Bill left the

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House, the bonding authorization we gave to the Board of Education could be used for either new construction or rehabing, and we're limiting 30,000,000 for new construction. The rest must be used for rehabing existing schools."

Brummer: "Okay. Thank you."

Speaker Matijevich: "There being no further question, the question is, 'Shall the House... Shall the House adopt the First Conference Committee Report...' I'm sorry. Representative Huff, your light wasn't on."

Huff: "Yeah, Mr. Speaker, will the Sponsor yield..."

Speaker Matijevich: "Proceed."

Huff: "...for a question? Representative Nash, who's going to sell these bonds? The Board of Education?"

Nash: "The Board of Education Finance Authority."

Huff: "Okay. That's all I wanted to know."

Speaker Matijevich: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1735?' Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 95 'ayes', 15 'nays', 1 answering 'present', and the House does adopt the Conference Committee Report 1 to House... Senate Bill 1735. And the Bill, having received a Constitutional Majority, is hereby declared passed. Leave to hear House Bill 2570 on the Order of Conference Committee Reports. Leave, and the Gentleman from DuPage, Representative McCracken, on House Bill 2570, First Conference Committee Report."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House accept the First Conference Committee Report to House Bill 2570. It has been changed from the form passed by the House in the following respect.

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Upon its original passage, it allowed for the transfer to a municipality from a fire district certain described territory regardless of whether contiguity was impaired. That has been limited so that only where no more than 1,000 feet of noncontiguous boarder is involved will this be effective. And I move that the House accept or adopt the Conference Committee Report."

Speaker Matijeich: "Representative McCracken has moved to adopt the First Conference Committee Report on House Bill 2570. There being no discussion, the question is 'Shall the House adopt the First Conference Committee Report on House Bill 2570?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 109 'ayes', 2 'nays'. And the House does adopt the First Conference Committee Report on House Bill 2570. And this Bill, having received the Constitutional Majority, is hereby declared passed. Leave to consider House Bill 2857 on the Order of Conference Committee Reports. The Gentleman from Knox, Representative McMaster, on House Bill 2857 on the Order of Conference Committee Reports."

McMaster: "Thank you, Mr. Speaker. I move to adopt Conference Committee Report #1 on House Bill 2857. Those of you will recall that Representative Brummer... Representative Brummer... Representative Brummer questioned the Senate Amendment on 2957. And in the course of the... and he questioned the fact that the words 'English language' were removed in the course of that Senate Amendment. What we did in Conference Committee was reinsert all of the requirements for the English language and publication of notices in the various newspapers. I move the adoption of the Conference Committee Report."

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Speaker Matijevich: "Representative McMaster has moved that the House do adopt the First Conference Committee Report on House Bill 2857. The Lady from Cook, Representative Braun."

Braun: "Thank you, Mr. Speaker. Am I to understand that this prohibits the printing of such publications in any other language but English? Any language other than English, which I happened to use very well just now?"

McMaster: "No, I don't think it would prohibit the printing of reports in certain newspapers in language other than English, Carol."

Braun: "It would not prohibit?"

McMaster: "No."

Braun: "So, if it were a Spanish publication, you could print it in Spanish?"

McMaster: "I would assume you would just about have to."

Braun: "Okay. Thank you very much, Representative."

Speaker Matijevich: "The question is 'Shall the House adopt the First Conference Committee Report on House Bill 2857?' Those in favor signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 113 'ayes', no 'nays'. And the House does adopt the First Conference Committee Report on House Bill 2857. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page four of your Calendar, on the Order of Conference Committee Reports appears House Bill 598. The Lady from Cook, Representative Braun. Carol Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to adopt Conference Committee Report #1 to House Bill 598. Essentially, this Amendment calls for the equalization of grant levels among the public aid grant

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categories, which would result in inequities under the current system. And I, therefore, move the adoption of this Amendment. Oh, in addition, this authorizes the Department to include home energy Assistance Grants within its monthly income assistant grants amounts. And that really is what it..."

Speaker Matijevich: "Representative Braun has moved for the adoption of the First Conference Committee Report on House Bill 598. On that, the Lady from Cook, Representative Pullen."

Pullen: "Thank you, Mr. Speaker. I'd like to ask the Sponsor a question, please."

Speaker Matijevich: "Proceed."

Pullen: "Would you give an idea, please, of how much this home energy assistance program is going to cost?"

Braun: "Representative, it's been estimated that the... for this fiscal year it will be \$34,000,000."

Pullen: "This is a new program is that correct?"

Braun: "No, it's not. It's a federally authorized program. It's an energy assistance program. Most of it will be reimbursed by the federal government. And I would remind you, Representative, that this was an approach that has the support and authorization of the Governor and the Department of Public Aid in the state."

Pullen: "Well, even if it's federally authorized or initiated, is this a new authorization in Illinois for a program that we have not had before in our statutes?"

Braun: "No, the authorization, I believe, was there. I think this is the... We are funding it now at a level which will allow for the program to be spread throughout the state."

Pullen: "How much have we funded it in the past?"

Braun: "Representative, I don't... One second. Representative, the staffer is not here right now. That's not the staffer

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from Public Aid. I don't have the numbers. This was a proposal that came out of your Department of Public Aid.

That was adopted..."

Pullen: "It's not my Department. Excuse me."

Braun: "That was adopted by the Governor and upon which he has a public commitment."

Pullen: "But this is an additional..."

Braun: "I don't have the answer to your question."

Pullen: "This is an additional cost impact of \$34,000,000 is that correct?"

Braun: "That's correct."

Pullen: "Thank you."

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

Mulcahey: "Will the Sponsor yield for a question, Mr. Speaker?"

Braun: "Sure."

Mulcahey: "Representative Braun, why was this Bill sent to a Conference Committee in the first place? What changes... What changes took place in Conference Committee and why did they have to be made?"

Braun: "The reason... Almost none. The changes in the Conference Committee had to do with some language in the grant equalization part of the Bill. It did not increase or decrease the dollars as the Bill left the House in the first place."

Mulcahey: "But what were those changes in the grant equalization?"

Braun: "Pardon?"

Mulcahey: "Well, what were those changes in the grant equalization?"

Speaker Matijevich: "One moment. All unauthorized personnel be off the floor, and the Doorman please enforce that. All unauthorized personnel off the floor. Proceed."

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Braun: "Thank you. Representative, what it does, the only difference between the Conference Committee Report and the Bill, as it left here, is that it clarifies what kind of assistance is being granted here. This is energy assistance, and that it..."

Speaker Matijevich: "One moment. The Gentleman talking to Steve Nash, you've heard the Chair, remove yourself immediately. And we don't want to have to do that again to anybody. And we'll name names... Proceed. I'm sorry for the interruption."

Braun: "Certainly. What it did was it clarified the type of assistance that was going in, that this was, in fact, energy assistance, number one. And number two, dealt with some technical changes that the Department had suggested in the original Bill. There is no substantive difference between this Bill, and the way it left the House in the first place."

Speaker Matijevich: "Is that it, Representative Mulcahey? Alright. The question is, 'Shall the House adopt First Conference Committee Report on House Bill 598?' Those in favor signify by voting 'aye', opposed by voting 'no'. Final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 83 'ayes', 29 'nays', 2 answering 'present'. The House does adopt the First Conference Committee Report on House Bill 598. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Conference Committee Reports on page four appears House Bill 1474. The Gentleman from Cook, Representative Steczo. Out of the record. Representative Steczo."

Steczko: "Mr. Speaker, I'll call it now."

Speaker Matijevich: "You'll call it now?"

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Steczo: "Call House Bill 1474."

Speaker Matjevich: "Alright. Representative Steczo, on House Bill 1474 on the Order of Conference Committee Reports."

Steczo: "Thank you, Mr. Speaker, Members of the House. I would ask the House to adopt Conference Committee Report #1 on House Bill 1474. The Bill came over from the Senate with an Amendment that deleted everything after the enacting clause and provided that in counties with a population of 225,000 to 300,000 the taxing districts may bid property taxes for ten years for motor race track property. The Amendment was incorrectly drafted in the Senate. We had to find a different place in the Revenue Code for it. It inadvertently amended the enterprise zone statute, which it was not intended to do. This Amendment makes that change, and this concept passed the Senate by a vote of 55 to nothing. The second provision in the report amends the Motor Fuel Tax Acts to restore some language that was inadvertently changed by Senate Bill 1420, which created a problem with motor fuel distributors bond requirements. And I would answer any questions, and ask for adoption of Conference Committee Report #1."

Speaker Matjevich: "Representative Steczo has moved to adopt the First Conference Committee Report on House Bill 1474. There being no discussion, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 1474?' Those in favor signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 102 'ayes', 6 'nays', 5 answering 'present'. The House does adopt the First Conference Committee Report on House Bill 1474. This Bill, having received the Constitutional Majority, is hereby declared passed. On page four of the Calendar, on

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the Order of Conference Committee Reports appears House Bill 2454, Representative Pangle."

Pangle: "Thank you, Mr. Speaker. I move to adopt Conference Committee Report #1 on House Bill 2454. The reason for the Conference Committee was the drafting defect in Senate Amendment #1 to... The Bill was basically to increase the roadway limit for farm vehicles for agricultural purposes only. I move for its adoption."

Speaker Matijevich: "Representative Pangle has moved that the House do adopt the First Conference Committee Report on House Bill 2454. Being no discussion, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 2454?' Those in favor signify by voting 'aye', opposed by voting 'no'. Final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 110 'ayes', 3 'nays', and the House does adopt the First Conference Committee Report on House Bill 2454. This Bill, having received the Constitutional Majority, is hereby declared passed. On page four of your Calendar, on the Order of Nonconcurrency appears Senate Bill 1844 with House Amendments 1 and 2. The Lady from Cook, Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I refuse to recede from House Amendments 1 and 2 to Senate Bill 1844, and request that a Conference Committee be appointed."

Speaker Matijevich: "Representative Braun moves that the House do refuse to recede from House Amendments 1 and 2 to Senate Bill 1844 and asks for a Conference Committee. There being no discussion, all in favor of that Motion say 'aye', opposed 'nay'. The Motion carries, and the House does refuse to recede from House Amendments 1 and 2 to Senate

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Bill 1844. And there is a request for a Conference Committee to be appointed. On Supplemental Calendar #1 on the Order of Motions relative to House Resolution 1159, the Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, House Resolution 1159 has to do with some of the information in this... in Illinois in that, and some of the millionaire... In some of the hundred millionaire winners in the lottery, we've been buying annuities from some foreign insurance companies, by foreign, I mean other states, and now we are finding some of them having soluable problems. So that we feel maybe when we first enacted the lottery Bill, we didn't realize that the proficiency or the proliferation of making millionaires is going to, you know, escalate so rapidly. So now that we've created over a hundred millionaires and we're buying annuities for all those millionaire winners, we're finding that maybe we ought to look at what we do with those annuities and where we're buying them. And maybe we can create an in-house, in the Treasurer's Department, maybe we can create our own little financial facility so that we can invest that money in Illinois, buy the annuities in Illinois and contain it all in an in-house operation. So I'm asking that the Attorney General conduct a study to determine that feasibility, and I'd like the support of the House on that issue."

Speaker Matijevich: "Representative Giorgi is moving to bypass Committee and place House Resolution 1159 on the Speaker's Table for immediate consideration. On that, Representative Friedrich."

Friedrich: "Yes, Mr. Speaker, Members of the House, I rise in support of this Motion. I have talked to the Chairman of the Audit Commission, and as a member of the Audit Commission, we believe this can be handled by the Auditor

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General in-house without any additional appropriation."

Speaker Matijevich: "Do we have leave in the use of the Attendance Roll Call for the bypassing of... Committee and for the immediate consideration? Leave. And now we... and that Motion... use of the Attendance Roll Call for that purpose. And we now are on the Resolution. On that, the Gentleman from Effingham, Representative Brummer. I think the Gentleman has explained this so, Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Matijevich: "He indicates he will, proceed."

Brummer: "Representative Giorgi, I haven't had an opportunity to examine the current lottery law which you snerled or fathered or whatever. But I understand that the purchase of annuities may not be specifically authorized in the existing lottery law. I certainly stand in support of the Resolution. Although, one of the whereas clauses indicates that it has been the policy that the Illinois State Lottery to provide for payments to winners of large prizes in the lottery by purchasing annuities. I understand there may be some question about whether the lottery board had the authority to purchase the annuities in the first place. And that possibly the law indicates that the funds should be accumulated in the State Treasury under the existing law. My question, I guess, is that you are not in anyway by this Resolution condoning the actions of the... and the past practices of the Illinois State Lottery Board are you?"

Speaker Matijevich: "Representative Giorgi."

Giorgi: "Representative Brummer, not in anyway have I even given that thought when I proposed this Resolution. I'd like to tell you though that when we wrote the original lottery law, we wrote it so that the Lottery Control Board would

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have a lot of leeway so that they can create their own regulations because of the changes that were necessary in the games that they had to play, and then the advent of the computer. We didn't realize when we enacted the lottery law in 1974 that the computer would play such a big part of it. So that we really gave the Lottery Control Board a lot of authority."

Speaker Matijevich: "Representative Giorgi, there's a request to take this out of the record. Take it out of the record with leave to return. Out of the record. We've got some work to do, but for the moment we're going to Agreeed Resolutions. Mr. Clerk, read the Resolutions."

Clerk O'Brien: "House Resolution 1158, Cullerton; 1160, Madigan; 1161, Nash et al; 1162, Braun et al; 1163, John Dunn; 1164, Topinka; 1165, Deuchler; 1166, Barger; 1167, Barger; 1168, Barger; 1169, Karpziel - Wojcik; 1170, Karpziel - Wojcik; 1171, Karpziel - Hensel; 1172, Hensel et al; 1173, Karpziel et al; 1174, Karpziel et al; 1175, Hensel et al; and Senate Joint Resolution 123, Daniels - Madigan."

Speaker Matijevich: "The Gentleman from Winnebago, Representative Giorgi, on the Agreeed Resolutions."

Giorgi: "Mr. Speaker, 1158, by Cullerton, honors Alderman John Merlo, Bernard Hansen and two civic minded people for the rehabilitation project in Chicago. 1160, by Madigan, congratulates Tom on his eightieth birthday. 1161, by Nash, petitions the Turkish government to the effect of protecting the civil liberties of Orthodox Christians. 1162, by Braun, congratulates John Weatherspoon. 63 (sic - 1163), by John Dunn, commends Thomas Willus Maloney. 1164, by Topinka, talks about the friendly folks at Hinsdale Federal Savings and Loan Association. Deuchler's 1165 congratulates the outstanding community of North Aurora. 1166, by Barger, commends David Funck. 1167, by Barger,

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talks about Sandra Skowran. 1168, by Barger, Craig Stitzel. 1169, by Karpziel, Medinah Middle School. 1170, by Karpziel, Eric Salovaara. 1171, by Karpziel, Deborah Hung. 1172, by Kapiel, Linda Koler. 1173, by Karpziel, Philip Ryken. 1174, by Karpziel, Kathryn Tilden. And 1175, by Hensel, Julie Theriot. And on Senate Joint, Daniels - Madigan, memorializes Congress to in the Amendment. And 1179, by Davis and Van Duyn, to petition the various leaders of Congress to help the Joliet Arsenal. I move for the adoption of the Agreed Resolutions."

Speaker Matijevich: "Representative Giorgi has moved for the adoption of the Agreed Resolutions. All those in favor say 'aye', opposed 'nay'. And the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 1153, Preston et al; House Joint Resolution 175, Deuchler."

Speaker Matijevich: "Committee on assignment. Death Resolution."

Clerk O'Brien: "House Resolution 1157, offered by Representative Brummer and Dwight Friedrich, with respect in the memory of Quintin A. Seemar of Teutopolis, Illincis."

Speaker Matijevich: "Representative Giorgi moves the adoption of the Death Resolution. All in favor say 'aye', opposed 'nay'. And the Death Resolution is adopted. The red light is not on. There is no photographing while the red light is not on. The House is at ease for a moment, but not for too long. We'll be ready shortly. The House will be in order. On Supplemental Calendar #1 on the Order of Conference Committee Reports appears House Bill 2876, the First Conference Committee Report, Representative Gordan Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. House Bill 2876, which originally included Amendment 1 by the Senate. The Senate has recede from Senate Amendment #1 and

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in place of it a more clarifying intent of that Amendment, which now states that it adds a new provision for a special tax to be levied within a special service area in lieu or in addition to property tax. This special tax must provide a rational relationship between the amount of tax levied against each lot, block, tract and parcel of land and the benefit there received. Requires a special tax roll to be prepared listing the tax method, all taxable properties, and the amount assessed against each. This is to be in the form of an ordinance after hearings have been held within those areas there affected. I'd be happy to answer any questions or move for its adoption."

Speaker Matijevich: "Representative Ropp has moved for the adoption of the First Conference Committee Report on House Bill 2876. On that the Gentleman from Lake, Representative Daniel Pierce."

Pierce: "Mr.... Will the Gentleman yield to a question?"

Speaker Matijevich: "Proceed."

Pierce: "I was a member of that Conference Committee. I know we met long and hard, and I signed the report. But just to inform myself better on the record, we're talking about a special taxing district. And that a reasonable method of assessment can be determined by the county treasurer, is that right?"

Ropp: "To be determined by the ordinance that would create this special tax."

Pierce: "Alright, so a municipality, I take it, would pass the ordinance."

Ropp: "Correct."

Pierce: "And within the municipality, there'd be a special taxing district. Instead of just assessing, as we do now on assessed valuation, we could assess on another reasonable method, right?"

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Ropp: "That is correct."

Pierce: "And that could be a front feet, or square feet of property and not just the benefit received. It could be on a front footage basis is that right?"

Ropp: "Correct."

Pierce: "And who really wants this thing?"

Ropp: "I guess the maker of the original Amendment in the Senate. I think a particular area in downtown Chicago is interested in this Amendment."

Pierce: "Alright, well, I think the Amendment could make some sense. It allows a latitude here in determining how to assess for an improvement area. Is there any kind of a referendum? I hope, at least, we have a back door referendum in here, don't we?"

Ropp: "Yes, there is a back door."

Pierce: "So there could be a referendum if any of the... any effected properties don't think it's so reasonable. I suppose the court would be there to determine reasonability as well, right?"

Ropp: "That is correct."

Pierce: "And I know you and I are reasonable, but sometimes see the officials always aren't 100% reasonable. But we would have a back door referendum or a court determination of reasonability as protection for the property owner, is that right?"

Ropp: "Yes."

Pierce: "Alright, I'm going to... I signed this Conference Committee Report. I think there's a new method here that maybe worth while of developing or improving or rehabilitating or beautifying an urban area. I think Representative Ropp has always been one who is interested in cities, as well as countryside, upstate and downstate, the entire benefit of our state for all the people of our

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state, not just agriculture. And I commend him on coming up with this alternative method of improving and rehabilitating our central cities areas, and I intend to vote 'aye'."

Speaker Matijevich: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Will the Sponsor yield?"

Speaker Matijevich: "Proceed."

Klemm: "I noticed on the... Just some questions, Representative Ropp. Who spreads the tax assessment? Who determines which amount of assessment would go toward each lot and block, property owner?"

Ropp: "Well, Representative, as I stated earlier, there is a hearing process that this would go through. And at the conclusion of the hearing process, that would be made up by the municipality in establishing the ordinance that would eventually become..."

Klemm: "Well, who does... who comes up with the figures then to give to the city council to pass the ordinance? Who does the assessment on it? Who determines what each lot should pay as their fair share... their fair part of the assessment?"

Ropp: "Well, the governing body within that municipality, wherever it might be."

Klemm: "Is it maybe spelled out in the other parts of the Act perhaps? Is it the assessor or is it... who actually determines it? Is it the mayor?"

Ropp: "Well, normally, it would be my judgment that if it was in a city, it would be the city council, or if it was in a county area, it would be the county board, or if it be a township, it'd be in the township board, if that would go that far."

Klemm: "Could you explain a couple of words in here on line three

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on the Conference Committee Report where it says provides a rational relationship. Could you give me an idea of what you mean by a rational relationship, because a lot of different people have different ways of rationalizing."

Ropp: "The term rational in this particular incidence means as Representative Pierce somewhat indicated that it maybe based on front footage compared to maybe assessed value of a total piece of property. It might be a block or a particular parcel of land. Some parcels may be worth more than others. Rather than to say that it is so much per lot, there would be certain lots, naturally, that may have more value. But in this particular case, it would be of a rational approach. And that would be based on the opinions of the people so desiring."

Klemm: "So that when they say rational relationship, the meaning in the Act, as the Conference Committee Report gives us, is as to the extension of a fair equitable way of everybody paying their fair share? Is that what..."

Ropp: "Pretty much so. Yes, Sir."

Klemm: "So rational relationship doesn't have anything to do with the purpose of what they wish to tax the people for, and that's the reason they're going to include a lot of people in this special area?"

Ropp: "Well, it could include the rational approach of the needed particular projects that they're funding and the value that would be received by those people who are providing the revenues for its ultimate completion or whatever project they were interested in."

Klemm: "Alright, thank you very much."

Speaker Matijevich: "Being no further discussion, the question is, 'Shall the House adopt Conference... the First Conference Committee Report on House Bill 2876?' Those in favor signify by voting 'aye', opposed by voting 'no'."

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This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 67 'ayes', 42 'nays', 3 answering 'present'. The House... McGann 'aye'. 68 'ayes'. The House does adopt the First Conference Committee Report on House Bill 2876. This Bill, having received the Constitutional Majority, is hereby declared passed. Is Representative Capparelli ready? On the Supplemental Calendar #1 on the Order of Conference Committee Reports appears House Bill 2458, Capparelli. The Gentleman from Cook, Representative Capparelli, on House Bill 2458."

Capparelli: "Thank you, Mr. Speaker. I rise to concur with the Conference Committee #1 on House Bill 2458. What the Conference Report reads now - that, one, it would increase the spacing of signs from 500 feet to 1,500 feet on interstate highways and expressways. Signs on expressways and interstate could be no higher than 80 feet. Signs on primary highways cannot exceed 65 feet. At the request... At the request of several downstate Legislators, provisions were removed which would affect spacing on signs on primary highways. Also removed were limitations on the size of signs on these primary highways. They are no longer in the Bill."

Speaker Matijevich: "The Gentleman asks leave to take it out of the record with leave to return very shortly. Leave. The House will be in order. On Supplemental Calendar #1, Conference Committee Reports, appears House Bill 2458. The Gentleman from Cook... Is Representative Capparelli here? Oh, here he is. Representative Capparelli, on House Bill 2458, First Conference Committee Report."

Capparelli: "Thank you, Mr. Speaker. Once again, House Bill 2458. I move to concur with the Conference Committee. What the Conference Committee Report does, it does increase

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the spacing of new signs from 500 feet to 1,500 feet on interstate highway expressways. Signs on expressways and interstate cannot be higher than 80 feet, and on primary highways not exceed 65 feet. At the request that the downstate Legislators, we have taken out the effectings of spacing on primary highways. They are no longer in the Bill; and, of course, we increased the fees of the expressway interstate highway permits from five dollars to a hundred dollars. The permit would be good for twelve months, and I would ask that we would approve the Conference Committee."

Speaker Matijevich: "The Gentleman has moved that the House do adopt the First Conference Committee Report. On that, the Gentleman from Winnebago, Representative Hallock. John Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. There's been a... Would the Sponsor yield for a question?"

Speaker Matijevich: "Proceed."

Hallock: "There's been a great deal of controversy regarding this proposal, specifically speaking to the fact that some of the smaller sign owners are concerned about pretty much being left out of the business. Could you indicate to the House as to whether the concerns of the small developing companies or the small businessmen in this field have been taken care of?"

Capparelli: "Yes, we have grandfathered them all in. All the signs they have now are grandfathered in, and any permits they have they can have up until January of 1985."

Hallock: "How about the small company or actually a beginning company in this field? Would he still have opportunities to get some good sign locations in different places around the state?"

Capparelli: "Well, first of all, most of the sign locations are

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taken. But if they have sign locations, yes, they have until January of '85."

Hallock: "Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative Turner. Art Turner."

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

Speaker Matijevich: "Proceed."

Turner: "Did I hear you correct in saying that the provision regarding highways and interstates have been taken out of this new Report, the distance?"

Capparelli: "Yes, the spacing on signs on primary highways has been taken out."

Turner: "So how does this affect the City of Chicago?"

Capparelli: "On interstates."

Turner: "So that the distance provision is there. Say, in the City of Chicago, if I wanted to put a sign up..."

Capparelli: "All interstates. All interstates. Downstate interstates also."

Turner: "So are we saying signs that are only placed on interstates or highways are affected by this legislation? Say I... Say I want to put a sign up..."

Capparelli: "That's what I'm saying."

Turner: "If I were to put a sign up on a vacant lot in the City of Chicago - there's one 500 feet away, can I put another sign up?"

Capparelli: "Not 500 feet away, no."

Turner: "I have to be over 1,500 feet in order to put that sign up."

Capparelli: "Unless you have a permit right now."

Turner: "Okay, thank you."

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

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Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe this Bill has in the past excited some controversy; because, at one point, it was an extremely comprehensive Bill that might well have had the impact of denying entrance or denying even participation in this industry to some people. Yesterday, in the course of the day, on several occasions, I met with people who had been opponents of this Bill. They expressed concern about small business competition in this field and that this Bill might hurt them. I was somewhat amused that one of the companies involved was 3-M, and I can't quite yet understand how they can be classified as a small business company, but they felt that way. In any event, at our request, the Sponsor has completely eliminated the restrictions that were in the Bill as they related to primary highways, the vast majority of the highways in the State of Illinois. The spacing requirement on interstates is, in my judgement, a reasonable requirement. It's a 1,500 foot requirement. That's about a third of a mile. On an interstate highway, if your traveling 55 miles per hour, that means that you can see a sign every 20 seconds. I believe that that provides plenty of opportunity for people to compete and to put signs up. I can't see how that is an inordinately restrictive requirement. And for that reason, I signed the Conference Report, and support the adoption of this Conference Committee Report."

Speaker Matijevich: "The Gentleman from Cook, Representative Doyle."

Doyle: "Mr. Speaker, may I ask a question of the Sponsor?"

Speaker Matijevich: "Proceed."

Doyle: "In this particular legislation, are we saying that signs paralleling an interstate highway, even though the property on which the sign is located is within a municipality, that

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that municipality rights would be rejected by this and that the state would supersede them as to their sign ordinances?"

Capparelli: "No, Mr. Doyle. It's like, you know, next door to you, Rosemont, Illinois, at the present time, is fading out all their signs. This will not make them put anymore signs up at all."

Doyle: "In other words, are we saying then that this sign is only on state easement right-of-way and does not interfere with municipalities' right-of-way which is adjacent to state highways?"

Capparelli: "No, it does not. You have your own rules and regulations for your own municipality, and you probably have your own fees, just like we do in Chicago."

Doyle: "Definitely municipalities do have that right; and, in reading this originally, it would appear that this would supersede the municipalities. And I would suggest that we be very watchful of this, because what happens here is the fact that municipalities rely on these billboards as revenue. And the revenue obtained from these billboards help individual municipalities to keep their taxes down. I know of a single incidence in which the municipality receives over \$60,000 a year which, therefore, does not have to be placed on their residence. And I would like to make sure that this does not interfere with the rights of the individual municipality who happens to border a state highway. In fact, to be exact about it - 294 - because I would not want to see the state have the jurisdiction over the municipalities in this respect. And if you can guarantee me this, I would have no problem with this Bill."

Capparelli: "Yes, Sir. Not only that, of course, all the signs that are up are grandfathered in, and you will have the jurisdiction over those, also."

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Doyle: "I understand that, but any new ones that may take effect
- do we in the municipalities still have that right to
designate?"

Capparelli: "You still have the control."

Doyle: "We still have the control?"

Capparelli: "Yes."

Doyle: "Thank you very much."

Speaker Matijevich: "The Lady from Kane, Representative Zwick."

Zwick: "Thank you, Mr. Speaker. Would the Sponsor of this..."

Speaker Matijevich: "Proceed."

Zwick: "Thank you. Is this the same... Does this Bill have the
same effect as what was unsuccessfully attempted in Chicago
dealing with the location of billboards?"

Capparelli: "I have no idea."

Zwick: "Okay. To the Bill, Mr. Sponsor (sic - Mr. Speaker)."

Speaker Matijevich: "Proceed."

Zwick: "I do believe that this issue has come to us to supersede
some of the attempts in Chicago dealing with the location
of billboards which are predominately owned by a company
named Foster and Klieser. Under this legislation, it
triples the current regulations. I think that 500 feet is
the federal requirement currently for the separation of
billboards between each other. What we are doing here, if
we pass this Bill, is creating an absolute monopoly, not
only in Chicago, but statewide for that one particular
company. If a person owns a piece of land who might want
to lease to a billboard company, this Bill is going to hurt
them. They're not going to be able to lease their land to
the billboard company, because they will suddenly be unable
to put billboards up within 1,500 feet, and I'm talking
statewide, not just City of Chicago. If the City of
Chicago wants this, why don't they do it themselves? I
don't think they should be down here asking us to do this,

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especially not statewide. Now, I am certainly an environmentalist, and I do not like environmental pollution that is caused by a lot of billboards on top of each other. However, most of that occurs on the other roads than this deals with. They agreed to remove, in Conference Committee, the effect of this on the highways - the highways that would be perhaps in the more rural areas - and limit it to interstates and tollways and major thoroughfares, which is the least offensive location for billboards. That is where your small businessman may have an opportunity to promote their business, if they can lease a billboard. I would... I would venture to say that this will probably freeze at the current level the amount of billboards that are located on highways available for businesses to advertise to what is currently in existence in Illinois. And I don't think that's what we want to be doing. I think this is special interest legislation that this House should not be participating in, and I would urge you to vote 'no' on this Bill. There is also some false information that I believe that has been sent out about what the grandfathering of the permit requirements are and that after a certain date this would be effectively a freeze on billboard locations on interstates and tollways which is currently almost a monopoly. I'd appreciate your 'no' votes. Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative Krska."

Krska: "I move the previous question."

Speaker Matijevich: "I'm sorry... I had the wrong light. Representative Krska moves the previous question. The question is, 'Shall the main question be put?' All in favor say 'aye', opposed 'nay', and the main question is put. Representative Capparelli, to close."

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Capparelli: "Thank you, Mr. Speaker."

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

Brummer: "Yes, for purposes of a parliamentary inquiry."

Speaker Matijevich: "Proceed."

Brummer: "Inasmuch as this does preempt home rule units of government..."

Speaker Matijevich: "One moment. The red light is on down there. Cameras are in order. Proceed."

Brummer: "And inasmuch as this issue was specifically examined by our good friend, Judge Stiegman - at least those of us on the Judiciary Committee have heard Judge Stiegman testify before our Committee frequently - and in a detailed, lengthy opinion, 'Kapson Dolson', Outdoor Advertising Company versus Village of Rantoul in which Judge Stiegman found specifically that the sign statute preempts home rule units and is an exercise of exclusive state jurisdiction with regard to home rule authority, I would request a ruling of the Chair with regard to the number of votes required for passage of this Conference Committee Report."

Speaker Matijevich: "The Parliamentarian is going to get the Bill and the Report, and we'll look at that and examine it. And before we come to a vote, the Chair will make a ruling. Representative Capparelli, have you concluded yet or not?"

Capparelli: "Thank you, Mr. Speaker."

Speaker Matijevich: "Proceed."

Capparelli: "I don't believe this Bill... It was not prepared to exempt home rule. Municipalities can control their own signs. It's a good ecology Bill. It does space the signs 1,500 feet. Florida just passed theirs to 2,000 square feet. It's good legislation. It's good for all of us, and I would ask them to confirm to our Conference Committee, an 'aye' vote."

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Speaker Matijevich: "We'll be at ease before the Chair calls for a vote. We have not yet concluded on the number of votes that it will take; and, before we call for the vote, we want to make that determination. It will be just one second. Announcement from the Chair, Supplemental Calendar #2 is being distributed at this time. Supplemental Calendar #2 is being distributed. The Motion on the... on the parliamentary inquiry. This Motion will take 60 votes, because this Act does not preempt home rule powers. Sixty votes. The question is, 'Shall the House adopt the Conference Committee Report #1 to House Bill 2458?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Satterthwaite, one minute to explain her vote."

Satterthwaite: "Well, Mr. Speaker and Members of the House, I had hoped to ask the Sponsor to clarify this. On page two there seem to be two sentences that make it unclear what happens if the sign is to be visible from both an interstate highway and a primary highway. The Bill says that no sign in excess of 80 feet will be permitted if it is along an interstate or expressway and no sign visible from a primary highway shall exceed 65 feet in height. My question, which I guess we cannot get an answer to at this point, is which takes precedence if the sign is visible from both types of highways?"

Speaker Matijevich: "The Gentleman from Marion, Representative Friederich, one minute to explain his vote."

Friedrich: "Like Representative Satterthwaite, I felt we could use a little more time for questioning here, because there's some things about this I don't understand. One of the questions I wanted to ask was, it's my understanding that 80% of the billboards in Chicago are owned by one company and the rest are divided up with 25 companies with

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an apparent attempt to squeeze out the little guys. The other question I wanted to ask, is this statewide? I don't think we need anybody in this Legislature to tell us what we want to do about billboards in Centralia, for example. So I'm a little dubious about possibly the reason for this Bill."

Speaker Matijevich: "Representative Brummer, one minute to explain his vote."

Brummer: "Yes, very briefly, it does have application statewide along the interstates. Effingham, Illinois, for example, has Interstates 57 and 70 crossing at Effingham. Some indicate that's the only thing that ever occurs at Effingham - is two interstates cross. In any event, it would limit the billboards that could be erected there. It would increase the spacing requirements from 500 feet to 1,500 feet. And I would respectfully suggest a 'no' vote on this."

Speaker Matijevich: "Representative Levin, one minute to explain his vote."

Levin: "The court decision that was referred to by Representative Brummer suggests that this Bill would totally occupy the field. And what that would mean is a local jurisdiction that wanted to put a height restriction of 60 feet on their signs wouldn't be able to do it, because they'd have to go along with the 80 foot restriction on an interstate; or, if they wanted to put a 50 foot restriction on signs near a primary, they couldn't, because they'd have to go along with the 65 foot language in this Bill. For that reason, I urge a 'no' vote."

Speaker Matijevich: "Have all voted? Have all voted who wish? Matijevich 'no'. The Clerk will... Bullock 'aye'. The Clerk will take the record. On this question there are 26 'ayes', 69 'nays', 17 answering 'present', and the House

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fails to adopt the First Conference Committee Report on House Bill 2458. Representative Capparelli asks for the appointment of a Second Conference. On page three of your Calendar, on the Order of Concurrence, appears House Bill 3067 with Senate Amendment #1. Representative Olson. Out of the record for a moment. Leave to return... On page two of your Calendar, appears House Bill 2600 with Senate Amendments 1 and 2 on the Order of Concurrence. The Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2600 as amended, Senate Amendments #1 and 2, would do the following. Senate Amendment #1 essentially is a technical Amendment. The Section of the School Code amended by this Amendment would enable the State Board of Education to adjust its equalized assessed valuation amounts. And, therefore, the provisions of this Amendment are not really needed, and it's merely technical in nature. The main Amendment to Senate Bill 2600 is Senate Amendment #2. Senate Amendment #2 to House Bill 2600... House Bill 2600 is part of a total funding package for the public schools in the state, essentially, School District 299. The funding provisions in this legislation are certainly not totally adequate to ameliorate the problem in school funding. It's far short of that which is needed. It's merely 20% of the deficit that we have in Chicago. But on the other hand, this Amendment is absolutely essential if we are going to operate the public school system in the District 299 in the City of Chicago. The provisions of this Bill essentially are as follows: We have a new property tax for special education in the legislation, .04 percent of the equalized assessed property value. We also in this legislation have provisions which in effect increase the maximum property tax rate by 50% of

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the annual rate levied by the School Finance Authority in the city. These two provisions combined would probably raise about \$16,000,000 for our schools. We have another provision which really expands the powers of the School Finance Authority, which was scheduled to expire in August of '84. Those powers are to approve and reject the Board's annual three years financing plan. Those powers include Board contracts and obligations and the power to approve the Chicago Board contracts and obligations, and the power to remove the Chief Financial Officer. Also in this provision the School Finance Authority shall not have the power to reject the school boards financing plan. And essentially what we're saying is that in the budgets and contracts area, the Board would only be required to keep in this working cash fund, \$5,000,000 as opposed to 20. Thus we're freeing up \$15,000,000 for working cash fund for the operation expenditures. And finally, we provide the Board the flexibility regarding the sale of its real estate. And previously the Board has provided for the sale of real estate upon notice. This Amendment would allow it to be upon notice, and previously it was upon request, Mr. Speaker."

Speaker Matijevich: "You've moved to concur..."

Bullock: "I'd like to take it out of the record temporarily."

Speaker Matijevich: "Out of the record. Out of the record. The Gentleman from Cook, Representative Cullerton, on a Motion."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to suspend House Rule 79(d), 'd' as in dog."

Speaker Matijevich: "The Gentleman asks... moves to suspend 79(d), as in dog, which Rule states - before being taken up for a vote upon Conference Committee Reports and Senate

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Amendments in the Order of Concurrence, they'll be reproduced, distributed on the Members desk and listed on the daily or Supplemental Calendar in advance according to the following schedule, June 28 to adjournment, one hour. Do you move to suspend that Rule?"

Cullerton: "Yes, I didn't think I had to read it either."

Speaker Matijevich: "I think the reason you're suspending that... so we can get to that Order because the Calendar has been distributed, and it hasn't been an hour yet is that the truth?"

Cullerton: "Right, there's a Supplemental #2. It's been on the desk for about fifteen minutes perhaps or so. And if you want to proceed, then we have to suspend that Rule."

Speaker Matijevich: "On the suspension of that Rule, we can get right down to business. Do we have leave in the use of the Attendance Roll Call for that? You want to... Do we have leave to suspend it only for the purposes of the suspense of the one hour provision on Supplemental 2? That's really what we want to do. I'm just saying the Rule which says that Supplemental shall be out for one hour. That's all we're asking. Only that part of the Rule. Representative Braun. Proceed."

Braun: "I'm sorry. Mr. Speaker, the Rule refers to Conference Committee Reports. Alright, now we've had the Calendar, the Supplemental Calendar, on our desk. That's true. And it is a fact that it would, particularly with the major issues that are pending, it makes sense that the Members have an opportunity to see and read the actual reports."

Speaker Matijevich: "You didn't understand the Motion that is being put to the Body. That the Rule regarding the Supplemental Calendar shall be on your desk for an hour be suspended."

Braun: "But the suspension does not apply to the actual reports."

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Is that correct?"

Speaker Matijevich: "Correct."

Braun: "It does not apply to the reports."

Speaker Matijevich: "Correct."

Braun: "Thank you."

Speaker Matijevich: "And those have been out for an hour. Representative Pullen, for what purpose do you rise?"

Pullen: "Well, you just restated the Motion, and you didn't include with respect to Supplemental 2. And that is in the Motion right?"

Speaker Matijevich: "That's correct."

Pullen: "The Motion is limited to Supplemental Calendar #2."

Speaker Matijevich: "Limited to Supplemental 2."

Pullen: "Thank you."

Speaker Matijevich: "Correct. This is just so we can get down to the business. And I think everybody... the reports have been on your desk. Now, can we ask leave in the use of the Attendance Roll Call. Leave. And we can get down to Supplemental Calendar #2. On page six of your Calendar, on the Order of Motions appears House Resolution 1095, Terzich. The Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Mr. Speaker, I'd like to take House Resolution 1095 and discharge Executive Committee and advance to the Order of the Speaker's Table. What the Resolution does, it's of immediate importance to the people of the state and deals with the coastal zone management, and I would move for leave for immediate consideration."

Speaker Matijevich: "Representative Terzich has moved that House Reso... that House Resolution 1095 be discharged from the Executive Committee, advanced to the Order of Speaker's Table for immediate consideration. On that, the Gentleman from DeWitt, Representative Vinson or... Vinson. Representative Vinson."

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Vinson: "Mr. Speaker, there is a Motion to discharge this Resolution?"

Speaker Matijevich: "That's correct."

Vinson: "Who is the Sponsor?"

Speaker Matijevich: "Representative Terzich."

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

Speaker Matijevich: "Yes, he indicates he will. Proceed."

Vinson: "Representative, could you describe what the nature of the Resolution is?"

Terzich: "Yes, I previously did, Representative Vinson. I mentioned that it does deal with the coastal zone management, which is an urgent priority for the State of Illinois for it's environment and the people."

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

Speaker Matijevich: "Proceed."

Vinson: "I rise in opposition to the Motion. This is nothing more than another effort to do something to people that they don't want done. Anything in this area must, of necessity, infringe unnecessarily and improperly on private property rights. Anything in this area must concentrate power above the local governmental level, completely contrary to an appropriate approach to land use control. We need not create any momentum whatsoever to do this, and that's what a discharge of this particular Resolution must do. I believe that anybody who intimately cares about the regulation of property and about the rights of people who own private property must know that this is a bad Resolution and, consequently, a bad Motion. And I would urge a 'no' vote on this Motion."

Speaker Matijevich: "Gentleman from Cook, Representative Bullock. Larry Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Representative Terzich's

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Motion. The previous speaker is incorrect. This Motion does not deal with the property rights management issue. The Gentleman's Motion deals with whether or not this Body, in fact, wants to go on record in support of federal legislation and federal programs, and it proports to tell us how to do that. This Body understands that we are near the closing hours of this Session, and there are some matters which deserve our immediate attention. The subject matter encompassed in this Motion deserves our immediate attention, for it involves the preservation of our natural resources, the ability of this Body to procure possible federal funding. Those are the urgent matters that the Gentleman has before us in the Motion. I would urge an 'aye' vote so that we can consider the Motion. And, at that time, perhaps the previous speaker can argue the merits of the Bill (sic - Resolution)."

Speaker Matijevich: "The Lady from Lake, Representative Frederick. Virginia Frederick."

Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to oppose this Motion for HR 1095. This is the very same Motion, very same Resolution that we defeated last week. I want to tell you that eight years ago coastal zone management was soundly defeated by Illinois after a series of hearings when it became apparent that private property owners would lose their rights to make any changes of any kind on lakefront property without approval by the Federal Government. So, in essence, private property owners along the lake from Chicago to the Wisconsin border would no longer be able to exercise their individuals rights as other property owners do. As far as erosion of the land and protecting the lake is concerned, the erosion is occurring mostly on government-held land, that at Zion Dune State Park, at Great Lakes Naval Station and Fort Sheridan.

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This is where the Federal Government should focus its attention, but they aren't. They are focusing on privately-held property. And, as far as the money is concerned, the money that would accrue to Illinois as a result of a coastal zone management program, that money, as I understand it, would go directly to the Department of Transportation and not to the City of Chicago. Thus, I see no reason for any of us to support this bad Resolution. It is totally unfair to the citizens in Cook and Lake County. In fact, it is a violation of their rights. That's fundamentally guaranteed to all citizens in this country.

A red vote is a right vote on this discharge Motion."

Speaker Matijeich: "Gentleman... Gentleman from Cook, Representative Cullerton. John Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Matijeich: "Proceed."

Cullerton: "Representative Terzich, is this the coastal management?"

Terzich: "That's correct."

Cullerton: "Isn't Senator Percy very much in favor of this Resolution?"

Terzich: "Yes, not only Senator Percy, but Governor Thompson and many, many people..."

Cullerton: "And Alan Dixon?"

Terzich: "Yes. There's approximately four million dollars that they want to make available to the State of Illinois to help our natural resources."

Cullerton: "And Senator Percy has signed off on this?"

Terzich: "Yes."

Cullerton: "Why isn't it an Agreed Resolution?"

Terzich: "I believe that the Republican Party is against good government and the people of the State of Illinois, probably. But I... They may... They may redeem

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themselves, however, Representative Cullerton."

Cullerton: "Well, I, in this particular case, I tend to agree with Senator Percy, and I would think that all Republicans would want to join Senator Percy in supporting this Resolution."

Speaker Matijevich: "Gentleman from Cook, Representative McAuliffe. Roger McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I also rise in opposition to this, in spite of the fact that Representative Cullerton has pointed out that Senator Percy is in favor of this. I know that's hard to believe, but I do differ with Senator Percy on a lot of issues. The reason I oppose this Resolution is they have coastal zone management in Wisconsin, and, literally, if you want to cut a tree or trim a bush or move a rock up the shoreline, you've got to get a permit from the Department of Conservation. If you wanted to put some sand in the lake so you'd have a sandy beach, you'd have to get a permit from the Department of Conservation. I think it's disrespectful to people's private property rights, and I don't think we should have the Federal Government get involved anymore in our daily lives than they already are. Usually, when the Federal Government gets involved, then it gets screwed up anyhow."

Speaker Matijevich: "Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise to commend the Gentlemen on the other side of the aisle who works so closely with our Governor, with our Senator, and I hope they will continue to do that in the future. I rise to talk about this on a particular matter and that is a procedural matter and not the substantive matter. This is a Motion to discharge. It is

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not an emergency, as a previous speaker said. The concept has been around for a long period of time. It can afford to wait for another year. Defeat it now. If the Sponsor wants to come back next year and talk about it, then that would be the appropriate time."

Speaker Matijevich: "Gentleman from Cook, Representative Marzuki."

Marzuki: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Very quickly, I am amazed that the Republican side does not want to join us in protecting private property. The person who makes changes on his property often affects ten property owners on another part of the lake. I think that we do need some kind of management, reasonable management, that will make certain that all property owners are protected. This is the best way of doing it. We should not let one property owner destroy another property owner, regardless of the fact that it is private property."

Speaker Matijevich: "Representative Koehler. Judy Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, rise in opposition to this Resolution. The Illinois Department of Transportation has a standing agreement with the land owners that would be affected that they would consult with them before any movement is made with regard to coastal zone management, because they are very much opposed to the coastal zone management concept. The realtors in the area are opposed to it and the land owners. And, furthermore, as far as the federal money is concerned, there may be a possibility of federal money at some time; however, there is no specified program as to how that federal money is to be spent at this time. And very careful consideration should be given to anything before it is... before it is placed and thrust upon the people that are affected. So, I would oppose this Resolution also."

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Speaker Matijevich: "The Lady from Cook, Representative Parcels.
Margaret Parcels."

Parcels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have not spoken on this floor since I was sworn into office just ten weeks ago, but I must speak out on this Resolution, because it will seriously damage the people of my district. I have the highest regard for the Sponsor of this Resolution. I know he is sincere and that he has introduced this Resolution because his Congressman has asked him to. I respect that, but the Resolution would put into motion the beginning of a coastal zone management program for Illinois. The General Assembly defeated the coastal zone management several years ago, just as it defeated scenic rivers. The property owners of my district will lose their property rights under the program this Resolution promotes. And once that policy goes into effect in Illinois, it could be your district next. Coastal zone is a foot in the door for scenic rivers and any other scheme to restrict the rights of property owners. For my district and for your own district, defeat this Resolution, defeat coastal zone management. Thank you, Mr. Speaker."

Speaker Matijevich: "Gentleman from DuPage, Representative McCracken."

McCracken: "Move the previous question."

Speaker Matijevich: "That's not necessary. Representative Terzich, to close."

Terzich: "Well, I'm glad they were speaking on the Motion and not the Resolution, first off, but... No, this is extremely important to the State of Illinois. Just because there are some rich homeowners that are afraid to go and protect the lakefront and its environment from something that's good and right and just - that this Resolution is important. All the Resolution simply says is that the Governor and the

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Secretary of State... or Secretary of Transportation of the State of Illinois consult and cooperate with units of local government in such study to develop and implement such a coastal zone management program. We need it for... to keep our environment safe. I don't believe that it would harm homeowners. And if they do have plans - that certainly they can work within the confines of keeping our state and our Lake Michigan beautiful and the State of Illinois a prosperous state. This is simply to advise and work together with local units of government. Congressman 'Lipinsky' has worked extremely hard with this to also get this in the State of Illinois, and I would appreciate your support in suspending the rule and... so we can move this Motion for immediate consideration."

Speaker Matijevich: "Representative Terzich has moved to discharge the Executive Committee with regards to House Resolution 1095, advance to the Order of Speaker's Table for immediate consideration. Those in favor signify by voting 'aye', opposed by voting 'no'. This takes 60 votes. Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 54 'ayes', 59 'nays', 1 answering 'present', and the Motion fails. Was that your first Bill? Said it was her first kill. Supplemental Calendar #2, the Order of Conference Committee Reports appears House Bill 877, Levin. Out of the record. On the same Order of Business appears House Bill 2381, Hannig. Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. The underlying Bill 2381 dealt with the problem that some of the communities in this state had between the fire protection districts and municipalities and private water companies. We passed a Bill out of this House on the

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unanimous Roll Call earlier in this year. It was passed by the Senate, amended on a unanimous Roll Call, but unfortunately, the language that they adopted in their Senate Amendment did not take into account the problem of the fire districts. What we're doing with this Conference Committee Report, basically, is to provide language which will allow the fire protection districts, the municipalities and the private water companies in this state to have an agreement whereby they can charge fair and equitable rates for the fireplugs. The Amendment... The Conference Committee Report also included one other item which would repeal the statutory requirement that \$35 would be the maximum amount they could be charged for towing a car in Chicago. Instead, it provided that the Commerce Commission shall set the rates as they do for many of the other private utilities. The Bill, as far as I know, has no opposition, and I would move for its adoption."

Speaker Matijevich: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 2381. The Gentleman from Cook, Representative Greiman."

Greiman: "Yes, I wonder if the... if I might ask a question or two."

Speaker Matijevich: "Proceed."

Greiman: "... of the Sponsor. I know that you are not interested, particularly, in the first part of the Bill... of the Report which deals with the removing of the \$35 cap. Is that right? I mean... Are you familiar with that, Gary? Want to turn on Mr. Hannig?"

Speaker Matijevich: "Representative Hannig."

Hannig: "Yes, this was not part of the original Bill. It was brought to my attention by Representative... or, former Representative Marovitz on our side, and Representative Hoffman."

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Greiman: "Well, maybe Mr. Hoffman could explain it. I don't know. I just have some... some concerns about it. Several years ago, the House conducted a thorough series of hearings and enacted a very serious reform of the people who were removing... were... the towing... commercial towing folks in Chicago. Their practices were outrageous. Their charges were incredible, and they put on a cap of \$35. Now, I don't know whether that cap is appropriate or not, but that was the cap, and the industry seems to be going along. I'm not sure... I hope... like to think some of their abuses of practices have gone and that our statute was meaningful in that time. Now, this would take away the \$35 cap, and maybe we should change the cap. I think it was, maybe, '79 or so, and clearly, there's been an increase in the cost of their doing business. But my concern about this is, is that we provide the Commission no standards... and no standards at all to determine how they should set the towing charges. You may recall that some years ago we passed a statute providing... allowing the Department of Financial Institutions to determine the amount of charges for currency exchanges. And the courts said that they couldn't do that because there were no sufficient or clear standards. For example, do they have the right to go into the... into their costs? Do they have a right to go into their expenses? Do they have the right to depreciate the trucks? Do they have a right to look at the employees' records? Do they have the right to... What are their rights? Can they look at their rent? Can they determine the rent is reasonable or unreasonable? Maybe the guy owns the property individually where they have the yard, and he leases it to... he leases it to his company at an outrageous rental. Can they go into the bona fides of that? I don't know the answer to that. I don't know about

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it. So it seems to me that until there are some standards for the Commerce Commission, I'm going to vote 'present', I think, on this."

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

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

Speaker Matijevich: "Yes, proceed."

Tuerk: "I'm not so concerned with the previous speaker's concerns on this Bill but I am, on your original Bill. Now, how does this fit into the pattern of what you and I have talked about from time to time on the floor and in Committee and off the floor, et cetera? How does this fit into the way we sent the Bill out of here?"

Hannig: "Basically, this would just be a refinement of the Bill that we sent out of here. What the Senate Amendment provided for specifically would be that there would be an agreement between the... in your case, the municipality, and the private water company. Now, they have agreed to this. The utilities have agreed to this, the private water company. The municipalities feel that this will address their problem, as do the fire protection districts. But it's the same underlying idea, and it's simply a refinement, and all the things that we discussed earlier are still in place."

Tuerk: "Thank you."

Speaker Matijevich: "The Lady from Cook, Representative Braun - Carol Braun."

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

Speaker Matijevich: "Yes, proceed."

Braun: "Representative Hannig, have you ever heard of Lincoln Towing?"

Hannig: "Lincoln Towing? I'm afraid that I have not."

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Perhaps... "

Braun: "Have you maybe run into the song about the Lincoln Park pirates? Yo, ho, tow them away?"

Hannig: "I've heard of the Pittsburgh Pirates."

Braun: "Well, Representative and Ladies and Gentlemen of the House, I have a concern with the removal of the \$35 cap, which was agreed upon when this Act was initially put in place. We may well be turning the clock back to a situation in which, you know, you can have your... come into Chicago for a visit or whatever, park your car, come back, discover it's been towed away, and somebody's charging you \$250 to get it back. I tend to agree with Representative Greiman's analysis that, in the absence of standards, we would be remiss to remove the cap and to disallow a towing company to charge whatever it thinks it can get away with. I believe we'd run into a great deal of trouble, and I would encourage that people take a serious look at what this Bill does as a practical matter with regard to towing fees."

Speaker Matijevich: "The Gentleman from DuPage, Representative Hoffman, Gene Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. In responding to questions, I'd like to point out that the concerns addressed by the previous speaker are included in the language of the Bill. It's also clarified by the additional language. No other place are you going to find these kinds of limitations placed on. You notice that the Commission will have the authority to set the rates just like they do in all other situations. And for that reason, I think that, as they say on the ad, we're in safe hands."

Speaker Matijevich: "The Gentleman from Effingham, Representative Brummer."

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Brummer: "Yes, there seems to be a great deal of confusion regarding the towing Amendment, and I don't know if I can clarify a whole lot of that. Quite frankly, it only applies to the City of Chicago, so I guess I don't really have a great deal of interest, but I think it's fair to point out that Senator Marovitz was the original one concerned about the towing prices and the towing companies ripping off the public. And I think he was the one who sponsored this Bill originally, setting the limit and saying that the Illinois Commerce Commission shall have jurisdiction with regard to that. Quite frankly, I recall that because I thought it was kind of ridiculous that the ICC should get involved in regulating the prices at which relocaters in Chicago... what fees they could charge. The same Senator, who is very concerned about these companies ripping the public off is one who came forward with this proposal, having been convinced that the \$35 cap is an unreasonable cap. It was his cap in the first place. It's been there since 1981, I think, and because of inflation and other items, it was the feeling of Senator Marovitz that this cap ought to be removed, and that the ICC should set the rates. The language that is in this and is added, is as follows. It's very brief and I'll read it. 'Rates for towing, removal and storage shall reflect the cost of providing the service to the public and shall be the lowest rates consistent with the continued provision of efficient and adequate service to the public.' I talked to the Illinois Commerce Commission about that language and asked them if they would have any problems administering that language, and they indicated 'no'. So, I think there has been a good deal of thought going into this Amendment, and the portion dealing with the towing, I think it was sponsored by the individual who was originally concerned

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about these towing companies ripping off the public. The ICC is says they can administer it, and I think it's a reasonable proposal, and we ought to adopt the Conference Committee Report."

Speaker Matijevich: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Mr. Speaker, I think Representative Brummer has really said what I was going to say. The ICC certainly has the regulations and the responsibility to set reasonable rates so it's not going to go pell-mell and sky high without some rationale behind it. It is only applying to private property. It doesn't affect many of us, perhaps, in the suburban area, but it does seem to meet exactly what Representative Brummer did say, and I think Representative Hannig did explain that there was agreement on the other provision on the water... municipal and fire districts, so it seems like the Bill really is in proper shape now, and I would recommend a favorable vote."

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

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, it is my community that is affected by this legislation. I represent the Lakeview community which, for 10 years, fought against Lincoln Towing, and the culmination of the 10-year effort was litigation, taking away... making clear that Lincoln Towing had no lien and could not hold cars. So they came to the General Assembly, and I was one of the Sponsors of the legislation that regulated them, which was the result of the massive community concern and involvement. Lincoln Towing is the outfit that uses dogs, or used dogs, sic them on people, held the cars for ransom, charged any amount they wanted to. This proposal - at least the part of this proposal that affects Lincoln Towing

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- has not been subject to a separate Bill. It has not been subject to a single hearing in either the House or the Senate. Our Senator may be for it, but the people in our district are not. They would like to have this... It's going to be considered. It should be considered through the normal process. I urge that we defeat this Conference Committee Report, take off the provision that allows Lincoln Towing to go hog wild again and bring back the rest of this... what I think is probably a pretty good Bill. So, I urge a 'no' vote... "

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

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

Speaker Matijeich: "It's not necessary. Representative Hannig to close, the Gentleman from Macoupin."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I'm glad that at least we are basically in agreement on the fireplug Bill and the provisions that we have agreed to with that. As far as the towing proposal, this Bill would simply strike a cap that was... that was put into our law several years ago when apparently there was a problem. But since that time, we have seen the number of towing companies in this business decline from 23 down to nine, and we all know that due to the cost of living, it's very difficult to expect any business to continue to even break even, under a situation where they are unable to raise their rates. Now, these companies are licensed by the Commerce Commission. They're overseen by the Commerce Commission, and we're simply asking that the Commerce Commission - that body which we allow to set our gas rates and our power rates and all the other rates important to us - that we allow that Commission to study and set the rates for these towing companies. Obviously, if they do not do

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so in a way that we feel is appropriate, we can be back here in November and again next January and simply enact legislation which more specifically addresses the problem. But I think it's fair to allow the Commerce Commission an opportunity to try to address this problem fairly, and I think that this Bill will do that, and I would urge its adoption."

Speaker Matijevich: "Representative Hannig has moved that the House do adopt the First Conference Committee Report on House Bill 2381. Those in favor signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 30 'ayes', 74 'nays', 2 answering 'present', and the House fails to adopt the First Conference Committee Report on House Bill 2381, and the Gentleman asks leave that a Second Conference Committee be appointed. On the same Order of Business appears House Bill 28... Representative DiPrima, for what purpose do you rise?"

DiPrima: "Yes, Mr. Speaker, the first two casualties of the... "

Speaker Matijevich: "You're not in order on that. We'll recognize you later. The... House Bill 2892, the Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move for the adoption of Conference Committee Report #1 on House Bill 2892. House Bill 2892 originally was the Bill that provided for stipends to clerks of the Circuit Court. However, since that legislation is on its way to the Governor, the Conference Committee amended House Bill 2892 by deleting everything after the enacting clause and providing that, in counties under a million, where the county clerk... Circuit Court clerk, rather, is chosen to automate the record system, and the board has budgeted

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sufficient funds to the clerk for such automation, a fee could be established from one to three dollars on the filing fees for a fund to automate those records. I should mention nothing in this Bill should be construed to broaden the power of a Circuit Court clerk to operate outside the budget established by the county board. I would move for the adoption, at this time, of Conference Committee Report #1 to House Bill 2892."

Speaker Matijevich: "Representative Steczo has moved for the adoption of the First Conference Committee Report on House Bill 2892... 2892. Those in favor... I'm sorry. There is debate. Representative Ewing."

Ewing: "Would the Sponsor yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Ewing: "Does the Clerks' Association... the Circuit Clerks' Association supporting this?"

Speaker Matijevich: "Representative Steczo."

Steczko: "Yes, Representative Ewing. They are."

Ewing: "And was this involved... Was this put up on any other legislation earlier this Session?"

Steczko: "No, it was not. However, I understand a similar thing has been done for a one dollar fee for the recorders."

Ewing: "This... This Session?"

Steczko: "I believe so."

Ewing: "Alright. But this was... This was never in the form of another Bill and debated in Committee and taken to Committee or anything?"

Steczko: "Not that I'm aware of."

Ewing: "Thank you."

Speaker Matijevich: "The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Matijevich: "Proceed."

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Brummer: "Would this be applicable also to small claims?"

Steczo: "Representative Brummer, I... I'm not certain of that... of that question. I can't answer that question for you."

Brummer: "I really don't have any quarrel with filing fees being increased or authorized increased with regard to regular filings with regard to probate petitions, with regard to filing major lawsuits, but with regard to filing small claims suits, some of which may be as small as \$100, we've now attached a library fee with regard to the small claims. The filing fee itself with regard to the small claims is substantial. Putting an additional three dollars with regard to a small claims case seems to me quite high. I don't want to delay this unduly, but I would certainly recommend or ask you to recommend to the Circuit Clerks' Association that they not attempt to achieve this with regard to small claims filings."

Steczo: "Representative Brummer, let me indicate to you that the proposal... proposal mentions one dollar to three dollars, and that is enacted with the explicit consent of the county board. The county board shall determine which. And I'm sure that the county board would do that. I should also mention, too, that this provision has a sunset in 1990. It self-destructs in 1990 to give those Circuit Court clerks the opportunity to be able to automate their particular systems."

Speaker Matijevich: "Representative Olson, Myron Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Olson: "Representative Steczo, I have a few questions relative to this issue, being a former circuit clerk. It has been called to our attention on a number of occasions that, relative to a Bill that may have been here when you were

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here a few years ago - House Bill 24 - where Public Aid sought to put into place an automated child support collection system, it is reasonable to assume that within the next year or two, the hardware which the circuit clerks are seeking may be put in place by state expense rather than passing this fee back to local government. Are you familiar with that?"

Steczo: "No, Representative, I'm not familiar with that particular provision. I do know, however, that only about 30 counties of 102 counties in the state are automated, and this is... this is a method by which we can really streamline and modernize those offices."

Olson: "In addition, are you familiar with the fact that we just recently passed legislation to raise the marriage license fee from 15 to \$40, which brought a storm of protest in county government?"

Steczo: "Yes, Representative, I am. However, in this case the fee is simply a filing fee. It's not... It's not a fee that's going to be imposed on any kind of a fine, et cetera. And it's not as heavy as the marriage license fee of \$15. This is simply one dollar with the possibility of it going up to three. That's a relatively minor thing, and we kept it at that level for that reason."

Olson: "To the Bill, Mr. Speaker. It would be my suggestion that we give serious consideration to the imposition of a fee of this nature, although it is very laudable for the automation of local circuit clerks' offices. I think it is reasonable to assume that within a relatively short period of time, these funds might come from the state, and I would not think, despite the fact that we have been told that county boards are favorable to this, we are just saying that they would have the last word. I think that this Bill should rather go to a full Committee hearing."

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

Vinson: "Mr. Speaker, will the Sponsor yield?"

Speaker Matijevich: "Yes. Proceed."

Vinson: "Representative, am I right in believing that there is a surcharge fee charged as a result of this Conference Committee Report?"

Steczo: "Representative Vinson, there is a... there would be one dollar to three dollar surcharge on the filing of certain cases that would be imposed by the county board for the purposes only of automation, and it would only affect fees, I should add, that would be... would... which records would be used by the automated system."

Vinson: "Does this... Would this affect criminal matters?"

Steczo: "This Bill, Representative Vinson, would affect civil lawsuits, and the fee would be paid by each party at the time each party filed their first pleading or traffic or quasi-criminal paid by the defendant."

Vinson: "So, it would go on traffic matters?"

Steczo: "Yes, it would."

Vinson: "Are there other surcharges on traffic matters?"

Steczo: "It's my recollection that there are."

Vinson: "And would you explain what those are?"

Steczo: "Representative Vinson, I can't answer that question for you. I don't have the information before me."

Vinson: "Is there a surcharge on traffic matters for support of the probation system?"

Steczo: "Again, without my information before me, I can't answer that. I would presume the answer would be 'yes', from the tone of your question."

Vinson: "And is there a... Is there one for conditional discharge?"

Steczo: "Representative Vinson, I presume there is, from the

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question."

Vinson: "What would the minimum traffic fine be with all of this?"

Steczo: "Well, Representative Vinson, the filing fee is imposed at the time of the filing. I think that right now the minimum traffic fee, I know for speeding, would be somewhere in the neighborhood of \$50, I believe, so you could add a dollar onto that. I may be incorrect in that, but I think that's probably in the neighborhood."

Vinson: "At some point, don't you begin... don't you believe that we begin to put so many surcharges on top of so many surcharges so that it really becomes a pretty onerous system?"

Steczo: "Representative Vinson, I feel that in terms of the efficiency of these governmental units, and especially since we have tried to estimate approximately how long it would be before these automated systems would be in place and sunset this Bill in 1990, that it behooves us to try to do something to automate and make more efficient these offices. This is one means by which to do it."

Vinson: "Thank you."

Speaker Matijevich: "Are you through? I guess you are. The Gentleman from Cook, Representative McNamara. John McNamara."

McNamara: "Thank you, Mr. Speaker and Ladies and Gentlemen. Through this particular situation, as one of the previous Representatives spoke to, he said that in the future, perhaps the state would reimburse for these automated records. I think this would be a bad situation to... to wait for, since, taken into consideration the financial woes of the state right now, it seems only fair to put a fee on those particular units that are being used by the people of that area and encourage the automation in this

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way. Therefore, I rise in support of this fine Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Piel, Robert Piel."

Piel: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Matijevich: "Proceed."

Piel: "The increase to the circuit clerks' salary is still in this Bill, correct?"

Steczo: "No, Representative Piel, it is not."

Piel: "Okay, they took that Section out, and all we're talking about is the automated Section."

Steczo: "Yes, Sir."

Piel: "Alright. Thank you very much."

Steczo: "Mr. Speaker?"

Speaker Matijevich: "Yes."

Steczo: "I was wondering if... Because there are so many questions, perhaps we had better take this Bill out of the record for now."

Speaker Matijevich: "Out of the record. On the Order of Conference Committee Reports on Supplemental Calendar #2 appears House Bill 2917. The Gentleman from Cook, Representative Steczo."

Steczo: "Thank you, Mr. Speaker, Members of the House. I hope House Bill 2917 is less controversial than the last. House Bill 2917 passed the House unanimously, and it corrected a serious error that the General Assembly made when they enacted Public Act 83-533. That provision - or, that language - is still in the Bill, and that corrects a problem that we did when we adopted a schedule of tax levies for townships. And if this legislation does not pass, a township with a value between... an assessed value between 15 and \$30,000,000 may have a rate that, instead of... instead of 25 cents may be down to zero unless this passes. Senate Amendment #1 to House Bill 2917 provides

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that township boards of trustees may be authorized to take all necessary action in order to provide housing for senior citizens within the township. That particular Section passed the Senate by a vote of 52 to 0. That is in the Bill. The Conference Committee did add one Section that related to House Bill 2905 that passed the House by a vote of 106 to 1, and that was a Section that seeks to address problems that township assessors have. Township assessors, at the present time, can... cannot really set the salaries for their own employees. The provision that we have added to Conference Committee Report #1 is a situation where the township board will now approve the budget for the assessor's office, and at that point, the assessor will be able to determine the salaries that their deputy assessors are paid. I would answer any questions, and if none, would ask for the adoption of Conference Committee Report #1."

Speaker Matijevich: "Representative Steczo has moved that the House do adopt the First Conference Committee Report on House Bill 2892. On that, the Gentleman from McHenry, Representative Klemm."

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

Speaker Matijevich: "Yes. Proceed."

Klemm: "Just one fast question, Representative. If the township board does not give all the money under the line item for personnel salaries of the assessor's budget, then how would the assessor give these salaries out at their discretion?"

Steczko: "Representative Klemm, it's up to the township trustees to appropriate the budget for the assessor's office. From that point, I believe, it would be up to the assessor to determine the nature of the number of employees and the salaries that those employees should be paid, rather than... "

Klemm: "In other words, if the town board were to give the

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assessor's office \$50,000 for the operation of his office, that assessor can determine how to spend that 50,000, and it could all be salaries and nothing for anything else? Is that what you're... "

Steczko: "Correct, except the assessor would be responsible for the other duties of the office. And I'm sure that the township board certainly would act as a safeguard in that matter, too, should there be any... anything... any wrongdoing."

Klemm: "Well, I guess I'm trying to determine from you is that, does the township board go by line item, or does it go by the total amount for that particular department? I would have thought it was line item, but I haven't been a township trustee for a number of years, and I don't know if the law has been changed."

Steczko: "And Representative Klemm, I don't think it's been changed, either. I think it still is line item."

Klemm: "Alright, then, back to my original question. Let's say that the township board decides that under line item personnel salaries - that line item - they'd put in \$10,000, or whatever the amount may be. And the assessor said, 'Hey, I wanted to pay \$12,000'. How do you arrive and how do you resolve that conflict?"

Steczko: "Representative Klemm, I would think that in a situation like that, under that type of a situation, it would be up to the assessor convincing the members of the township board that the amount of money for salaries would be in order. And I presume discussions take place prior to the actions on the budget by the assessor and the supervisor and the highway commissioner, etc., as to what kind of budget they would have."

Klemm: "Well, I have seen occasions where obviously, there were several employees, where salaries were determined such as a

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secretarial, that it would be uniform within a township so that others don't start paying higher salaries for doing similar jobs. And a elected official or an appointed official would disregard that and just take it out of that line item and just give it out. And it caused a heck of a lot of conflict. And I'm wondering, could this possibly do that, too?"

Steczo: "Representative Klemm, I would hope it would not, realizing the fact that the assessors are elected officials in the township and have to... and have a responsibility. And the township officials have indicated to us that not only are the assessors but the other township units under their jurisdiction are also in favor, I would presume that this would not would create... this would not create any heavy conflict."

Klemm: "Alright, then. Do all township elected officials - are they all allowed, by Illinois law, to set the salaries for their personnel, which would be the road commissioner, the assessor, the supervisor, et cetera?"

Steczo: "I'm not certain on that, but I... "

Klemm: "Is the law consistent, then?"

Steczo: "I would hope they would be. I would have to check and get back to you on that."

Speaker Matijevich: "The Gentleman from Cook, Representative McNamara, John McNamara."

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

Speaker Matijevich: "Yes. Proceed."

McNamara: "On the question of assessors. Isn't it that the assessor has no voting power on that board?"

Steczo: "True. Yes, that's correct."

McNamara: "Okay. To this particular Bill."

Speaker Matijevich: "Proceed."

McNamara: "One of the problems that does... was rightly pointed

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out, that the assessor, if he wishes a line item or a budget bill in the area of \$50,000 a year, this would give the assessor the right to apply all of that to salary. This would also negate the possibility, and he would have no vote on that board; therefore, would not be responsible for the actions directly to the people, although I do believe the people of the community should hold him to task for it. It does create a problem. It must be the final vote on a township board is the... in the power of the trustees and the president of the board. And I really think that this would be a mistake to pass this particular piece of legislation."

Speaker Matijevich: "The Gentleman from Knox, Representative McMaster."

McMaster: "Thank you, Mr. Speaker. I wish the floor would quiet down just a little bit."

Speaker Matijevich: "Could the Body give your attention, please? Thank you. Proceed."

McMaster: "Mr. Speaker, Members of the House, this is an excellent Bill. There's absolutely nothing wrong with it. I am quite sure you can go into any township and you can find a conflict between one elected official and the board of trustees of a township. That occurs. There's no way you can prevent that, but I think you should recognize that an elected official such as a tax assessor or a road commissioner who files a budget with line items in it to his board of trustees, and the board of trustees and supervisor of that township, in turn, when they pay the bills, have the right to see if that specific bill is fitted into the line item which was arranged for in the elected officials' budget. And I think it's an excellent Bill, and I think you're clouding the issue, and I think we should vote 'yes' on this and get done with it."

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Speaker Matijevich: "The Gentleman from Edgar, Representative
Woodyard. Woodyard."

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

Speaker Matijevich: "Proceed."

Woodyard: "Representative, did you say that the Township
Officials' Association do support this Bill?"

Steczo: "Yes, Representative Woodyard, they do. In fact, it's
part of their... it's part of their program."

Woodyard: "And the Township Assessors' Association also supports
this Bill?"

Steczo: "That is correct."

Woodyard: "This is a premise that they had very early in the
spring, and it's very important to them."

Steczo: "Yes, Representative Woodyard. In fact, there was
legislation introduced by myself last year to do this very
thing. It passed the House unanimously and was held in
Senate Committee. And Representative Deuchler had the
exact same Bill, House Bill 2905 this Session, and it was
held in Senate Rules, and we think that the language that
we have included in House Bill 2917 resolved a different
kind of a problem with relation to assessors in Cook
County, so there wouldn't be any conflicting... conflicting
means by which to interpret that language. And everybody's
in agreement now, that this does the job that it was
intended to do."

Woodyard: "Thank you, Representative, and I would urge the
Membership to concur with this First Conference Committee
Report."

Speaker Matijevich: "The Gentleman from Rock Island,
Representative DeJaegher."

DeJaegher: "Ladies and Gentlemen, I, too, rise in support of Mr.
McMaster's Bill. I think basically what he's trying to do
is to give the right to the assessor to determine the

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amount of salary that his employees will receive. It's often difficult for the average lay person to know what that particular person is doing or what he's going to do for that particular assessor. I think that that assessor should be given that right. I think it's reasonable legislation and, hopefully, that you'll be supportive of this legislation."

Speaker Matijevich: "Representative Hastert, Dennis Hastert."

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

Speaker Matijevich: "Proceed."

Hastert: "Representative, I'm sorry. I came in here a little bit late, right in the middle of this thing, but I... Just a couple of questions. This allows them to... the assessors to choose their own deputy assessor?"

Steczo: "This allows... Representative Hastert, yes, this allows the township board to set the salaries for the assessor's office, which they do now."

Hastert: "Right."

Steczo: "But it allows the township assessor to determine what salaries their deputies would be paid."

Hastert: "So, they set the salary for their deputy assessor."

Steczo: "Correct."

Hastert: "That's all this does?"

Steczo: "That's all this does."

Hastert: "Thank you."

Speaker Matijevich: "Representative Steczo, to close."

Steczo: "Thank you, Mr. Speaker, Members of the House. I, again, would encourage the House to adopt this analysis. As was mentioned in debate, both the township officials that represent township trustees and the assessors have indicated to us that both groups are in favor of this particular provision. It is important to note that the township assessors are elected officials. It also is

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important to note that the township board has control over the budget of the assessor's office. The only thing in question here is how much in salary the deputy assessors in each particular township would be paid. I think it's a reasonable thing to request. As I had mentioned, similar Bills doing this exact same thing have passed this House nearly unanimously twice within the last two years, and I would urge the House to adopt Conference Committee Report #1 to House Bill 2917."

Speaker Matijevich: "On Representative Steczo's Motion, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2917?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 102 'ayes', 5 'nays' and 1 answering 'present'. The House does adopt the First Conference Committee Report on House Bill 2917, and this Bill, having received the Constitutional Majority, is hereby declared passed. Supplemental Calendar appears Senate Bill 1522. Representative Greiman on the floor? Representative Currie, for what purpose do you rise?"

Currie: "Well, I'm a joint Sponsor of the Bill, and in his absence... "

Speaker Matijevich: "Leave for Representative Currie to handle Senate Bill 1522. Leave? Senate Bill 1522, Representative Barbara Flynn Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move the House do adopt Conference Committee Report 1 on House Bill... on Senate Bill... Maybe the Clerk would change the... I think it's Senate Bill 1522. This is the Bill that provides... "

Speaker Matijevich: "I'm sorry. That is Senate Bill. The Chair is in error."

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Currie: "Senate Bill 1522. This is the Bill that provides that there will be disclosure of the beneficiaries of secret land trusts if the property is sold or leased to the Chicago World's Fair 1992 Authority. The Conference Committee was requested so that technical errors in the Bill could be corrected. The only subject of the Conference Committee Report is the subject of the Bill that we passed last week, and I urge your support for this report."

Speaker Matijevich: "Representative Currie has moved that the House do adopt the First Conference Committee Report on Senate Bill 1522. There being no discussion, the question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1522?' Those in favor signify by voting 'aye', opposed by voting 'no'. Final action. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 101 'ayes', 2 'nays', 1 answering 'present'. The House does adopt the First Conference Committee Report on Senate Bill 1522. This Bill, having received the Constitutional Majority, is hereby declared passed. On Supplemental Calendar #2 appears House Bill 877. The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 877 has become kind of the omnibus education Bill. And let me just briefly go through the provisions. Most of them we've seen before, and they have been approved. I don't believe there's anything that's particularly controversial in here. Everything in here has been signed off on by the State Board, by the school board groups, including the Chicago Board of Education, the IEA, the IFT, and let me just go through it. One provision in the Bill allows an individual to serve as both a member of

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the Chicago Board of Education and a member of the RTA. A provision of the Bill deals with the annual reports of the State Board of Education with respect to the number of men and women teachers, their assignments, the number of students served in those assignments, and the amount of time devoted to those assignments, as well as information as to the number of school services that have been reduced within the last five years. Another provision embodies the underlying Bill sponsored by Representative Giorgi dealing... allowing school districts to have both at-large and districts in the same school district. And you may recall that his Bill went down because it had so many other Amendments on it. But the underlying Bill, I think, was acceptable to everybody. Four, it allows school districts to make health insurance premium payments to the Teachers' Retirement Fund for health insurance costs of retired employees. This is not in any way mandatory. This is something which the Bill provides may be the subject of collective bargaining negotiation. It simply authorizes it to be the subject of such negotiations. The next provision was Representative DeJaegher's Bill, House Bill 2792, which flew out of here overwhelmingly and provides that residency within a school district shall not be considered as determining the employment or compensation of non-certified employees. This provision does not apply to the City of Chicago. 'F' provides the school district which is an administrative agent for a special education program operated by a state institution that serves children who are wards of the state, which terminates employees who were employed in the program because the state institution moved or closed, is eligible for state reimbursement for three years for increased contributions for unemployment insurance. This was requested by Representative Hicks and

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deals with a specific problem in his district. 'G' exempts from the state certification requirement, teachers certified under the City of... City of Chicago Board of Certification. 'H' provides... deals with the Amendment that Representative Keane had offered dealing with engineer custodians in terms of safety. 'I' deals with the... divorcing the levy and budget process of the Chicago Board of Education, a technical Amendment. And 'J' deals with business and vocational schools, as far as the tuition refund policy for students. If there are questions, I hope I can answer them. As I say, this does embody a number of miscellaneous education provisions. All of them have been reviewed by everybody from different vantage points, the unions, school board groups, Chicago and downstate, and to the best of my knowledge, there's nothing in here that's controversial."

Speaker Matijevich: "Representative Levin has moved for the adoption of the First Conference Committee Report on House Bill 877. On that, the Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Mr. Speaker. I move... I rise in support of the adoption of the Conference Committee Report. The part that I am most familiar with deals with a fair and equitable refund program for vocational schools. We have dealt with this subject several times. It is critical that we put on the Governor's desk a fair and equitable refund program. And the... this Conference Committee Report contains one, and I would recommend it, if we are to reform the whole vocational school situation. This is important that we adopt this Conference Report."

Speaker Matijevich: "The Lady from Cook, Representative Pullen - Penny Pullen."

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

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Speaker Matijevich: "Proceed."

Pullen: "On page three of the Conference Committee Report, lines 34 and 35, I see that this would authorize a director of the Regional Transportation Authority to be a member of a school board. Who is it that is a member of a school board that is going to be appointed to the RTA?"

Levin: "Clark Burris. And this Amendment was included on another Bill which was adopted in the House, but that Bill is Conference Committee at this point. It's... Clark Burris."

Pullen: "This whole Bill is an Amendment that was adopted to some Bill or another at some time, or not adopted, and that brings me to the subject of a provision that requires, in the Chicago School District, that an engineer custodian is responsible for the physical condition of all district buildings of 30,000 square feet or more. Is that... Is this not identical to House Amendment #8 to Senate Bill 1631, which failed to pass the House?"

Levin: "It did, and I could... If you want it explained, I would like to yield to Representative Keane, whose Amendment this was."

Pullen: "I would like an explanation of the Amendment, if the Gentleman wishes to yield to the original... of that."

Levin: "Yes. Yes."

Speaker Matijevich: "The Gentleman yields to Representative Keane. Is that... Representative Keane, James Keane."

Keane: "Thank you. I'm sorry, I wasn't listening that closely. Could you repeat your question?"

Pullen: "I wonder whether you would please explain your efforts to make responsible for the physical condition of school district buildings in Chicago, the engineer custodian. What is this for?"

Keane: "This is existing policy within the... within the board of... the Chicago Board of Education, at the present time."

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After the 'Angel Guardian' fire, where there were doors that had been chained because of the orders of the principal, and there were other... there were other fire hazards that the fire department found after their investigation of that occurrence, we've... the Chicago Board of Education and some other educational institutions set up a policy wherein they said the physical - only the physical, it had nothing to do with the educational policy - where the physical policy of the board of ed... the physical... the physical plant would be under the control of the chief of the engineer custodian. The engineer custodian in the City of the Chicago, to operate as an engineer custodian, has to pass tests that show his expertise on heating and air conditioning. You have to pass tests to operate a swimming pool, and you have to operate... you have to pass qualifications in order to do the exterminations that are needed around cafeterias and food. We've had a number of cases where... in schools where people who don't know how to handle them and are not familiar with these exterminating liquids and that, have poisoned... have put kids in the hospital. So, it's for this reason that we're codifying it."

Pullen: "Well, you mentioned 'Angel Guardian School' as the initiator of this policy. That's a private school, is it not? Does this provision apply to private schools as well as public schools?"

Keane: "No, it doesn't. It does not. But 'Angel Guardian School', if you're in the... if you looked at the fire structure... the fire safety, the disaster that we had at 'Angel Guardian' caused many of the... many of the school districts throughout the state - in fact, throughout the country - to examine the way that they were operating. We have had cases in the Chicago public schools where

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principals have told the engineer to chain the doors, to chain the push bars on the doors so that the gangs could not come in. Well, this may be a, you know... Well, they think this may be a great thing. It also keeps the kids from exiting in the event of a fire. So, you have to have someone in final charge of the physical plant, and my Amendment would make it the custodian engineer, which is what the existing policy of the Chicago Board of Education is right now."

Pullen: "Is the idea of this to take that authority away from the principal, invest it instead in the custodian engineer or engineer custodian."

Keane: "No, because that is not that situation now. The existing guidelines in the Chicago Board of Education say exactly what that Amendment says."

Pullen: "Well, I would like to ask about the legal implications, then, of writing this into the statute and the legal implication of the word 'responsible'. Do you believe that... First of all, do you believe that it is necessary to write this into law, since it is existing policy?"

Keane: "Yes. It gives the authority to the engineer custodian. It definitely sets the responsibility. And the engineer custodians want that responsibility, because where there's guidelines and where it's a policy statement of the board and you get a principal who might put a lot of pressure on a... on an engineer, he's darned if he does and darned if he doesn't. And he might end up doing something that, in his own mind, is bad, but he does it under pressure, and what might happen is that we might have a disaster. With this codified, he can say, 'No, I will not do it.' And then, if he, in fact, does do something that is wrong, he, in fact, will be responsible. And the school engineers have asked for this law."

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Pullen: "I hate to be so persistent about this, but I'm very concerned about the legal implications of the word 'responsible' when there is no language here talking about negligence. And I am concerned whether, under this wording, the engineer custodian would be legally liable and could be sued for any problems involving the physical condition of the district buildings."

Keane: "Yes, my feeling is that it's... he is responsible for... Under this law, the engineer custodian is responsible for the physical plant and to see to the safety of the physical plant. And that's really what we want. Under existing law, as you know, anybody can be sued for anything, and if... any school, if there's a hint of negligence, what the lawyers generally do is, they sue everyone in sight. And, you know, I don't think that that would change."

Pullen: "Thank you. Mr. Speaker, I have a couple more questions of the Sponsor of the Bill, if I may."

Speaker Matijevich: "Proceed. Questions are to Representative Levin. Proceed."

Pullen: "Sir, I see that there is language here requiring that the State Board of Education report to the Governor on a gender-based basis. The number of men and women teachers and their assignments, the number of students served in those assignments and the amount of time devoted to those assignments. What is the purpose of distinguishing on the basis of gender?"

Levin: "To make sure that it's, you know, fair and equitable. This has been checked with the State Board. This is information that I understand they currently have, and so it is not imposing any... any burden on them."

Pullen: "What is it that you're planning to do with this information when the report is made?"

Levin: "This is given to the Governor annually, as well as to,

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you know, published so it is available to everybody. It's available to the Legislature, school board associations, unions, and I think the object here is to give us a little more information. The... You know, since the data is currently available."

Pullen: "Would you say that this is comparable to the comparable worth study?"

Levin: "Absolutely not. I think this is just information, you know, along with a lot of other information that we're providing for, you know, everybody will be able to make decisions for the future based on past experiences with assignment and everything else within the school systems."

Pullen: "And you're not prepared to tell us, at this point, the nature of the decisions that you will be asking for, pursuant to this information."

Levin: "Representative, you put me at a disadvantage. As I indicated in my opening remarks, this is an omnibus Bill and, you know, I am attempting to carry here a package, which was requested, in part, by the various school boards in the state, by the various teachers unions and, you know, various and sundry different folks. And they've all reviewed all of the portions of it, and nobody has any problem. The School Board Association's Cardoni has reviewed this provision as well as every other provision in the Bill... "

Pullen: "That's not relevant to my question, Sir."

Levin: "Okay. So I really can't say that I, you know, can express what the intent of every one of the groups that's interested in every provision is to be for the future."

Pullen: "Okay. I have another Section that I'd like to ask you a couple of questions about. On page 10, I think it is, there is a provision which authorizes school boards to make health insurance premium payments to the Teachers'

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Retirement System for costs not paid by the system for eligible participants who retired from the school district. How much do you think it's going to cost for school boards to be adding retired teachers to their health insurance policies?"

Levin: "This was discussed with Ron Cardoni of the School Board Association. He points out it is purely permissive. This does not mandate anything. It simply allows it to be the subject of collective bargaining. So it's in the power Section. It's not in the mandate Section, so... "

Pullen: "I know."

Levin: "You know, this does not cost any school district anything."

Pullen: "Well, the question that I asked you... "

Levin: "And he has no problem."

Pullen: "Does not relate to a mandate, Sir. The question that I asked you was how much do you think that it is going to cost for the school districts to be making these insurance premium payments. Now, I know that this is being added to the power Section, and I know equally well that as soon as school boards are authorized to do this, there will be demands from certain associations that they, indeed, do this, and I would like to know whether you have an estimate of how much the local property tax payers are going to have to pay for this indirect mandate that will not be funded by the state."

Levin: "Representative, all I can say is that I think we have to rely on the competence of our local school districts to only go with those provisions that they feel are in the best interest of their local district. You know, I have no idea as to cost. If they don't do it, it's not going to cost anything, but I think we've got to rely on their competence in this respect."

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Pullen: "So the answer is that you don't know how much this is going to cost. Thank you very much."

Speaker Matijevich: "The Lady from Cook, Representative Braun, Carol Braun. The Gentleman from Cook, Representative Jesse White."

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

Speaker Matijevich: "Representative White has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay', and the main question is put. Representative Levin to close."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just in closing, let me say that this is an agreed Bill. It is one that has been... While it has many provisions, all of these provisions have been reviewed by, you know, virtually everybody - the school board associations, the various unions, both Chicago and downstate, and everybody's in agreement with it. Nobody has any problems with any of the provisions, and I ask for a favorable Roll Call on adoption of Conference Committee Report #1."

Speaker Matijevich: "Representative Levin has moved the adoption of the First Conference Committee Report on House Bill 877. Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Brummer, one minute to explain his vote."

Brummer: "Yes, I'm going to vote 'present' simply because there are 12 provisions in here. Some of them are okay and some of them I have serious suggestions... serious reservations about. When the Sponsor says it's an agreed Bill, I see there are nine... 10 people on the Conference Committee. Nine of them agreed to it. The other one didn't sign it. I don't know what an agreed Bill is, when there are 12 different provisions, some of which are rather

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controversial, some of which I have just had some comments made to me about in opposition or concern about. One of the items regarding the realignment or different method of election school boards downstate, I know is an item that the Farm Bureau in the past, historically, at least, has had real reservations about - the issue of exempting service personnel in the city schools of Chicago from state certification. I really do not know why. We've also passed a school tuition refund policy out of here previously that was substantially different than this. It had substantial support. Now we're completely or at least substantially altering that. I'm not sure why, and I guess I question whether all these provisions ought to be on this big Christmas tree, and I'm voting 'present'."

Speaker Matijevich: "Representative Braun, one minute to explain her vote."

Braun: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Pullen, I think, correctly caught some of the real problems with this legislation. Just to tell a little story - there was a school in my district in which the parents got together and wanted to have an after school program, and the school engineer said 'no', and there was no power on earth that could move the school engineer from that position. As a result, you had an effort by parents and people who were concerned about the quality of education, and the programs available to children stymied because the engineer unilaterally decided not to go with it. To codify something like that, I think is just to pile insult to injury and stymie the efforts of people who really are concerned about making the Chicago schools better, and I'm glad to see that there's 18 rainbows on this vote... "

Speaker Matijevich: "Representative Diana Nelson, one minute to

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explain her vote."

Nelson: "Thank you very much. Mr. Speaker, Ladies and Gentlemen of the House, I'm also voting 'present', although I did sign the Conference Committee Report, because in the meeting, it is true, there were no objections raised. As the Sponsors described, this is an omnibus Bill, but it is an IEA Christmas tree Bill. There is no school board that I know of that was a requester of any of the portions of it. And I believe the best thing to do is take it back to Conference and discuss some of these provisions once again. Some of them are innocuous, certainly, but some of them, I think, have some serious, far-reaching consequences."

Speaker Matijevich: "Representative Huff, Doug Huff, one minute to explain his vote."

Huff: "Yes, Mr. Speaker, I don't know if the Sponsor has any children in the Chicago Board of Education, but I know the 11 board members we do have there don't have one child in that school system. And I'm absolutely opposed to the addition of a member being able to serve on both the Chicago Board of Education as well as the Regional Transportation Authority. Next thing you know, we'll be paying for private parochial schools, and our kids will be under the hoods of those buses."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 18 'ayes', 52 'nays', 41 answering 'present', and the House fails to adopt the Conference Committee Report on House Bill 877 and requests that a Second Conference Committee be appointed. Representative Steczo, have you worked yours out yet? Not yet. Alright. Clerk for an announcement."

Clerk Leone: "House Supplemental Calendar #3 is now being distributed."

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Speaker Matijevich: "Supplemental Calendar #3 is now being distributed."

Speaker Greiman: "Representative Greiman in the Chair. On Supplemental Calendar 3, Conference Committee Reports appears House Bill 2740. Yes, Mr. Brummer, for what purpose do you seek recognition?"

Brummer: "Mr. Speaker, point of order."

Speaker Greiman: "Yes, Mr. Brummer."

Brummer: "I think previously we had suspended an order regarding the distribution of the Calendar having been out an hour. The announcement was made at 7:35 regarding the distribution of Supplemental Calendar #3."

Speaker Greiman: "Well, that's right, but the reports themselves have been on the desk, Mr. Brummer, for an hour. Under our rules, it's the report that has to be... the Conference Committee Report, I believe, and not the Supplemental Calendar. And I'm advised by the Clerk that it has been. Yes, Mr. Brummer?"

Brummer: "Yes, I think if you check the record, clearly, in fact, John Matijevich was in the Chair, and he announced 7:35. I wrote it down at the time it was being distributed. In fact, it hadn't arrived to the people here in the back, yet. But if it only needs to be... If the Calendar does not need to be on the desk, you know, my point is well not... not well taken. It seems to indicate in Rule 79 (d) that listed on the Daily or Supplemental Calendar in advance, according to the following schedule, and from June 28 to the adjournment of Spring Session, one hour that needs to be listed on the Daily or Supplemental Calendar in advance for that period of time. It seems to me we suspended the rule with regard to Supplemental Calendar #2 only, and we did not with regard to 3, that the appropriate thing would be to move to suspend that rule with regard to

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Supplemental #3 if we're going to proceed with that Calendar."

Speaker Greiman: "The Parliamentarian advises me that it is... on behalf of the Speaker, that it would be his understanding that Rule 79 (d) relates to the Conference Committee Reports and not to the Calendar itself. Mr. Brummer?"

Brummer: "Yes, I'm wondering why, then, for the last seven years that I served here, it has been the practice during the... on the last day and the last two days to always announce the hour at which the Calendar was being distributed. You mean for seven or eight years we've been doing this for no reasonable purpose in accordance with our rules whatsoever? I guess I further wonder why we suspended the rule with regard to Supplemental #2 a while ago."

Speaker Greiman: "We did that because the Conference Committee Reports at that time had not been on the... on for an hour. Yes, Mr. Matijevich, the Gentleman from Lake."

Matijevich: "Let me say that when I was in the Chair, I was in error, and we looked at the rule afterward, and there is no reference there that the Calendar has to be distributed. That was an old rule, and we have since not had that in our rules, so I was in error in the Chair at that time."

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

Vinson: "Thank you, Mr. Speaker. When was Supplemental #3 distributed?"

Speaker Greiman: "Apparently, around 7:30 or thereabouts. 7:35, Mr. Brummer says. The Clerk then announced it."

Vinson: "Mr. Speaker, as I read Rule 79 (d), it says that the Conference Committee Reports have to be listed on a Daily or a Supplemental Calendar in advance, according to the following schedule: June 28 through the adjournment of the Spring Session for one hour, so I wonder how we could conceivably be dealing with this Calendar when it was

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distributed at 7:35 and it's now 7:50."

Speaker Greiman: "Yes, the Gentleman from Lake, Mr. Matijeovich."

Matijeovich: "Mr. Speaker, as I read that rule, and that's why I feel I was in error when I was in the Chair, that that rule is for the purpose that the... that the Conference Committee Reports should be on the desk for one hour in between those times of June 28 and the spring adjournment. Some years ago, we did have a rule that the Calendar had to be on the desk for an hour, but that is no longer in the rules, so I interpret Rule 79 (d) that it is the Conference Committee Reports and Senate Amendments on the Order of Concurrence that should be on our desks."

Speaker Greiman: "Alright. Mr. Vinson. Mr. Piel. Yes, Mr. Piel, for what purpose do you seek recognition, Sir?"

Piel: "Sir... Mr. Speaker, the way the wording is, if they stated... "

Speaker Greiman: "Yes, Mr. Piel."

Piel: "If they stated that it was distributed on the Members' desks for one hour and put on the Supplemental Calendar it would be one thing, but it says on the Members' desks and on the Supplemental Calendar for one hour."

Speaker Greiman: "Mr. Piel. Mr. Piel, I am... I have ruled on this issue. However, Mr. Piel and Mr. Vinson, so that we do not continue to harangue this issue, it is... or, my ruling is that the intent of Rule 79 (d) is that the document be on your desk... the Conference Committee Report be on your desk. However, we will nonetheless, because we certainly don't want you to be called prematurely, and we don't want you to not have an opportunity to have sufficient time if you feel that you don't have the right... enough time, I'm going to rule that we... that the Conference Committee Reports have been on your desks enough time, but I am not, however, going to call any Bills until

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the appropriate moment. Mr. Giorgi, the Gentleman from Winnebago."

Giorgi: "Mr. Speaker, Conference... If I could have leave of the House to go to Conference Committee Report 1629. Is that the right number? Senate Bill 1629. Mr. Speaker, Senate Bill 16... the Conference Committee Report #1 to Senate Bill 1629 failed in the Senate. I'd like to ask that a Second Conference Committee group be struck so that the Bill can be taken up for a Second Conference Committee."

Speaker Greiman: "Second Conference Committee will be appointed."

Giorgi: "Thank you."

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

Vitek: "Yeah, just for a point of information on 1629. I haven't heard any report back from the Senate that that Bill had failed, the dog racing Bill. I haven't heard it read from the stand. Don't we have to get a report from them, or do we just get it from the microphone here?"

Speaker Greiman: "Yes, the Clerk had requested it so that the information is in the hands of the Clerk, Mr. Vitek."

Vitek: "That's what I wanted to be sure; that we did get it."

Speaker Greiman: "Yes, it's here. Oh, yes. We got it."

Vitek: "I don't want heresay that it failed."

Speaker Greiman: "It's here."

Vitek: "Okay."

Speaker Greiman: "Alright. On page two of the Calendar on the Order of Concurrence, appropriation Bills, appears House Bill 2626. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2626, an Act making appropriations to the Department of Children and Family Services together with Senate Amendments #1, 2, 3 and 4."

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

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. I move to concur in Senate Amendments #1, 2, 3, 4 on House Bill 2626. Basically, what House Bill 2626 is the ordinary and contingent expenses of the Department of Children and Family Services. What Amendment #1 does was to reduce personal service and social security by \$583,200, which is a 1 percent decrease. It added 200... Amendment #2 added \$206,400 for counseling services and \$173,100 for homemaking services for a five percent rate increase. Senate Amendment #3 reduced contractual services according to a Senate formula, and Senate Amendment #4 added \$665,700 for a child care monitoring unit. I ask for concurrence on these Amendments."

Speaker Greiman: "The Gentleman from Kendall has moved that the House concur in Senate Amendments #1, 2, 3 and 4. There being... Yes... there being... Is there any discussion? The Gentleman from Cook, Mr. Bowman."

Bowman: "Thank you. I just wish to rise in support of the Gentleman's Motion. These are all fine programs, and I'm happy to support it."

Speaker Greiman: "The question is, 'Shall the House concur in Senate Amendments #1, 2, 3 and 4 to House Bill 2626?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'aye', none voting 'no', 1 voting 'present', and the House... Yes, Mr. Steczo? And the House does concur in Senate Amendments #1, 2, 3 and 4 of House Bill 2626. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Concurrence, page two of the Calendar, appears House Bill 2627. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2627, an Act making appropriations to

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the Environmental Protection Agency, together with Senate Amendments #1, 2, 3, 4, 5, 6, 7, 8 and 9."

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

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2627 appropriates the funds for Fiscal Year '85 for the ordinary and contingent expenses of the Environmental Protection Agency. I concur with Senate Amendment 1, 2, 3, 4, 5, 6, 7, 8 and 9."

Speaker Greiman: "The Lady from Cook, Ms. Barnes, has moved that the House do concur in Senate Amendments #1, 2, 3, 4, 5, 6, 7, 8 and 9 to House Bill 2627. There being no discussion, the question is, 'Shall the House concur in those Amendments?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is 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 114 voting 'aye', 1 voting 'no', none voting 'present', and the House does concur in Senate Amendments #1, 2, 3, 4, 5, 6, 7, 8 and 9 to House Bill 2627. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Concurrence appears House Bill 2641. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2641, a Bill for an Act making appropriations to Department of Public Health, together with Senate Amendments #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14."

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

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2641 is the ordinary and contingent expenses for the Department of Public Health. As adopted by the Senate and amended by the Senate, the Bill now stands at \$160,602,100. I move to concur in Senate Amendments 1 through 14. I will... Senate Amendment #1 is

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a... adds on \$1,063,700 for block grant funds. Senate Amendment #2... I'm sorry. Senate Amendment #1 is a... adds on \$3,291,600, which is split between GRF and federal for Guardianship and Advocacy Commission. The... Senate Amendment #2 deletes a total of \$260,500 from the Department of Public Health's 1985 request. It also reduces personal service... personnel services by \$265,600 or 1.5 percent decrease. Senate Amendment #3 deletes \$1,000,000 GRF from Department of Public Health's budget request for grants to medical students pursuant to the Family Practice Residency Act. Senate Amendment #4 adds \$144,000 to Department of Public Health request for the implementation of the Asbestos Abatement Act. Senate Amendment #5 adds \$290,000 to the Department for increased funding for loans to students under the baccalaureate assistance law for registered nurses. Senate Amendment #6 adds \$40,000 to the Department of Public Health's request for increased funding for the Vision and Hearing Screening Program. Senate Amendment #7 adds \$1,748,600 to the Department's request to implement House Bill 3038, which was sponsored by Representative Barnes. Creates the Illinois Health and Hazardous Substances Registry Act. Amendment #8, Senate Amendment #8 adds \$45,000 to Department of Public Health's Fiscal Year '85 request for the Department to complete a preliminary assessment of health problems in Greenup, Illinois. Senate Amendment #9 adds \$66,400 to the Department of Public Health's Fiscal Year '85 request to fund an environmental toxicology program. Senate Amendment #10 applies a productivity improvement factor to increase the Guardianship and Advocacy Commission's budget request by \$81,100. Senate Amendment #11 adds \$57,000 to the Guardianship and Advocacy Commission request for office remodeling in the Stratton

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Office Building. Senate Amendment #12 adds \$1,099,700, which is broken up between GRF and federal funds, the Department's Public Health... Department of Public Health's '85 request for the Department's long-term care initiative program. Senate Amendment #13 corrects a technical error. Senate Amendment #14 adds \$1,770,900 to Department's Public... Department of Public Health's '85 budget. It adds \$86,000 for court costs incurred by the Department, and \$1,684,300 for the implementation of House Bill 2878 and/or the same Senate Bill 1935. I ask for the adoption of these Amendments."

Speaker Greiman: "Gentleman moves that the House concur in Senate Amendments 1 through 14 of House Bill 2641. And on that is there any discussion? The Gentleman from Lake, Mr. Pierce."

Pierce: "Will the Gentleman yield to a question? Mr. Hastert, did I hear you correctly? The House of Representatives defeated the Guardianship and Advocacy appropriation, and now on Senate Amendment #1 you're trying to put over \$3,000,000 back on that appropriation? Is that right?"

Hastert: "That's correct, Representative."

Pierce: "And then was there an Amendment 11 and 12 or something for a new office in the Stratton Office Building and some other remodeling?"

Hastert: "Well, you are correct. There was an Amendment #11 and an Amendment #12, but Amendment #11 was something for some remodeling in that office. Actually, it changed it around and they were short of... they shared some of their room with another department."

Pierce: "And 12 was for a Stratton Building Office? Are they removing some Legislators from the Stratton Building, or how are they finding room there?"

Hastert: "No, that's incorrect."

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Pierce: "It will be the Stratton Building, the William G. Stratton Office Building?"

Hastert: "Senate Amendment #12 deals with appropriation of \$1,999,700 for the long-term care initiatives."

Pierce: "But how about 11? How about 11?"

Hastert: "11, I said, adds... I said adds 56... something about their long-distance telephone. They have a cut there, but the long-distance... the short distance rate raised that up... increased cost."

Pierce: "I see. Well, on the Bill, Mr. Speaker, Ladies and Gentlemen of the House, Representative Frederick, as well as Representative Friedrich and myself, when the appropriation came up in the House for the Guardianship and Advocacy Commission and this Human Rights Authority, had serious and grave doubts about the conduct of this agency, especially vis-a-vis the Grove School in Lake Forest in our area, at least Representative Frederick and my area. And the treatment that the Grove School had received, one of the finest schools for multipli-handicapped young people and people with profound handicaps. And since that time... Since this House agreed with us and defeated that annual appropriation for the Guardianship and Advocacy Commission, I must say, the agency officials, the Director of the agency, and of the Human Rights Authority of that agency, have been quite forthcoming, have met with me and Representative Frederick, have... through the Attorney General that represents them in the law suit... defending them in the law suit, has met with the attorneys for the Grove School, and I believe we are well on our way to ironing out the misunderstandings and difficulties that existed between the Grove School and between the Guardianship and Advocacy Commission. I think Representative Frederick is... feels that they have..."

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they have been sincere in trying to work out the problems and I do, as well. And because of that and in the hope and on the understanding that they will continue after we pass this appropriation tonight to cooperate and try to tighten up their regulations and work with the Legislature and work with the Grove School, I will support this appropriation this evening. I believe they are sincere. They are good people. They are trying to work for children, handicapped children, the same way that Representative Frederick and myself and Representative Friedrich are. They mean well and I think they understand that some of their volunteer groups have been over-zealous in the past. And I believe we are on the way to resolving this problem. Now, with that understanding and with the hope that they will continue to work with the Grove School and iron out the problems, I withdraw my objection to this appropriation and will support Representative Hastert, even though he is trying to put this on the Department of Public Health where it probably doesn't belong, but he's got to put it somewhere and he's doing his best. And because of that, I intend to support the appropriation at this time."

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

Bowman: "Thank you. I rise in support of the Gentleman's Motion.

Am pleased to hear that the problems with the Grove School have been worked out. If anyone is looking for the... family residency program, that is... that will be on another Bill, but I believe all other problems have been worked out with this legislation."

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

Hastert: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Appreciate Representative Pierce getting up and letting us know that things are being worked out to

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everybody's satisfaction, at least we hope to everybody's satisfaction. I didn't really choose to put this on the Department of Public Health's Bill. It was the Senate's wisdom to do that, but I'm doing their bidding in this case... I would ask the House to concur in Senate Amendments 1 through 6. Sorry, correction, 1 through 14."

Speaker Greiman: "Question is, 'Shall the House concur in Senate Amendments 1 through 14 to House Bill 2641?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this will be final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 'ayes', none voting 'no', none voting 'present', and the House does concur in Senate Amendments 1 through 14 to House Bill 2641. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence appears House Bill 2649. Out of the record. On the Order of Concurrence appears House Bill 2651. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2651, an Act making appropriations to the Court of Claims together with Senate Amendment #1."

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

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2651 provides the Court of Claims Fiscal Year '85 budget. As it went over from the House, it was \$5,466,300. As it returned from the Senate, it was \$5,485,700, which was an increase of \$19,400. I move to concur in Senate Amendment #1."

Speaker Greiman: "The Lady from Cook moves that the House do concur in Senate Amendment #1 to House Bill 2651. There being no discussion, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2651?' All in favor signify by voting 'aye', those opposed vote 'no'."

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Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'aye', 4 voting 'no', none voting 'present', the House does concur in Senate Amendment #1 to House Bill 2651. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence on page three of the Calendar appears House Bill 2653. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2653, an Act making appropriations to the Department of Conservation together with Senate Amendments #1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 and 14."

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

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2653 addresses the appropriation for the Fiscal Year '85 ordinary and contingent expenses of the Department of Conservation. I move to concur in Senate Amendment #1, #2, #3, #4, #5, #6, #7, #9, #10, #11, #12, #13 and #14."

Speaker Greiman: "Have you concluded, Ms. Barnes? Did you want to continue? Ms. Barnes?"

Barnes: "I beg your pardon?"

Speaker Greiman: "Did you want to continue and explain or is that..."

Barnes: "I... I'm sorry. There are a few Gentleman over here asking me some questions. Was there a question?"

Speaker Greiman: "No, no, alright. So, therefore, the Lady from Cook moves that the House do concur in Senate Amendments 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 and 14 to House Bill 2653, and on that is there any discussion? The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Yes, Representative Barnes, ordinarily when they..."

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there is final action and on the concurrence to Amendments, that usually means that the Department has signed off and they approve of all of the Amendments, and I haven't discussed this with you nor the Appropriations Committee Chairman, but I was reading the Springfield Register yesterday in the Conservation column. And I say where there is quite a bit of concern and even resentment from some of the hunters that Amendment #10 takes away a plane that they feel has been paid for by the deer license fees and puts it in, I believe, to the Department of Transportation. My question is is that Amendment approved by the Department and, secondly, do you think that's good policy, because the way the article was written, it said that this is good news to poachers? In other words, that... that the plane cannot be looking for poachers as it has in the past, and I know there has been some concern about this Amendment. Has the Department signed off on this?"

Speaker Greiman: "Ms. Barnes."

Barnes: "Representative Matijevich, in the meeting that all of the Leaders held on the Appropriations Committee, this was discussed at great length. We did recognize the fact that it was bought... the planes were purchased with the wildlife and the fish fund. I believe the reason that they were transferred over to DOT was so that better logging could be kept of the flights that were made, the planes could be utilized, at times, by other departments for uses, and all of the expenses and the upkeep of the planes, from this point on, would be paid for by the Department of Transportation. And when we took a vote, the Democrats do outpoll the Republicans, and the Amendment went on."

Matijevich: "Well, I don't know. I guess I must support my Democrats on the Appropriations Committee, but it just

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seems that it isn't good policy to take away something that the deer license holders have paid for and lose control over. It just seems to me that the Department of Conservation, I think, under their present policies, they are having the license... the planes inspected at no greater cost than they would under Transportation, and have better control over their own operations. If that's what the Democratic Appropriations Committee Chairmen feel is more appropriate, I guess I wasn't a part of all of that, and they must have a good reason for it. I would have thought the better thing to do is adopt all the... concur with all the Amendments except that one and I would think that the Senate would recede from it, but I'll go along with whatever the program is, I believe."

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

Leverenz: "To the Concurrence Motion, and to specifically Representative Matijevich, to answer the question you may have there. The airplanes from the Department of Children and Family Services, Conservation, are technically being transferred to Aeronautics. They will be permanently reassigned, I understand, back to those respective agencies. The problems that they are trying to eliminate is occasionally, they have three airplanes going from Springfield to Chicago on the same day, and it would provide for some coordination. Further, there might be problems in maintaining those planes and if that happens, we will find a corrective measure for that, but that is the rationale behind it."

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

Stuffle: "Mr. Speaker, Members, some of us think that that Amendment is significant enough, even though there may be an agreement, that it ought to be divided, and I would ask

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for a division of the question regarding simply the Amendment #10 from the rest."

Speaker Greiman: "Gentleman is entitled to that and we'll give it at the appropriate time. Further discussion? Mr. McAuliffe. Alright. Mr. Hannig. Mr. Ropp."

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

Speaker Greiman: "Indicates that she will."

Ropp: "Representative, is there anything in this appropriation that is specifically earmarked for the Rock Island Trail?"

Barnes: "No, Representative."

Ropp: "Thank you."

Speaker Greiman: "Alright. Mr. Stuffle, that's Amendment 10, is that right, which you asked for division for? Alright. Mr. Marzuki."

Marzuki: "I would concur in supporting the idea that we separate this particular Amendment. I'm not quite sure. I had understood that this was being taken care of in a proper manner, but it sounds to me like it is not complete in any way."

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

Dunn, J.: "Will the Sponsor yield for a question?"

Speaker Greiman: "Proceed."

Dunn, J.: "The question is, with regard to Amendment #12, who is the current owner of the Lincoln-Herndon Building in Springfield?"

Barnes: "I'm not really sure, Representative. Can anybody else answer that question? The question is, Representative Leverenz, who owns the Lincoln-Herndon Law Office, historical site in Springfield? Representative Curran, who resides in Springfield, can you answer that question?"

Speaker Greiman: "Mr. Curran."

Curran: "Thank you, Mr. Speaker. The answer to the question is at least one of the owners is a gentleman named James

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Myers. Private."

Dunn, J.: "And... and then my next question is how did we arrive at the sum of \$440,000 for the purposes of purchasing this building and its contents? And is that a wise thing to do for this General Assembly? In light of the controversy surrounding the payment of a million dollars for the Dana House, which was slipped through this General Assembly, I don't think we should be caught off guard twice. So, why... how was this purchase price determined and is this a wise thing for us to do?"

Speaker Greiman: "Alright, there being no further discussion, the Lady from Cook..."

Dunn, J.: "Whoa. Whoa. Whoa. I need an answer to my question."

Speaker Greiman: "Okay, well, she was not... I thought you were asking rhetorically, Mr..."

Barnes: "Well, Mr. Speaker and Representative Dunn, this purchase was approved by the Bureau of the Budget. Ordinarily, there are appraisal..."

Dunn, J.: "Was it... Was it approved by their appraisal division?"

Barnes: "Their... Well, ordinarily, they don't purchase anything unless there is an approval and an appraisal. And this is Senator Schaffer's Amendment, not mine."

Dunn, J.: "Is there an appraisal in the file? Has there been an appraisal made?"

Barnes: "Would you like me to take this out of the record, Representative Dunn, and have Senator Schaffer come over and discuss it with you?"

Dunn, J.: "I don't care what... I just want to know why we are proposing to pay \$440,000 for the Lincoln-Herndon Building. I..."

Barnes: "Well, Representative, other than saying that we have... the ordinary everyday business is to get an appraisal. The

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Bureau of the Budget did approve the purchase. So, I would assume that there is nothing incorrect about it, but I would be glad to have Senator Schaffer come over and discuss it with you."

Dunn, J.: "Well, Mr. Speaker and Ladies and Gentlemen of the House, this is the time of year when things like this slip into legislation. I haven't heard an answer which indicates that there is any appraisal for the Lincoln-Herndon Building. I think it is an historical... of historical significance, but there was an indication that it is privately owned. If the taxpayers of the State of Illinois are going to use taxpayer dollars to purchase private property, no matter what it's historical significance, that purchase should only be made after due deliberation with proper appraisals and proper consideration by the Members of this General Assembly whether such a purchase is a wise thing to do or not. And for those Members who may be new, the State of Illinois purchased the Dana House, a Frank Lloyd Wright house here in Springfield, for a total sum of \$1,000,000. There are a lot of us who question whether that was such a wise thing to do and I don't think we should make that mistake again. And I think this Amendment should be taken off this Bill and, if need be, this Bill should be sent to a Conference Committee for that purpose. And I would recommend a 'present' or a 'no' vote until that's done."

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

Bowman: "Thank you. I rise in support of the Lady's Motion to concur in all of the Senate Amendments. There... At this time of the legislative process, we can't always have everything our own way, and there are, undoubtedly, some Amendments here that some people don't happen to like too much. However, the fact is that in this particular case,

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the Abraham Lincoln Law Office is the last remaining piece of Lincoln memorabilia that is not owned by the... by the public and is not in the public domain. And I think that Illinois, being the Land of Lincoln, and Springfield, being the... his home, that it is appropriate that this come under public jurisdiction. It is in the vicinity of the Old State Capitol and would make a nice addition to that complex. So, I stand in support of the Lady's Motion."

Barnes: "Mr. Speaker. Mr. Speaker."

Speaker Greiman: "I'll allow you to close. Let's get... finish the debate. The Gentleman from Kendall, Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in support of the Lady's Motion to concur in all the Amendments. I think we have to take something in perspective. First of all, I think you ought to also know that we do have appraisals on that law office, and I'm not sure who owns it at this time, but there are appraisals. But, you know, if you stop and think in perspective that you go to Washington, D. C., and see the theater that Ford was shot in. You walk around the streets of Washington and Williamsburg and Alexandria, and you come back and you come back to Springfield and see the rich heritage that we have the ability to share and appreciate here. And we see that our children and the children of this whole state that comes down to this Capitol to see the Old Capitol, to see where Lincoln sat in the House of Representatives, to see where the Legislature sits and to see where Lincoln lived in the National Park Service display there. And I think it's only right that we provide people the opportunity to also walk through the doorways and the thresholds that Lincoln once walked, so people can have the perspective of what life was like then, what heritage we hold in common and certainly one of the

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greatest Americans that ever lived. I think that we... it's our duty and our ability and our job in this General Assembly to hope that the other people of this state and the people of this nation can share in that also. And I certainly ask that you would accept all those Amendments."

Speaker Greiman: "No further discussion. The Lady from Cook, Ms. Barnes, to close."

Barnes: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think it has been answered, there have been appraisals on file and it says \$440,000 or an amount thereof, which means there is some leeway. And I would recommend a concurrence of all Amendments on the Department of Conservation Bill."

Speaker Greiman: "Alright. Ladies and Gentlemen of the House, Mr. Stuffle, the Gentleman from Vermilion has asked for a division of the question. So that we will divide the question as first on all of the Senate Amendments, as to whether the House shall concur in them, except for Amendment #10, and we shall then consider Amendment #10. Accordingly, the question is, 'Shall the House concur in Senate Amendments 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13 and 14 to House Bill 2653?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. McNamara, to explain his vote."

McNamara: "Yes, Mr. Speaker, I was going to ask for the division of the issue on Amendment #12, which is \$440,000. I believe that that is a significant issue and it should have been divided. There were some questions that were left unanswered, and for that reason, on this particular issue, I will have to vote 'no'."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 37 voting 'aye', 8 voting 'no', 3 voting 'present', and the House does concur in Senate Amendments #1, 2, 3, 4, 5,

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6, 7, 9, 11, 12, 13 and 14 to House Bill 2653. Now, with respect to Senate Amendment #10, the question is, 'Shall the House concur... Well, we'll wait... We'll have to wait for technology to catch up with us. 'Shall the House concur in Senate Amendment #10 to House Bill 2653?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this will be final action on the Bill. Yes, Mr. McAuliffe, to explain his vote."

McAuliffe: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I have been in this airplane. I have seen how it works. What they do, they go up at night and watch for slow moving cars on the back roads. They have been very successful in catching deer poachers. There are an awful lot of people in Illinois who deer... who poach deer at night. This is the only effective way of catching them. They move from one area to the other. It's a very effective system and very competent people operating it. And I would urge the Members to vote 'no' on this Amendment so we can get the Senate to take it off."

Speaker Greiman: "The Gentleman from Franklin, Mr. Rea, one minute to explain your vote."

Rea: "Thank you, Mr. Speaker, Members of the House. This is very important that the planes remain within the Department of Conservation for surveillance. This is a very important function of that Department. And in terms of maintenance and scheduling, this will create multiple problems for the Department in able... to be able to carry out the proper functions that we have asked them to do. So, I would ask that there be no... that this would be a 'no' vote and that we not concur with Amendment 10."

Speaker Greiman: "What purpose does the Gentleman from Vermilion, Mr. Stuffle, seek recognition?"

Stuffle: "I think I have a right to explain my vote, even though

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all I did was divide the question. Merely to suggest that if this can be resolved along the lines of some of the people's remarks that can be resolved by action later. I don't think it needs to be resolved if we can defeat this Amendment and this Motion. We can send it back and have the Senate take it off in its proper fashion and send the Bill on to the Governor and the board reflects accurately what should be happening."

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

Bowman: "To explain my vote."

Speaker Greiman: "I think you spoke in debate, Mr. Bowman. Mr. Bowman."

Bowman: "The question was divided."

Speaker Greiman: "The question was divided, but the debate was not. Alright, Mr. Bowman, explain your vote. You have one minute."

Bowman: "Well, I just wanted to let everybody know that if the Senate doesn't recede, this thing goes into a Conference Committee and there's any telling what could happen. A lot of people have Amendments on this legislation and if you want to keep your Amendments on this legislation, you should be voting 'yes' for this Amendment. The planes will not vanish into thin air, as it were. They will be over at the Department of Transportation and they will be dedicated to this purpose."

Speaker Greiman: "Ms. Braun, one minute to explain your vote."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would encourage the Members to vote green on this Motion because to send this Bill to Conference Committee will leave us all, as Members, open to decisions made on this... decisions being made on this Bill that do not necessarily comport with the decisions that were made in

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Committee and which... in which we have all, as Members, had an opportunity to participate. For the Membership to put itself in that position at this late hour of the Session seems to me to be counterproductive and we may well wind up either with no Bill at all, or alternatively a Conference Committee Report that no one in this room will like. I'm not as familiar with the deer poaching issues as some others in this room, but I would strongly urge green votes to keep this Bill out of Conference Committee at this late hour of the Session."

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

Leverenz: "Ladies and Gentlemen of the House, Mr. Speaker, we can talk about \$110,000 Amendment for Wayne Fitzgerald State Park. We can talk about the \$40,000 for the pilot programs on the fish in the Chicago lagoons, I think. We can go back and talk about \$150,000 to establish a new conservation training program for minorities and women. We can talk about \$60,000 for the construction of a boat ramp on the Rock River and a number of other things. So, I would encourage you to take the lead on this Amendment or concurrence on this Amendment. That this is not the only agency where the planes are being reassigned. DCFS planes are being reassigned. And I think you are dealing with more than just technically where the airplanes are assigned. Thank you."

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

Matijevich: "Mr. Speaker, I voted 'no' because I thought surely the Senate would recede from a ridiculous Amendment like this. I'm informed that they probably would not, and therefore, rather than keep this appropriation Bill hanging and keeping us here for no legitimate reason, I am going to change my vote to 'aye' very reluctantly. I have been informed by my staff that I have worked with for a good

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long time and I take their word for it. They kind of know who will recede and who won't, so I'm changing from 'no' to 'aye'."

Speaker Greiman: "Gentleman from Macoupin, Mr. Hannig. One minute to explain your vote."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. There are an awful lot of fishermen and hunters and sportsmen in this State of Illinois, who have paid license fees year in and year out who thought that they bought an airplane for the Department of Conservation to insure that there is not poaching and illegal taking of game in this state. I think an awful lot of those sportsmen are going to perceive this Bill as a take away of their plane and I think that something that they purchased through their license. Now, I think this is a very important Amendment and we should simply vote it down and allow the Senate an opportunity to recede on this. And it does not have to go to a Conference Committee. So, for that reason, I would ask for a 'no' vote, and I would ask for a verification if this would receive 60 votes."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 66 voting 'aye', 50 voting 'no', none voting 'present'. Mr. Hannig, do you wish to continue to persist in your request for a verification?"

Hannig: "Yeah."

Speaker Greiman: "For what purpose does the Lady from St. Clair, Ms. Younge, seek recognition?"

Younge: "May I have leave to be verified if he wants a verification?"

Speaker Greiman: "Mr. Hannig, Ms. Younge to be... leave to be verified. Okay. Mr. Clerk, proceed with the Affirmative Roll. Mr. Hastert requests leave to be verified. You have

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leave, Sir. Mr. Piel, for what purpose do you snap your fingers?"

Piel: "Leave, please."

Speaker Greiman: "Mr. Piel requests leave to be verified. Mr. Preston. Mr. Preston wishes to be verified. Mr. Clerk, can you begin to read the Affirmative Roll before we get them all? Mr. Shaw wishes leave to be verified and Ms. Braun. Mr. Nash and Mr. Barger. Mr. Hannig, Mr. Nash and Mr. Barger. Mr. McGann. Is there anyone left to verify?"

Clerk O'Brien: "Poll of the Affirmative?"

Speaker Greiman: "Poll of the Affirmative, yes."

Clerk O'Brien: "Alexander. Barger. Barnes. Berrios. Bowman. Braun. Brookins. Bullock. Countryman. Cullerton. Currie. Daniels. Deuchler. Didrickson."

Speaker Greiman: "Yes, excuse me, Mr. Clerk. Mr. Hannig."

Hannig: "Yes, considering the late hour and the last day, I'd let this Amendment go and I will withdraw my request for a verification."

Speaker Greiman: "Thank you, Mr. Hannig. On this question there are 66 voting 'aye', 50 voting 'no', none voting 'present', and the House does concur in Senate Amendment #10 to House Bill 2653. And this Bill, having received the Constitutional Majority, is hereby declared passed. Messages from the Senate."

Clerk O'Brien: "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, passage of Bill of the following title, to wit; House Bill #2373 together with Senate Amendment #1, passed the Senate as amended June 30, 1984. Kenneth Wright, Secretary.'"

Speaker Greiman: "Yes, the Gentleman from Lake... from Winnebago, Mr. Giorgi."

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Giorgi: "Mr. Speaker, earlier I requested that a Conference Committee be struck for, I think... is it 1629? I'd like to withdraw that request."

Speaker Greiman: "Alright. The Committee has not yet been appointed so that your request will be recognized, Sir. Mr... We'll get there, Mr. Giorgi. Yes, the Lady from Cook, Ms. Barnes."

Barnes: "Mr. Speaker, I would request a Second Conference Committee Report on House Bill 3136."

Speaker Greiman: "The Lady requests that a Second Conference Committee be appointed for House Bill 3136, and a Second Conference Committee will be appointed."

Barnes: "Thank you."

Speaker Greiman: "On the Order of Motions on Supplemental Calendar 3 appears Senate Joint Resolution 118 for a Motion. Mr. Clerk."

Clerk O'Brien: "A Motion. Pursuant to Rule 43(a), I move to bypass Committee and place Senate Joint Resolution 118 on the Speaker's Table for immediate consideration.' Offered by Representative Karpziel."

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

Karpziel: "Well, Mr. Speaker, I move to bypass Committee and place on the Speaker's Table and would request immediate consideration on Senate Joint Resolution 118."

Speaker Greiman: "Does the Lady have leave to use the Attendance Roll Call in order to bypass Committee and place the Speaker... place House... Senate Joint Resolution 118 on the Speaker's Table for immediate consideration. Mr. Mulcahey, does the Lady have leave to use the Attendance Roll Call? Mr. Mulcahey."

Mulcahey: "Mr. Speaker, I just want to ask the Lady what it was... what... you know."

Karpziel: "Oh, well, I... I will explain it if..."

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Mulcahey: "Well, briefly..."

Speaker Greiman: "Just a brief sentence as to what it deals with,
Ma'am."

Karpiel: "It is... It is a resolution which requests the Illinois
Arts Council to provide each Member of the Legislature with
a complete listing of all grant awards made within their
respective districts for each grant program."

Speaker Greiman: "Alright, so the Lady has leave to use the
Attendance Roll Call for Senate Joint Resolution 118. The
Resolution is now on the Speaker's Table and will be
considered immediately. Mr. Clerk. The Lady from DuPage,
Ms. Karpiel on Senate Joint Resolution 118."

Karpiel: "Thank you, Mr. Speaker. Senate Joint Resolution #118
was sponsored in the Senate by Senator Grotberg. It is
sponsored in the House by Senator... I mean Representative
Madigan and myself, and it reads just simply, as I said
before, it requests the Illinois Arts Council to provide
every Legislator with a list of all the projects and grant
awards made within their districts for each grant program
no later than 90 days after the end of each fiscal year.
And that also each of this listing should also include the
name and address of the recipient of the grant, the amount
of the grant and the purpose for which the grant is used.
And I ask for its adoption."

Speaker Greiman: "Lady has moved for the adoption of Senate Joint
Resolution 118. On that, the Gentleman from Cook, Mr.
Madigan."

Madigan: "Mr. Speaker, this is an agreed Resolution, and I rise
in support of its adoption."

Speaker Greiman: "Further discussion? Mr. Bowman, did you wish
to speak on this Resolution? No? Alright. All those in
favor... The question is, 'Shall the House adopt Senate
Joint Resolution 118?' All those in favor signify by

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saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and House... and Senate Joint Resolution 118 is adopted. Mr. Bowman, for what purpose do you seek recognition?"

Bowman: "Thank you, Mr. Speaker. The Senate defeated the First Conference Committee Report on House Bill 2400. Therefore, I would request a Second Conference Committee be formed."

Speaker Greiman: "The Gentleman requests a Second Conference Committee Report be appointed for House Bill 2400. Is that correct? Alright. It will be so appointed."

Bowman: "Thank you."

Speaker Greiman: "On page... On Supplemental Calendar 3, Conference Committee Reports, appears House Bill 2740, 2740. Mr. Clerk."

Clerk O'Brien: "House Bill 2740, a Bill for an Act to amend the County Home Act. First Conference Committee Report."

Speaker Greiman: "Gentleman from Winnebago, Mr. Giorgi. Mr. McNamara, could you... could you sit down, please. I can't see Mr. Giorgi. Thank you. Mr. Giorgi."

Giorgi: "Mr. Speaker, 2740 started out as a Bill to amend the County Home Act in that it provided that had a nursing home been created by referendum, it can be sold other than by referendum. Then there were a couple of Senate Amendments, #1 and 2. One Senate Amendment in a special service area allowed the county board to eliminate farm land to be assessed in the... in the levying of a special service area. And then it went on to allow counties the size of DuPage certain... to make local improvements for local needs. Then the Bill... the Conference Committee Report picked up House Bill 3279, which provides that counties from 15,000 to 2,000,000 can, with an extraordinary vote of the county board, increase their corporate levy. It further provides that the county governments can, with a

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extraordinary majority of 66 and two-thirds of the county board members, provide that the... the consolidation of their levies without an increase in levies. And when they have done this, they cannot increase their levies without the referendum. I urge the support of the House in this Conference Committee Report #1."

Speaker Greiman: "The Gentleman from Winnebago has moved that the House do adopt the First Conference Committee Report for House Bill 2740. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

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

Speaker Greiman: "Indicates that he will."

Vinson: "Representative, is there language in here consolidating tax levies?"

Giorgi: "Solely at the county board level, yes."

Vinson: "Would you explain to me how that works?"

Giorgi: "The county board, with an extraordinary vote of the county board members can consolidate county levies, such as the corporate levy, the property record levy, the assessment levy, the civil defense levy, health department levy, detention, whatever. All those county... levies that a county board ordinarily levies."

Vinson: "So the county board could, through the proper procedure, enact a levy for a county nursing home and then come along later and consolidate that levy with the general levy, is that correct, and use it for anything they want it?"

Giorgi: "Well, generally, only after two-thirds of the county board agrees to that action."

Vinson: "What determines whether you can make that levy to begin with, the county nursing home levy?"

Giorgi: "In some instances, a county ordinance. In some instances, a referendum and in some instances, whatever other governmental action."

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Vinson: "When could you have a county nursing home levy by ordinance? Doesn't it have to be by referendum?"

Giorgi: "I think in certain counties it has to be by referendum, but I think there are other counties that can do it by local ordinance."

Vinson: "Well, Mr. Speaker, to the Bill. Seems to me that if the voters have authorized a property tax levy for, let us say, a county nursing home and then the county board comes along and decides that instead of spending that money on the nursing home, they want to spend that on something else, some other purpose, that that's wrong, that they ought to have to go back to the voters to transfer that taxing power. Voters approve taxes, as we know, reluctantly and with purpose. And those taxes ought to be tied to that purpose and a board which did not initially enact the tax levy, but had the tax levy enacted by the voters, should not take that power away from the voters and spend that money on something else. I think that's a pretty fundamental purpose. Now, we tie referendums to very few things in our laws. Illinois is not a great state for initiatives in referendums. One thing we clearly tie to referendums are taxes. And we tie taxes to referendums because of the importance of the power to tax and because of the reluctance with which the people grant that authority. What we are debating here today is a Bill which transfers the authority to tax from the people to a county board. And I, for one, certainly can't endorse that and would urge a 'no' vote on the Bill."

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

Steczko: "Thank you, Mr. Speaker and Members of the House. I rise in support of House Bill 2740. Representative Giorgi, in his initial remarks on the Conference Committee Report, indicated - and it is true - that in order to do this, the

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county board would need and extraordinary two-thirds vote of that county board to adopt this particular system. There are funds that may be needed for worthwhile purposes. This would allow a county board, by that extraordinary majority, to do those... to do those... provide those kind of services to people in those counties. It is also a provision in this Bill that once this consolidated levy system is adopted, any increase at all must come from a front door referendum. So, what this Bill does is has adequate safeguards so as the county board can't run hogwild with regard to these provisions. We feel that it's an important provision, one that will do great service to the persons residing in the various counties and allow the county boards to provide the kind of services that are necessary to their constituents and we have added the protection of a two-thirds vote. And, as most probably do know in this General Assembly, quite often the county boards are split very closely along party lines. It would be awfully difficult to muster that two-thirds requirement and we feel that is adequate safeguard in order to adopt this plan. It is permissive and would require that action by the county board to take place."

Speaker Greiman: "Lady from Cook, Ms. Braun. Ms. Braun."

Braun: "Now it's working. Thank you. Mr... Mr. Speaker, I have a very simple straightforward question for the Sponsor and... with regard to legislative intent. What effect, if any, does this legislation have on existing water purchase agreements with the City of Chicago?"

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

Giorgi: "This is not an... at all and it doesn't apply to Cook County."

Braun: "My question was the water purchase agreements, and I'm... Is your answer none?"

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Giorgi: "It has nothing to do with water purchase agreements. It's a different Bill altogether."

Braun: "Good, thank you. I understand. I just had to establish legislative intent on this one because there was a question. Thank you."

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

Keane: "Thank you, Mr. Speaker. I just hope the people in this Body realize that they are voting for... they are voting for a situation where a county board can raise taxes without a referendum. In fact, if you look at the scale of the tax rates, most of the tax rates, out of the 102 counties, 79 counties would have increases and in some of them the increases would be in the... to the extent of about 60 percent without a referendum. Another danger of with this Conference Committee Report is that the taxing body, the county, can aggregate taxes. That means that if they had a tax for a certain function, they no longer have to spend that money in that function. The taxing authority could be used for whatever purpose the county authorities saw fit without regard to the purpose for which it was originally granted. This is a very revolutionary concept. Many of you will go home to your counties and find substantial increases should this pass. I think we can look at this for future years. And I would urge you to vote 'no' if you want to vote against a non-referendum tax increase."

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

Brummer: "Yes, I think Representative Keane pointed out the one very important item and that... and maybe both of them. I didn't hear his entire comments. Number one, everyone here ought to know that this authorizes a tax increase without a referendum. Number two, the consolidated tax levy system is going to authorized additionally a substantial tax

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increase potentially and that is that taxes that the board may not want to levy for one purpose can now be levied under a consolidated system and be used for any purpose. So that taxpayers who may be satisfied with levying a tax for one specific purpose, for a nursing home, for example or something else, now, the county board can use that... doesn't... does not need to use that proceeds for the county board... I mean for the county nursing home. Can use it for any other purpose. I think that's bad policy. The reason we have itemization of levy ordinances is so that... and the publication of those ordinances is that the... so that the taxpayers will know what the taxes are being levied for and so that they can contact the board members with regard to the expenditure of those taxes. And I just think this is bad policy. It will certainly increase taxes without referendum and for that reason I think ought to be defeated."

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

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

Speaker Greiman: "Indicates he will."

Homer: "Representative Giorgi, under current law, if a requisite number of residents of a county would petition the county for a referendum on the issue of whether the... a fund should be reduced by a maximum 25 percent, and if, in fact, in those cases, the voters approve that referendum, what would be the effect of this Bill in those counties where the... where the maximum statutory rate has already be reduced below the 12 cents to nine cents, for example?"

Giorgi: "That still allows that power and that allows that referendum and it respects that referendum."

Homer: "But what's... what would happen if in a county right now the maximum rate is nine cents, it's not 12 cents. Would, under this Bill, that county's maximum rate go up according

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to the sliding scale, as you have it? In other words... In other words, in a number of counties around the state, the maximum rate used to be 12 cents, but the voters elected to reduce it by 25 percent so that it... now it's nine cents. Now, if your Bill is passed, will the maximum rate be taken to the amount specified in the Bill?"

Giorgi: "Only, only if 66 and two-thirds percent of that county board decides to do that. That's two-thirds of the county board, which is not a small matter."

Homer: "Okay, so really what you are saying then by the Bill is that two-thirds vote of the county board could invalidate what the people had voted on in the referendum and even go beyond that, if this Bill passes, and increase the maximum corporate fund levy beyond that 12 cents up to the amount that you have in your graduated scale?"

Giorgi: "The... That type of a referendum can be put every two years. You are not abrogating that right of referendum and you will reduce the taxes if that referendum is successful. What we've got here is you've got counties up to 15,000 that can levy 20 cents per hundred. Then when you get one person over 15,000 and you are on your way to 16,000, your levy drops to 12 cents. This allows that county to raise the rate by only a penny after two-thirds of the county board agrees to that. That's no easy feat, getting two-thirds of the county board to agree to increase the levy is a herculean feat in itself. If you are a population of 60 and 100,000, you can only levy another two cents. I don't think, you know... we did this for township governments during the last Session of the General Assembly. The last Speaker before us is from Cook County, which has unlimited taxing powers. I don't know what his position... why his position would be opposed to this. This is to help counties that are near bankruptcy, and this

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takes two-thirds vote of the county board."

Homer: "Okay, thank you. Mr. Speaker, briefly to the Bill. I think that the Members ought to be aware of what they are being asked to vote on here and I have no real objection to the concept of the consolidation of tax levies if each county has a number of individual tax levies. They have one for the corporate fund, one for the tax collection fund, the assessment map fund and so on. And a portion of this Bill is asking... or is providing the county boards can, by a two-thirds vote, consolidate those maximums into one consolidated tax levy. That is not as objectionable as the first portion of the Bill, which would allow a county board, without any referendum, not even a back door referendum to, in the example... in the example of counties that have a population between 250,000 and 300,000, for example, currently, their tax levy could be nine cents, if the voters had elected to reduce the 12 cents by referendum. Now, under this Bill, if this Bill were to pass in that county, the county board could increase that nine cents to 18 cents by a vote of the county board with no front door referendum, no back door referendum and that would effectively be a hundred percent increase in the tax on the corporate general fund without allowing the voters any say whatsoever. I think it's a very dramatic and serious revision to the current law and I just can't support it."

Speaker Greiman: "The Clerk for announcement."

Clerk O'Brien: "Supplemental Calendar #4 is being distributed."

Speaker Greiman: "Gentleman from Winnebago, Mr. Giorgi, to close briefly. Mr. Giorgi."

Giorgi: "Mr. Speaker, what we are trying to do here, many county governments are near bankruptcy. Many county governments are having trouble surviving. With this... With this

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extraordinary vote of the county board and the county board, which is probably the second government closest to the people certainly stand a day to day scrutiny of the people that observe county government. We are not asking for any... any extraordinary changes in the law except to allow county boards to control their own destinies. And I repeat, it takes 66 and two-thirds percent of a county board to pass any of these changes. They don't have to pass these changes. They are all permissive and the law is very clear and what we are trying to do, we are trying to help county government."

Speaker Greiman: "Question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2740?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Final action. Have all voted who wish? Have all voted who wish? Mr. Clerk... is someone at Representative Madigan's seat? Would you undo his speak button? That's good. Have all those... have all voted who wish? Mr. Clerk, take the record. On this question there are 45 voting 'yes', 65 voting 'no', 5 voting 'present' and the House does not adopt the First Conference Committee Report to House Bill 2740. And Mr. Giorgi asks that a Second Conference Committee be appointed. Yes, the Gentleman from Winnebago, Mr. Giorgi, on 1629, Mr. Giorgi. Senate Bill 1629. I understand that there is a request that a Conference Committee be appointed."

Giorgi: "We agree. We should have a Second Conference Committee Report on 1629."

Speaker Greiman: "And a Second Conference Committee will be appointed. On the House Calendar Supplemental #2 appears House Bill 2892. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2892, a Bill for an Act to amend an Act to revise the law in relation to clerks of courts.

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First Conference Committee Report."

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

Steczó: "Thank you, Mr. Speaker, Members of the House. As I had mentioned before, House Bill 2892 is a Bill which would provide that in counties of less than one million population an additional charge of one to three dollar filing fee could be established to defray the cost of establish or maintaining automated record keepins systems or automation of the Circuit Court Clerk's Office. In the discussion before there were questions that were asked. I would like to detail the provisions of this Bill where this particular surcharge could be levied. First, in a civil lawsuit, the fee would be paid by each party at the time each party filed their first pleading. Or traffic or quasi-criminal cases, which are municipal ordinance cases, they would be paid by the defendant upon a conviction. It should be noted that this fee is only imposed when the category of the lawsuit is covered by the automated system. What this does, really, is removes the unconstitutional objection that fees are unreasonable.... unreasonably bar access to courts, and it comes from the case of 'Crocker versus Findley' which related to the domestic violence shelter regarding divorce filings. I should also reiterate that if these fee revenues are collected, and I say if because this is... this is permissive, are remitted to the county treasurer, it is placed in a county treasurer's court automation fund and expenditures from this fund can only take place if approved by both the clerk of the circuit court and the chief judge of the circuit court. This Bill is not intended to be construed as a broadening of the power of a circuit court clerk to operate outside the budget established by the county board. This fund must set up... be set up by the county board only for automation

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purposes. If there are no such automation purposes, this surcharge or this fee will not be levied. It is strictly permissive and I would ask for the House to adopt Conference Committee Report #1 on House Bill 2892."

Speaker Greiman: "The Gentleman from Cook moves that the House do adopt Conference Committee... the First Conference Committee Report to House Bill 2892, and on that, is there any discussion? The Gentleman from Champaign, Mr. Johnson."

Johnson: "I think... excuse me. I think we have come to regard..."

Speaker Greiman: "Give the Gentleman your attention, please."

Johnson: "... come to regard filing fees as an endless source of money and that any project that we want to fund, whether it's permissive or mandatory, we can do it through a filing fee. And to diffuse the issue to begin with, this isn't a lawyers Bill. Lawyers don't pay the filing fees. Clients do. We have added, in my eight years in the Legislature, the most unbelievable set of costs attached to being able to simply file a lawsuit that you can ever imagine, one of the most notable of which was when we added the big jury demand fee a few years ago. The cost of filing... simply filing an action and getting service in a civil case in Illinois is well in excess of a hundred dollars today and now we are going to add another dollar or two for this project. It doesn't work that way, Ladies and Gentlemen, and I would suggest to you that we have got to stop somewhere and this is an appropriate place to stop. We are really talking about injured people or people that are suing on a contract or small claims cases where somebody has been wronged in some way or another. A landlord that didn't give his tenant a security deposit back or whatever it might be and if we continue to add and add and add the

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costs of a filing fee and the various costs in here, nobody is going to want to use the judicial system because it's not going to be too expensive to ever get recompensation. In a small claims case, as it is today, unless you have got some kind of a decent claim, it doesn't pay anyway. And I would just think that this is an unnecessary addition and an unnecessarily chilling effect on the ability of a person to be able to use the court system and not have to pay through the nose to do it. I don't think it's a poorly or ill-intended Bill, but I think you've got to stop somewhere and I think now is a good time to stop."

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

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I renew my objection to this Conference Committee Report. As described earlier when the Bill was taken out of the record, there are a number of things I would like to point out. This type of action should not be precipitously taken by virtue of a Conference Committee Report when the normal Committee structure is in place. This is not this pressing a need that it could not be brought back to this General Assembly next year and addressed. Now, I would point out to everyone here, the court system that has the most need for increased revenue is excluded from this Bill. I would urge the defeat of this Conference Committee Report."

Speaker Greiman: "No further discussion. Mr. Steczo, to close."

Steczko: "Thank you, Mr. Speaker, Members of the House. First, to answer some of the comments that were made. First, court costs are usually or can be awarded by judges in various cases and what we are actually talking about here are user fees and user fees that can be provided by a county board on a permissive basis for one purpose only and that's to automate that system. It's interesting to note that the

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various kinds of filing fees that we are speaking of today and have been objected to are filing fees that were imposed by the state. This is a simple instance where we are allowing a county board, in their own discretion to add an additional one dollar up to three dollars for automation of the circuit court clerk's office. Additionally, I think we all know that as of tomorrow, the Freedom of Information Act takes effect. I think it's important that, in this particular case, those circuit court clerks be able to access their records as quickly as possible to conform with the mandates that we have directed them as of last year. I think it's reasonable. I think it's something again that's discretionary on behalf of the county boards. Only in the cases of automation where they, themselves, declare that automation is necessary. We are not saying that county circuit clerks... court clerks shall automate their offices. We are saying that should a county decide that it's desirable to automate the circuit court clerk's office, then it will be permissible for them to initiate this filing fee. It will be then up to them and permissible for them to initiate this surcharge. I would ask the House to adopt Conference Report #1 on House Bill 2892, which we feel is very reasonable under the circumstances."

Speaker Greiman: "Question is, 'Shall the House adopt First Amendment... First Conference Committee Report to House Bill 2892?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 87 voting 'aye', 22 voting 'no', 2 voting 'present', and the House does adopt First Conference Committee Report to House Bill 2892. And this Bill, having received a Constitutional Majority, is

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hereby declared passed. On the Order... On the Supplemental Calendar 3 appears House Bill 3036. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3036, a Bill for an Act to amend the Environmental Protection Act. First Conference Committee Report."

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

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. I move for the adoption of Conference Committee Report #1 to House Bill 3036. 3036 has actually be gutted and this includes two other Bills that have previously passed this Assembly and failed for one reason or another in the House. The first one was Representative Keane's Bill that makes dioxin... that classifies dioxins as hazardous wastes. That Bill failed to pick up a Senate sponsorship and fell through the cracks in the Senate so we have put it on this Bill. The second Bill is Representative Currie's Bill that establishes fees, permit and inspection fees for disposal facilities. That Bill is identical to the one that Representative Currie passed out of here overwhelmingly a couple of days ago, but we found that it did not have an immediate effective date. And it is necessary that it have an immediate effective date. This Bill has an immediate effective date on that Bill. That's all this Conference Committee Report does. Both... Both Bills have passed out of this House overwhelmingly in the past and they are substantively the same Bills. Thank you."

Speaker Greiman: "The Lady from LaSalle has moved that the House adopt First Conference Committee Report to House Bill 3036. And on that, is there any discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3036?' All those in favor signify by voting 'aye', those opposed vote 'no'."

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Voting is now open and 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', 1 voting 'no', none voting 'present', and the House does adopt the First Conference Committee Report to House Bill 3036. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of... On the Order of Conference Committee Reports on Supplemental Calendar #3 appears House Bill 3060. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3060, a Bill for an Act relating to the Midwest Interstate Compact on Low Level Radioactive Waste. First Conference Committee Report."

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

Marzuki: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Central Midwest Interstate Compact on Low Level Radioactive Waste is similar to the original Midwest Compact. This compact between Illinois and Kentucky differs in that it includes the Amendments that were placed on by this House and the Senate. These Amendments, of course, include public hearings, shared liability source, volume reduction and the idea that there will be shared liabilities. The Illinois compact, I believe, allows full control by the State of Illinois, which the other one did not. It answers those criticisms that were levied at the original Bill. The Commission will be able to exclude low level radioactive waste from other states when this is ratified. We have taken this back to make certain revisions, but it is essentially the same Bill that came out of the Senate with no dissenting votes. We have reduced the fees from five dollars to one dollar which represent the start up costs for building the facilities. These will be paid by industry. The Governor's Office

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supports this Bill. The Department of Nuclear Safety, the environmental groups who were concerned, Citizens for a Better Environment and so on. The industry and business individuals support this compact now. We think it's a good compact. We think it will work. It answers the need that Illinois has to be in a compact in order to control the wastes that are produced in this state. And I would ask for its adoption."

Speaker Greiman: "Gentleman from Cook moves that the House do adopt the First Conference Committee Report to House Bill 3060. On that, is there any discussion? The Lady from DuPage, Ms. Nelson."

Nelson: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, you will see that I was one of the Members of the Conference Committee that was appointed, but I did not sign this and I would like to just briefly explain why. The federal government gave the power to regulate low level nuclear waste to the states, and in the federal legislation that did that, they said basically that they recommended that states join in cooperative efforts in order to do that. Last year at this time, this House did approve a Midwest Compact which would have given us a much cheaper means of disposal of our low level nuclear waste because we would have entered into agreements with a larger number of states, and we would have shared the cost among those states. At that time, however, the environmentalists demanded certain other conditions be placed on what was and is the Midwest Compact on disposal of low level nuclear waste. And I admit that some of those ideas were innocuous. One was an improvement and one raised a question of state sovereignty. I said that it was unlikely that other states would, indeed, ratify an Illinois version and they did not. But by that time, those persons who had

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pushed for changes in the Illinois compact were locked into a position that they could not get out of and had to find another way to satisfy the demands of the special interest groups that had encouraged them to insist on changes in the compact. What you have before you tonight is basically a plan to go it alone. We have invited Kentucky to join us in order to perhaps insure that we will be able to exclude other waste. But if you read the Conference Committee Report carefully, you will see that Illinois, under this plan, will forever be the host state because there is a provision in the Conference Committee Report that says if one of the states, and there are only two eligible states, one of which is Illinois, the other of which is Kentucky, and if one of those two states does not produce ten percent of the waste in the region, then that state is not eligible to be a host state. That leaves us with the cost, with the responsibility and, I believe, with the liability to take care of not only Illinois' wastes but those of Kentucky as well, although there is a provision in here that says Illinois will never be responsible for any of the wastes that are presently at Maxi Flats. Basically, I think we were right last spring and that we are making a mistake at this time. But the deadline has reached us. Tomorrow is the last day to join the Midwest Compact, and I believe that that is probably no longer possible. I will be voting 'no', but I would urge you to make up your own minds."

Speaker Greiman: "Gentleman from Kankakee, Mr. Pangle."

Pangle: "Thank you... Thank you, Mr. Speaker. I think we are at a deadline here that we've got to just look at the simple facts. Senator Joyce, who has worked quite hard on this pact for the last three or four years, has put a lot of time and effort. We have the choice of either belonging to a pact that has seven states or a pact that has one other

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state. It's simple mathematics. We'd be much better off to go with Kentucky than we will with another seven states that would produce a heck of a lot more hazardous waste. I would urge an 'aye' vote on this."

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

Marzuki: "Thank you, Mr. Speaker. I will be very brief in my remarks in closing. I think that this offers to Illinois the optimum opportunity to control its own destiny. Whereas, the Midwest Compact left us to the mercy of all of the other states. To say that larger is cheaper is not necessarily true. I think that our risks in the Midwest Compact without the safeguards that we had placed on that Bill would have been a disaster in itself. I urge a 'yes' vote on it."

Speaker Greiman: "Question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 3060?' All in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 97 voting 'aye'... Mr. Kirkland 'aye'. 97 voting 'aye', 16 voting 'no', 3 voting 'present', and the House does adopt Conference Committee Report #1 to House Bill 3060, and this Bill, having received a Constitutional Majority, is hereby declared passed. On Supplemental Calendar #3, on the Order of Conference Committee Reports appears Senate Bill 1841. Mr. Clerk, read the Bill. Mr. Keane. Mr. Keane here to proceed on that. Alright. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1841, a Bill for an Act to amend and Act in relation to parole. First Conference Committee Report."

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

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Vinson. For what purpose do you seek recognition?"

Vinson: "Purposes of a parliamentary inquiry, Mr. Speaker."

Speaker Greiman: "Make your inquiry, Sir."

Vinson: "I would ask that you examine page ten of the Conference Committee Report. The Rule 79(a) requires that the names of the conferees be typed under their signatures and I think you will find that the name of one of the conferees was not typed on the Conference Committee Report. Mr. Speaker, it is not my intention to nitpick and I would certainly support a Motion to waive the rule in this case... to suspend the rule in this case. But I believe that that rule is there for a very specific purpose and it's important that the rule be appropriately waived before the Conference Committee Report can be considered."

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

Matijevich: "I was going to ask Representative Vinson, the rule says that they be typed under the signature. If somebody wishes not to sign it, how are you going to type it under their signature. That was my question to Representative Vinson."

Speaker Greiman: "Well, without getting into too much of a academic discussion, the Gentleman from Cook, Mr. Keane, moves that the House suspend Rule 79(a), with respect to Senate Bill 1841. Does the Gentleman have leave to use the Attendance Roll Call? Leave is granted. Alright. Mr. Keane, proceed."

Keane: "Thank you, Mr. Speaker. I move to concur with Conference Committee Report on Senate Bill 1841. The Bill started out amending the Uniform Code... the Unified Code of Corrections. It provides that decisions to parole and conditions for parole prisoners sentenced for murders or that had a sentence of twenty years or more under the law prior to February 1st, 1978, has to be determined by a

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majority vote of the Prison Review Board. The Senate Amendment deleted the registry that had to contain the recorded vote of each Member of the House... each member of the board, and required only that it contain the recorded vote. With House Amendment #2, we provided that an order of supervision shall not be available to a defendant who is under 21 years of age or less than one year driving experience charged with unlawful driving a motor vehicle for transporting children to or from school, day camp, nursery school or with driving a motor vehicle of the second division when used for transporting persons for compensation. Amendment #2 also provided supervision is available... not available to a defendant charged with driving a motor vehicle at a speed in excess of twenty miles an hour passing a school zone or traveling on a thoroughfare where children pass. House Amendment #3 amends the Code of Corrections to add the factor in aggravating the defendant was committed while... where the defendant committed a felony while he was on release or on bail. Amendment #5... I'm sorry. Yeah, House Amendment #5 said that in relation to the conditional research... release of people found not guilty by reason of insanity, it permits the defendant, the person or the facility rendering treatment thereby or the state's attorney to petition the court for an extension of a conditional release program. Now, in the original Bill we said for five years and in the Conference Committee Report, we have changed that to three years. I would be happy to answer any questions and ask for a favorable Roll Call."

Speaker Greiman: "Gentleman from Cook moves that the House do adopt Conference Committee #1 to House Bill... to Senate Bill 1841. On that, is there any discussion? The Gentleman from Cook, Mr. Jaffe."

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Jaffe: "Yes, Representative Keane, it seems to me like we have 27 Bills rolled into one. Is this the criminal justice garbage can Bill? Is this what it basically is?"

Keane: "No, actually, this was the Bill that we passed out. The only thing that we changed was where there was a plea of an insanity, that the conditional... on the conditional release, the original Bill said that they could extend it for five years and some people thought..."

Jaffe: "Yeah, that's what it says three, I understand that, but why don't you tell us about the other Bills that we tacked onto this. I... It's not just one Bill. It basically is at least five Bills."

Keane: "No, no. Yes, there were..."

Jaffe: "Just I think the House ought to be enlightened as to how many Bills they are voting on at this particular moment. Why don't you just run... run through it and tell them all the stuff they are voting for?"

Keane: "Well, as president... or as Chairman of the Judiciary Committee, I have the utmost respect for you and the Bill that... the provisions that are encompassed in this Bill were the..."

Jaffe: "Which were adopted after the Committee hearing mostly, were they not?"

Keane: "That's right."

Jaffe: "They were... They were Floor Amendments and basically you have adopted about four or five different Bills onto this Committee."

Keane: "And they were... I think many of them were adopted with your judicial... judicious vote."

Jaffe: "Well, but why don't you tell us what they all are..."

Keane: "I did. I did, but I'd be happy to go over them again."

Jaffe: "I mean, you wouldn't want the Members to vote... But would you repeat it? Yes."

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Keane: "Sure. The original Bill stated that if you were... if you if you were guilty of murder or an offense where you were sentenced for more than twenty years and it was prior to our enactment of Class X, the majority of the Prison Review Board had to approve your parole."

Jaffe: "Okay, now, as a matter of fact, at the present time, it's usually three members that do that, is that correct?"

Keane: "That's right."

Jaffe: "Do you have any assurance from the Prison Review Board that they are now going to totally meet because they now break down into groups of three, is that not right?"

Keane: "Yes, I called them and they said that they didn't really have any problem with that provision because they felt that they need it because what they will do is even though there would be a three member panel that would go out and do the specific hearing, the whole board would sit and review those and make a..."

Jaffe: "Well, that's what they do now."

Keane: "Well, that's why they had no problems with it."

Jaffe: "So, in other words, what you are saying is that the practice that they do at the present time, which is one that you are objecting to, is the practice that they are going to follow after this Bill is enacted. Is that correct?"

Keane: "Yes."

Jaffe: "So what do we need the Bill for?"

Keane: "Pardon me."

Jaffe: "What do we need the Bill for if that's what they are..."

Keane: "Because what we have done is we have codified this protection for the public so that, as you know, if it was just policy and it was their policy, they could overturn it. Now... Now, they have legislative intent."

Jaffe: "Well, as I recall, when you came before the Committee,

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you said that that's not the policy that you wanted. You wanted a different policy and basically what we are having is the same policy."

Keane: "We are having a full board. We are guaranteeing that there's a full board review for murderers and people with twenty... with..."

Jaffe: "Well, I think you are being inconsistent, but why don't we go to the second part of the Bill?"

Keane: "The second part of the Bill deletes that the registry shall... where it says that the registry shall contain the recorded vote of each member of the board and requires only that it contain the record vote of the board. Do you have any questions on that?"

Jaffe: "No, go right ahead. I... got to the next Section."

Keane: "The next thing says that... provides that an order of supervision shall not be available to a defendant who is under 21 years of age or has less than one year of driving experience who is charged with unlawfully driving a motor vehicle for transporting children to or from a school, day camp or nursery or with driving a motor vehicle of the second division when used for transporting persons for compensation. This provision also says that they provide... provides that supervision is not available to a defendant who is charged with driving a motor vehicle at a speed in excess of twenty miles an hour while passing a school zone or while traveling upon any public thoroughfare where children pass going to or from school - only on school days now - this is important - only on school days..."

Jaffe: "But basically what you really..."

Keane: "Well, let me finish it. Only on school days where the children are present. That's the next provision. Any questions on that?"

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Jaffe: "Alright. So basically what you're doing is you're taking supervision away from... you know, taking again the right of a court to impose supervision, you know, from... from, you know, by the courts. Is that correct?"

Keane: "Oh, yes. We're definitely doing that."

Jaffe: "Okay. Alright. I just wanted everybody to know..."

Keane: "There's precedent... As you know, there is precedent for that."

Jaffe: "Yeah, okay. I just want to get this for..."

Keane: "We're ready for our..."

Jaffe: "... you know, legislative intent."

Keane: "Are we ready for the next..."

Jaffe: "Let's keep going with this... with this garbage Bill."

Keane: "Alright. Next now, and this I think is a very important one, it amends the Unified Court of Corrections to add a factor in aggravation for the defendant was convicted of a felony committed while he was released on bail or on his own recognizance pending a trial for a prior felony and..."

Jaffe: "What does that mean? Would you explain to us?"

Keane: "Well, see, he's out on bond or on his own cognizance because.. and he's been charged with a felony. Now he commits another felony while he's out."

Jaffe: "Yeah, right."

Keane: "Now this is what happens to him, and I'm sure you're going to be very interested in it."

Jaffe: "I am very interested. I don't think I'm going to vote for it, but I think I'm very interested in it."

Keane: "Alright. So what we do is we say that if that has happened while he's serving a period... Okay. It amends the Unified Code of Corrections to..."

Jaffe: "You said that already."

Keane: "Well, that's what we do. We add... factor in aggravation. If he does a felony while he was on release

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of bail or on his own recognizance pending a trial for the prior felony and was convicted of such prior felony, or if the defendant convicted of a felony committed while he was serving a period of probation or conditional charge for a prior felony. Any questions on that one?"

Jaffe: "Yes, I do have a few questions on it. What happens in that instance?"

Keane: "It allows the Judge to consider that factor in setting the sentence. I did want to point out that behind me there are fireworks going."

Jaffe: "I know, because they're harolding such a great Bill. I mean, they have never seen so much garbage enacted in one Bill in their entire life. Would you keep going?"

Keane: "Yes."

Jaffe: "Why don't we come to the next Bill that you're doing."

Keane: "And then, in relation to a conditional release of a person found not guilty by reason of insanity, permits the defendant or person or facility rendering treatment, therapy, program or out-patient care or the state's attorney petitioned the court for an extension of the conditional release for an additional three years."

Jaffe: "How many people can actually petition the court?"

Keane: "Well, let's go over it. It permits the defendant, the person or facility rendering treatment..."

Jaffe: "The defendant?"

Keane: "Yeah."

Jaffe: "And you say the person. Who do you mean by the..."

Keane: "The person or facil... the doctor, the psychiatrist, the psychologist, the social worker, whoever... whatever the treatment is. The..."

Jaffe: "Yeah. Go ahead."

Keane: "The naprapath, things like that."

Jaffe: "Naprapath. That would be good."

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Keane: "Or the state's attorney could petition the court for an extension..."

Speaker Greiman: "Mr. Jaffe, bring your remarks to a close or..."

Jaffe: "Well, Mr. Speaker, I would just like to comment that this is really the criminal law garbage Bill of this particular Session. I don't think that the Bill was too bad when it started off, but basically what happened is that every piece of garbage that couldn't be passed has been put on this particular Bill and now they're trying to pass it. So you should be cognizant of the fact that you're really not voting one Bill. You're voting on about six or seven Bills. And some of them you may like, some of them you may not like, but I certainly think you ought to know that you're voting on six or seven Bills. And this Bill has really been packed up and only Legislators as good as Representative Keane would carry such a Bill or a Legislator without much of a conscience, and I would urge..."

Speaker Greiman: "Mr. Jaffe, bring your remarks to a close, please."

Jaffe: "I have brought my... close."

Speaker Greiman: "Thank you. The Gentleman from Macon, Mr. Dunn."

Dunn, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill for some of the reasons stated by the previous speaker."

Speaker Greiman: "Gentleman from Effingham, Mr. Brunner."

Brunner: "Yes, will the Sponsor yield?"

Speaker Greiman: "Indicates he will."

Brunner: "Does this have... Does this have the capital punishment provision in for those who are caught speeding in a school zone?"

Keane: "No, it's... you could talk to Senat... or Representative

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Jaffe and see if he would..."

Brummer: "Well, it's an increased penalty or something for those in a school zone. Is that right?"

Keane: "It... Let me read it again. I enjoy talking to lawyers and going over this thing. This is the third time, but I have no problem with it. It says that if supervision is not available..."

Brummer: "Oh, you can't get a drivers' license if you're caught speeding in a school zone."

Keane: "That's right. That's right."

Brummer: "And it also has a provision in to notify the families on a parole hearing. I guess I have a real quander. I think one is an atrocious provision. The other is a provision I support. And then for some of the reasons that Representative Jaffe said - I guess I agree with him some of the time."

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

Keane: "Thank you, Mr. Speaker. A number of those who have discussed this Bill indicated that they didn't like certain provisions, and they thought it was sort of a catch-all, and they felt that my mental abilities were not too high in sponsoring these Amendments. Let me point out that most of the Amendments were put on by members of our legal profession, sworn to the bar, and defended by them. I think... I think that as I've always said, I've always walked into Judiciary Committee with a faint heart, because you never know what you're going to find in there. Lawyers have a tendency to go back and forth. I think this is a good Bill. It's been... It's a good Bill. It's been discussed on the Third Reading. We brought it back for one thing, to change the period on the extension from five to three years. I would ask for a favorable Roll Call."

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Speaker Greiman: "Question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1841?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 82 voting 'aye', 19 voting 'no', 8 voting 'present', and the House does adopt Conference Committee Report #1 to Senate Bill 1841. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page two of the Calendar, on the Order of Concurrence, appears House Bill 2600. 2600. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2600, a Bill for an Act to amend the School Code, together with Senate Amendments #1 and 2."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2600 was amended twice by the Senate. Amendment #1 essentially is a technical Amendment, technical in nature, but this Section of the School Code that's amended by Amendment #1 already enables the State Board of Education to adjust its EAV or equalized assessed valuation amounts to conform with the amount of the appropriation. The provisions of this Amendment are really not needed. Amendment #2 to House Bill 2600, in fact, is the Bill, and this Amendment is intended to solve a portion of the financing funding crisis in Chicago public schools or in District 299. This Bill, I might add, will fall far short of the amount that is required to necessarily allow the schools to open in the City of Chicago, but it is a step in the right direction. The provisions of Amendment #2 are as follows. First of all, it would, in fact, add a new property tax for special education only of about four percent of the EAV, equalized assessed property value.

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This, in itself, will probably bring in somewhere in the vicinity of eight million dollars for the public schools in FY '85. The second provision is, in fact, about a six percent increase in that it would increase the maximum property tax rate differential by .50 percent. This would, in fact, cost a homeowner of about a 60,000 dollar home of about ten dollars. This will bring in somewhere between 11 and 14 million dollars. The third provision of the Act deals with the Chicago School Finance Authority which was scheduled to expire in terms of its powers August 30th, 1984. This Amendment would allow the power to approve or reject the Board's annual three-year financing plan to continue. It would allow the Authority to continue to approve or reject Board contracts and obligations. It would allow the Authority to remove the school financial officer. And specifically, the School Finance Authority would no longer have the power to require that the Chicago Board of Education, in its financing plans, keep revenue in excess of five million dollars. And, in effect, this provision frees up 15 million dollars from the working cash fund. And, finally, this Amendment deals with the subject of flexibility allowed the Board of Education in the sale of real estate. This provision is not anything different than is already being done in our downstate school districts. This was part of former... Representative Cullerton's measure that he sponsored. It in no way circumvents the authority of Chicago City Council. The Council still retains its powers within this proposition in that the Board for the sale of real estate upon notice, where currently it was upon request by the Board to the Chicago City Council. Ninety percent of the funds in this measure come from the City of Chicago. The finance package that's being presented under House Bill 2600 with both

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Amendments would total approximately 34 million dollars. Mr. Speaker and Ladies and Gentlemen of the House, I know of no opposition to this measure. I certainly would urge an 'aye' vote so that we can move a step closer to resolving the very difficult and agonizing problems in the City of Chicago in light of the fact that we are in a tremendous financial predicament. We must try to open the schools in September, and I would urge an 'aye' vote."

Speaker Greiman: "The Gentleman from Cook moves that the House do concur in Senate Amendments #1 and 2 to House Bill 2600. And on that, the Gentleman from Cook, Mr. Huff."

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

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

Huff: "Yes. Mr. Bullock, do you know... can you explain to me the process of syndication in real estate?"

Bullock: "In relationship to the Chicago Board, Representative Huff?"

Huff: "With real estate, period. Syndication. Can you tell me what it does?"

Bullock: "Well, first of all, Representative Huff, we had this discussion a short while ago, and it is my..."

Huff: "I didn't raise... I didn't raise that question then. I'm raising it now."

Bullock: "Okay. It's my opinion that the Board of Education would not be further exposed legally..."

Huff: "Well, let me ask you this question, Mr. Bullock. Do you know what the total property assets of the Board of Education is today?"

Bullock: "No, I don't."

Huff: "To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Huff: "Ladies and Gentlemen... Mr. Speaker and Ladies and Gentlemen of the House, I think that it's an irresponsible

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venture to allow anybody as irresponsible as the Board of Education to sell their one asset outside of the pupils themselves. Four years ago, the Board of Education sold Midway Airport to the City of Chicago that had a book value of 60 million dollars. They sold it for one third of that. Today, they need... They have neither the income increment or the property. If the Board of Education right now has 990 acres of property assets for... Mr. Speaker, I seem to be in the middle of a Rothschild. Can I...?"

Speaker Greiman: "Mr. Huff, I suggest you duck. The fireworks are outside now, but they'll be hear in a little while. Proceed, Mr. Huff. Give the Gentleman your attention."

Huff: "Thank you, Mr. Speaker. The Board of Education, as I was saying, Ladies and Gentlemen, has property assets of 990 square acres for a total assessed valuation of 1,200,000,000 dollars. If we were to use the process of syndication and if the IRS would allow us to sell the depreciated value of those total properties at 100 percent of its appraised value, we could generate an additional billion dollars for the schools in Chicago without selling the property. That's what I was asking Representative Bullock to explain to me - the process of syndication. It's done in every sphere of real estate construction. The... The 17 million dollar... I'm sorry. The 70 million dollar state building, Revenue Building that's going up on Second Street - the contractor syndicated 20 percent of that money, made 14 million dollars out-of-pocket money which he kept himself. The building is still there. This is what we reported in our Commission report, Ladies and Gentlemen, last year. Our Chicago School Study Commission found this, and we also found that the vice superintendent of the Chicago Boards of Education didn't even know what the total assets of the schools' properties were. We had

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to tell him. It's just too bad that our report was oppressed. But there's a better way to do it than doing it this way. If you let the Board of Education sell off one billion dollars worth of property, they'll give it to the unions in the labor negotiations, and the next year they won't have the property or the money and they'll be back here asking for more money. This is an auspicious approach. It's pernicious, and it's detrimental to the children of Chicago. If you pass this, Ladies and Gentlemen, we may as well go to Chicago and lobotomize every student in that system."

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

Vitek: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A question of the Sponsor."

Speaker Greiman: "Proceed."

Vitek: "Larry, you said there's no opposition to this Bill. Well, you've heard the first stand, and I agree with Huff. Did you get the removal of the opposition of the realtors on this Bill... on the second Amendment? You said there was no opposition."

Speaker Greiman: "Mr. Bullock. Turn on Mr. Bullock."

Bullock: "Representative Vitek, when I said that there was no opposition to the Bill, this Bill has been on the Calendar now for almost four days, and I have not heard from any realtor group that opposes the legislation. And other than Representative Huff, who raised an inquiry with me some time earlier today, no one has approached me in opposition to this measure."

Vitek: "Okay. That's your answer. Number two, on #2 Amendment, you're going to raise the real estate taxes again without a referendum, is that correct? There will be no referendum on this double increase now, four tenths and six cents. A ten cents increase on the real estate. No referendum,

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right?"

Bullock: "That is correct."

Vitek: "Well, what are we coming to? They tell us to go down to Springfield and represent them. That includes everybody, the realtor people, the people that own property, the old-time citizens that are living on a fixed income. Last year they turned around and double-crossed us by socking us with that 50 cent tax that you guys turned around and made a deal with with the a certain group here - I'm not going to mention anymore, because I'm tired of repeating it. Now you're going to get socked another ten cents? Where is this going to stop? When are you going to give the people a chance to vote on it? I voted against it last time. And, most certainly, I like to help the kids in school. My kids went to parochial school, but I still paid my taxes. And I support education. I support the bilingual people. I want our kids to get an education, but I heard somebody the other day tell me, 'John, the best way to do it is start the kids early in life and teach them nutrition at the first grade level. That way they'll have some good guts when they grow up to know what the hell their parents are voting for and how hard they had to take to put them through school.' I am for education. I want our kids, regardless of who they are; bilingual, black, white, green, Bohemians, any color, any nationality - I want them to get an education. But, Larry, quit giving us this thing right down our throats everytime increasing the taxes without referendum. Thank you. Vote 'no' if you can."

Speaker Breslin: "Representative Breslin in the Chair. Representative Hoffman is recognized."

Hoffman: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I rise in support of House Bill 2600 and 2605, which will follow it. 2600 is part of an arrangement that's been

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worked out to attempt to meet the needs as best we can here of the schools in Chicago. Those of us who have been here any period of time know that there's been a traditional pattern to run tax increases in Chicago on the same basis that are included in this Bill. This is nothing new. I would also point out to the first Gentleman who spoke that... in regard to the question of syndication, that the matter of the fact of this particular Amendment in this Bill that he addresses still provides that all sales must be approved by the City Council and provides that the Chicago school system can deal with their real estate in basically the same way that other school districts around the state can deal with their... with their real estate. Frankly, I see no problem with this. This Bill was passed earlier this Session... or this Amendment was passed earlier this Session as House Bill 3212, and I see no objections. I will merely close by saying I ask that all of you support House Bill 2600. In particular, I would recommend this Bill to the Members on this side of the aisle as I will on 2605."

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

Stuffle: "Madam Speaker and Members, I do not rise for or against the Bill but merely to point out that what Representative Hoffman has said is entirely accurate whether you're for or against the Bill. The processes involved basically allow the City to do what downstate does now. There are some questions about what Representative Huff brought up that are in doubt, I think. But, for the record, some have asked me, with regard to Senate Amendment #1, it really means nothing at all. It is a nullity, because Senate Amendment #1 was originally intended to put this Bill in a posture of putting it in a Conference Committee. That

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Amendment changes the guaranteed assessed valuation that drives the per pupil expenditure, combines state and local revenue to the school districts. It means nothing, because the statute already says that we do that on the basis of whatever amount of appropriation we have. If that figure is too high for the appropriation, it's reduced. If it's too low, it's increased. So, it means nothing. It doesn't hurt us in downstate Illinois, and it doesn't help us. And the change in these rates will not drive anymore money to the City, because the rates, in effect, now are already at the maximums for capture of funds by a unit district, nor do the changes in language in Title I affect us downstate because of the fact that what this Bill attempts to do is to clarify last year's situation. And 2605, which follows, takes care of the rest of the issue involving rural districts. So, there is no problem on that."

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

McAuliffe: "Well, Mr. Speaker (sic - Madam Speaker) and Ladies and Gentlemen of the House, I would rise in opposition to this Bill. I hear people that don't pay taxes in Chicago talking about how good this is going to be for Chicago. I'm going to speak as a Chicago taxpayer and in defense of the Chicago taxpayers. Ten years ago, I bought a house. My taxes were 600 dollars. This year they're 2000. I can afford to pay the taxes because I'm working, but the people that are retired and are on fixed incomes can no longer afford to pay their taxes or must sacrifice the maintenance on their houses because they haven't got the money to keep paying higher school taxes. The biggest portion of our tax load in Chicago goes to the schools. And I didn't send any of my children to the public schools, but I'm still happy to pay. But there's got to be a point where we say, 'No,

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you can't keep increasing these taxes every year'. Come down here every year and let the downstaters get together with certain groups from Chicago and stick it to the taxpayers in Chicago. The people in my district are fed up with higher taxes. They don't want to vote for another nickel for the school board in Chicago who is pouring the money down a gigantic rat hole. Please vote 'no'. Do the taxpayers of Chicago a favor on this Bill and vote 'no'."

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

Bullock: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I think Representative Hoffman perhaps adequately explained the substance of Amendment #2 which, in effect, becomes the Bill. Two of the other speakers alluded to taxpayers in the City of Chicago. The fact of the matter is those property homeowners will pay larger tax bills if this Bill is not passed. For Representative Vitek, if the schools don't opened, the kids will be on the street. They probably will be subjected to vandalism and crime rates which indirectly the taxpayers subsidize through larger fees for law enforcement incarceration and other types of police and fire services. Unfortunately, this Bill is the only game in town at the 11th hour for funding our public schools. It is, in fact, a self-help program for the Chicago Board of Education, for 90 percent of the revenues in this proposition originate in the City to be used by the City, and it's only right at this point that we take this first step... ensuring that our public school children are in school in September and not on the streets or the alleys or wherever one would be if the school doors were closed. We need to open the schools. I urge and ask for an 'aye' vote so that we can open the schools in September and certainly in future years

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perhaps we can consider school reform in both curriculum and financing. But at this point, this is the last chance, and I urge an 'aye' vote."

Speaker Greiman: "Question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2600?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Voting is now open. To explain his vote, the Gentleman from Cook, Mr. Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a tax increase without a referendum. About an hour ago we voted on House Bill 2740 where a lot of you who are voting green now argued against a tax increase by a county board without a referendum, because that affected your counties. Here is a tax increase without a referendum, but it only affects Chicago. Well, I'll tell you, the people in Chicago don't want that tax increase. I'll support the Lottery surcharge. I'll support the increase... the extension of the income tax. I'll support anything for education, but not this. This is a falsehood. This will do nothing for the schools in Chicago. I urge more 'no' votes."

Speaker Greiman: "Ms. Braun, one minute to explain her vote"

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Bill 2600. Let me just say that many minds have been put to work in resolving this school issue. We have a crisis in education funding in Illinois, a crisis that is not just limited to the schools in the City of Chicago. Representative Hoffman over here, Representative Berman in the Senate and many others have labored long and hard to try to come up with a compromise that would begin to address - how do we keep these schools open with not nearly enough money to do so. Clearly, nobody is anxious to increase property taxes. That

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is not, however, the issue. This miniscule increase in this Bill will not affect an average homeowner greatly, but it will have a tremendous impact on whether or not we can fund education and keep the schools open in the City of Chicago. We are working on reform. We are working on trying to improve the system so that it does not cost as much money to run, but in order to do that we simply must have the dollars. We must have the funds to keep the system functioning so that the children get an education in spite of the mistakes of the past and in light of our efforts to have a better future for our school system. I encourage an 'aye' vote. Thank you."

Speaker Greiman: "One minute to explain your vote, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. Admittedly, this is not an easy vote to cast, but it is a vote that is absolutely necessary if we are not going to be drug back here in a Special Session in the summer with an attendant atmosphere of crisis, the only result of which can be that school money will be stolen from downstate children. I urge an 'aye' vote."

Speaker Greiman: "Gentleman from Cook, Mr. Shaw, one minute to explain your vote, Sir."

Shaw: "I just... Thank you, Mr. Speaker. And all I wanted to say to the Ladies and Gentlemen of this chamber, within the last two days we have... within the last week we have had two Bills to go down. A little while ago, 1629 was a Bill that supposed to have been the answer to solving some of the problems of the Chicago school system and the education in Illinois. Well, as everyone knows, those dogs just went off the cliff, and this is the only Bill left that I can see. And I know that education has to be funded. The children of Chicago has to have an education. Schools has

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to open in September, and I urge an 'aye' vote for this Bill."

Speaker Greiman: "The Lady from DuPage, Ms. Nelson, one minute to explain your vote."

Nelson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I recommend a 'yes' vote on this important Bill which is part of a package. Representative Vinson is absolutely right. If we do not address the problem of the Chicago schools' deficit at this point, we will be back here again. It is a package. There is a one-time draw down in here. There is the very, very small increase in the Chicago Board of Education's special education tax, which is not any different than that presently allowed without referendum downstate at this very moment. Altogether this package will provide an estimated 34 million in new revenues for Chicago. That, with other increased monies that have already been authorized by the Governor's Office and by a lot of hard work by people who care about funding our schools and opening them in the fall, should ensure that that will happen in Chicago as well as in suburban districts. I'm glad to see those green votes."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, one minute to explain your vote"

McGann: "Thank you, Mr. Chairman, Members of the Assembly. You know, it's really great to listen to all of this from all of the outside of Chicago people, those persons that live outside the City of Chicago. I wonder if we were voting for an income tax increase for them... or a real estate tax increase for them how they would like it. This is wrong. This is not going to bring you back, as the previous speaker said, for a Special Session, because there isn't that amount of money in here. It's a piddling. It's wrong. Two years in a row the average taxpayer now, as a

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result of the action last year, is paying 68 dollars additional real estate taxes. This is adding another ten dollars on them. It's wrong. It's not fair to the people of the City of Chicago where most of the monies for the state are generated. The State of Illinois fails in its own mandate to fund 50 percent. This is not an answer. I ask you not to let this piece of legislation go out of here. Thank you."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 71 voting 'aye', 38 voting 'on', 7 voting 'present', and the House does concur in Senate Amendment #1 and 2 to House Bill 2600. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence, page two of the Calendar, appears House Bill 2605. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2605, a Bill for an Act to amend the School Code, together with Senate Amendments #2, 3 and 4."

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

Stuffle: "Mr. Speaker and Members, I would move that the House concur in Senate Amendments 2, 3 and 4 to House Bill 2605. Senate Amendment #2 deals with the computation of state aid and the inclusion of a special ed building tax and the operating tax used to calculate state aid. Number... Amendment #3 provides that in determining the EAV of a district that is in an enterprise zone situation, that there is a formula for the computation of the amount of the EAV that relates to tax abatement. I know of no district that's done that yet, but this will put it in place should that happen. Amendment #4 provides for partial holdharmless of school districts affected by the change from the old Title I federal provisions and definitions to the new ones. Last year we provided districts with the

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ability to use either an old figure or a new figure with a cap of 85 percent of the one amount. This figure this year uses 85 percent of 85 percent or 75.25 percent of the old Title I count or the new. Frankly, that is the key Amendment to the Bill. And, frankly, what that Amendment does is redistribute about 7.6 million dollars in state aid through the Title I process to rural downstate districts hardest hit by the federal definition changes. Frankly, it takes from some to give to others, but they are the hardest hit, just as we did last year. And I would ask House concurrence in the three Senate Amendments."

Speaker Greiman: "The Gentleman from Vermillion has moved that the House do concur in Senate Amendments 2 and 3... 2, 3 and 4 to House Bill 2605. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Thank you, Mr. Stuffle. Mr. Stuffle is allowing Chicago to lose 2.3 million dollars in the state aid formula by using 1970 census information instead of 1980. I imagine if we went back to 1960 he could probably even get some more money. This is the package for Chicago. First they allow us to raise our property taxes. So kindly and graciously they take those tough votes to allow us to raise our property taxes. And then with the next Bill they take 2.3 million dollars out of Chicago. It's a tremendous program. It will probably get 70 votes, but I'm going to vote 'no'."

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

Bullock: "Well, Mr. Speaker, I stand in support of 2605. Representative Hoffman had indicated earlier that the Members of the Conference Committee considered many provisions in terms of resolving the school funding crisis, not just in Chicago, but throughout the State of Illinois."

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And so what we have here is an adjustment in our Title I calculations, and this in adjustment in effect, yes, will decrease the Chicago allotment by 2.5 million dollars. But more importantly, is that the Bill that passed previous to this gives us a net gain in the City. I'm sure that my distinguished colleague who spoke previously understand the dynamics of the process in Springfield and has played it very well in the past. And all that we have here is a situation where now other districts throughout the state will, at least, see additional revenue so that they, too, can open their schools on time. And with that, Mr. Speaker, I respectfully urge an 'aye' vote, and I stand in support of the Gentleman's Motion."

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

Hoffman: "Mr..."

Speaker Greiman: "Mr. Hoffman. You're on, Mr. Hoffman. ... microphone."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. As usual, Representative Stuffle clearly and accurately explained the provisions of House Bill 2605 as it is on the... on the Calendar. I would encourage everybody on this side to vote for this Bill, contrary to what one of the previous speakers said in regards to the redistribution. That was calculated and figured into the total program of which Chicago is involved. For that reason, I rise in support and believe all other Members of this House should rise in support of 2605."

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

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

Speaker Greiman: "The Gentleman from St. Clair has moved the previous question be put. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question will be put."

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Mr. Stuffle, to close."

Stuffle: "Mr. Speaker and Members, simply put, I appreciate Representative Culleton's arguments, but I might point out that in my own district and in others who will vote for this Bill we are simply redistributing money. Even though we take some from Chicago, we take some from ourselves too, and that's the price you pay for good government. And I ask for an 'aye' vote."

Speaker Greiman: "The question is, 'Shall the House concur in Senate Amendments #2, 3 and 4 to House Bill 2605?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Ms. Currie. Have all voted who wish? Have all voted who wish? Oh, I'm sorry. To explain her vote, Ms. Braun."

Braun: "Well, Mr. Speaker, I was going to explain my vote, and I was going to say... ask for support for this package because it was part of a package. However, this Bill seemed to have had a lot less trouble moving out of this General Assembly than the previous one. So I guess my remarks really aren't even called for at this time."

Speaker Greiman: "Mr. Kulas, one minute to explain his vote."

Kulas: "Thank you, Mr. Speaker. I guess this is an instant replay from 1983. We didn't learn our lesson then, and we're not learning our lesson now. Then we got taxed 50 cents. We gave back to downstaters one million dollars. Now we got taxed another 10 cents, and we're giving back two and a half million dollars. Well, the people of Chicago thank you, but I'll vote 'no'."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 75 voting 'aye', 36 voting 'no', 6 voting 'present', and the House does concur in Senate Amendments #2, 3 and 4 to House Bill 2605. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. On Supplemental Calendar #4 appears House Bill 2373. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2373, a Bill for an Act to amend the Workers' Compensation and Occupational Diseases Act, together with Senate Amendment #1."

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

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur to Amendment #1, Senate Amendment #1 to House Bill 2373. Yesterday the Governor called a press conference on the four leaders of the General Assembly, together with representatives of organized labor, and the business community announced a second historic agreement in the area of workers' compensation. The last agreement we had was in 1980, and it made major reforms in the area of workers' compensation. This is a second and I hope a final step to correct any problems that our workers' compensation law may or may not have had. The compromise before us does three major things. Number one, it freezes, once again, for three years the rate on permanent partial disabilities. As you will recall, we froze those rates for three years. That freeze came off in January of '84. This reimposes the freeze beginning tomorrow for three years. The second change - we've reduced the award that an injured worker is eligible for for permanent partial disabilities from 66 2/3 percent to 60 percent. And finally, we changed the interest rate that was established last year at one percent above prime to the six month T-bill rate which is approximately ten and a half percent today, a decrease of four interest rate points. Those three by themselves will probably save the employer community 40 million dollars a year. We made numerous structural changes in the Act

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itself. We provided for an expedited hearing so that an injured worker has a chance to appeal directly to the Commission and receive an award in the shortest period of time as possible. We changed the structure of the Commission. The Commission will now have seven members. Two separate three member panels will hear each case. We should theoretically cut the workload in half and hopefully provide swift answers to the cases before the Commission. I hope that this finally lays to rest... I hope that these changes finally lay to rest the myth that still exists among some in the employer in the business community of this state that our Workers' Compensation Law is unfair or unjust or that it is not competitive with other states. In April of 1983... Mr. Speaker, can I please have some attention?"

Speaker Greiman: "Give the Gentleman your attention. Let the House be in order. Proceed, Mr. McPike."

McPike: "In April of 1983, the National Counsel on Compensation Insurance that studies the rate of workers' compensation in the country ranked Illinois 20th out of 42 states. The other eight states have state plans and so were not ranked. We were ranked 20th - right in the middle. Not number one, not number 42. We were right dead in the middle. We were competitive with everyone in the United States, and still from some areas we heard the cry that we were not competitive. This year a second study has come out. It's in the most recent addition of Illinois issues. The average cost of workers' compensation in the country is \$4.17 per worker per week - the average cost. In Illinois it's \$3.41 - 70 cents below the national average. We are competitive with every state in the midwest, and we are considerably below the three fastest growing states in the Sun Belt. Florida has higher rates than us. Texas has

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rates that are 50 percent higher than Illinois, and California has rates that are 100 percent higher than we do in Illinois. And finally, in the last few days, the Illinois Department of Insurance has released a year-long study on the effect of the changes that we made in 1980 together with the changes that we made last year that opened up workers' compensation to competition amongst insurance companies, and they presented us with these figures. The total earned premium in 1980 was a billion dollars. That year... The following year it dropped by 100 million dollars. The following year it dropped another 100 million dollars. In 1983, it dropped another 100 million dollars. In the last three years, earned premiums have fallen in this state by 300 million dollars, a 30 percent drop. We are not only fair. We are competitive with every state in this country. This historic agreement that business and labor reached today will add 40 more million dollars to the pot, reduce premiums by an additional 40 million dollars. I hope that next year the rhetoric dealing with workers' compensation, the constant rhetoric about people that wear eye glasses or hearing aids, pre-existing conditions - those people should not be treated as whole men or whole women. I hope that once and for all we can start to talk about the business climate of this state as a good place to do business. I hope that we can once and for all begin to promote this state as a good place to live, a good place to work, a good place for industry, a place that has a competitive business climate, a place that is anxious to work with the employer community so that we can provide jobs for our people and, at the same time, protect the injured worker. I would like to compliment those people in the business community and organized labor that worked long and hard over the last

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four months in coming to an agreement. With those remarks, I would move to concur to Senate Amendment #1 to House Bill 2373."

Speaker Greiman: "The Gentleman from Madison moves that the House do concur in Senate Amendment #1 to House Bill 2373. And on that discussion, the Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Mr. Speaker and Members of the House, the Majority Leader outlined the provisions of this Bill, House Bill 2373, and the agreement which business and labor and Legislators met on this particular issue. And what he said is true in terms of the provisions, plus what he said is true in terms of some of the savings involved in this particular agreement. But then he went a little far afield and got a little carried away in telling you that this was going to be the panacea, apparently, for all time and for all season. Well, I can tell you this; that it isn't the panacea. It's a good step in the right direction. I fault not the agreement itself and the provisions of such, but this agreement will not, in and of itself, make the business climate the way that he said it was going to be and what we had hoped it would be for a number of years; because, ever since 1975 when some of the bad, bad features of the Workmen's Compensation Act were adopted, we've attempted over the years to make some corrections. And, yes, indeed we have made some corrections. And this indeed is a step. But let me tell you why these steps were taken. They were taken to clean up provisions of Senate Bill 1070, which those people on the other side of the aisle were responsible with a year ago. And on the debate on the floor I tried to warn them that what they were doing with 1070 were going to be bad, bad features. It's... We found that that were the case... was the case and in many of these provisions. What he has said is that business and

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labor and legislative people sat down and worked out this agreement to help clean up 1070. And out of the agreement came some salutary features, but I don't want anybody in this chamber to believe that this is the cure-all and the panacea for all time. I do rise in support of this agreement, but I wanted to make those comments perfectly clear."

Speaker Greiman: "The Clerk, for an announcement."

Clerk O'Brien: "Supplemental Calendar #5 is being distributed."

Speaker Greiman: "I note at the rear of the chamber the Governor of Illinois has joined us. He could only join the House, because we have no dress code. In the Senate, they have a dress code; and, of course, he would not be welcome there. But you're always welcome here. Further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2373.' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'aye', none voting 'no', none voting 'present', and the House does concur with Senate Amendment #1 to House Bill 2373. And this Bill, having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar 3 on the Order of Conference Committee Reports appears Senate Bill 1911. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1911, a Bill for an Act to amend an Act in relation to community currency exchange and ambulatory currency exchanges. First Conference Committee Report."

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

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. The Bill... Senate Bill itself addresses the issue of when a

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currency exchange declares bankruptcy. The Bill provides that the Director of Financial Institutions in the State of Illinois shall handle the reorganization as opposed to the Federal Bankruptcy Court. Now the First Conference Committee Report simply adds a clarification regarding the priority of creditors who would be protected in the event of the bankruptcy. The Bill, without the Conference Committee Report, placed on the same footing both individuals who had paid their utility bills through a currency exchanges along with those individuals who had purchased their vehicle registration at a currency exchange. The Conference Committee just simply clarifies that the individuals paying the utility bills would have priority over the Secretary of State with respect to recovery of funds that have been paid for vehicle registration. As far as I know, there is no opposition. The... The Bill is supported by the Department of Financial Institutions. It passed... the original bill passed the House by 101 to nothing, and the Senate has already approved the Conference Committee Report. So, I would ask for your approval of Conference Committee Report #1."

Speaker Greiman: "The Gentleman from Fulton has moved that the House do adopt Conference Committee Report #1 to Senate Bill 1911. And on that, is there any discussion? There being none, the question is, 'Shall the House adopt Senate... Conference Committee Report #1 to Senate Bill 1911?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Mr. Klemm, to explain your vote. One minute. Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'aye', none voting 'no', 3 voting 'present', and the House does adopt Conference Committee Report #1 to Senate Bill 1911. And this Bill,

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having received the Constitutional Majority, is hereby declared passed. Supplemental Calendar 3, Conference Committee Reports, appears Senate Bill 1939. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1939, a Bill for an Act to amend an Act creating the Illinois Health and Hazardous Substance Registry Act. First Conference Committee Report."

Speaker Greiman: "The Lady from Cook, Ms. Barnes. Ms. Barnes, on 1939. Proceed."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House. I move to recede from the Amendments."

Speaker Greiman: "Well, this is on the Order of... the Order of Conference Committee Reports on Senate Bill 1939 - Supplemental Calendar 3."

Barnes: "1939. I have it. I'm going to take it out of the record till I look at it."

Speaker Greiman: "Alright. Out of the record."

Clerk O'Brien: "Supplemental Calendar #6 is being distributed."

Speaker Greiman: "For what purpose does the Lady from Cook, Ms. Barnes, seek recognition?"

Barnes: "Mr. Speaker, I have been working with Representative Mautino on this, and I have spent a lot of time today on appropriations. And I would like to defer to him at this time."

Speaker Greiman: "Your suggesting you'd like to go back to Senate Bill 1939?"

Barnes: "Yes, Mr. Speaker, if I may."

Speaker Greiman: "Alright. I was recognizing you, however, for a Motion that I thought you might be making. Are we ready at that... at this time? Alright. Let's go to... On the Order of Supplemental Calendar #3, Conference Committee Reports, appears Senate Bill 1939. Mr. Clerk, read the Bill. Excuse me, Mr. Clerk. Yes, for what purpose do you

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seek recognition, Mr. Wolf?"

Wolf: "Yes, Mr. Speaker, has this Conference Committee Report been distributed?"

Speaker Greiman: "On 1939?"

Wolf: "Yes."

Speaker Greiman: "We'll find out. First Conference Report apparently has been distributed. 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. First Conference Committee Report."

Speaker Greiman: "The Lady from Cook, Ms. Barnes, yields to the Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, the First Conference Committee Report on Senate Bill 1939 provides for the establishment of the Hazardous... the Illinois Nuclear Hazardous Materials Act of 1984. This legislation and this Conference Committee is designed to protect the citizens of the State of Illinois, and it would establish a fair public process by which certain safety aspects of the transportation of spent nuclear fuel would be demonstrated and reviewed. The current posture of this state is that approximately 200 tons of spent nuclear fuel will be transferred through the cities, by rail, of Galesburg..."

Speaker Greiman: "Excuse me. Excuse me, Mr. Mautino. For what purpose does the Lady from Marshall seek recognition?"

Koehler: "Thank you, Mr... Thank you, Mr. Speaker and Ladies and Gentlemen of the House. A parliamentary inquiry, Mr. Speaker."

Speaker Greiman: "Proceed."

Koehler: "I would like to know whether the... that Amendment, the Nuclear Materials Railroad Transportation Act that is

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contained in Conference Committee Report #1 is germane to the original underlying Bill."

Speaker Greiman: "The Parliamentarian advises me that he believes it is germane, and the ruling is that it is germane. Mr. Mautino, proceed."

Mautino: "Thank you, Mr. Speaker. The end result of this legislation would be enactment of assurances to the people of the State of Illinois that its government can govern in an appropriate manner that is in a manner that provides for their safety while being economically reasonable. I have before me the pictures that have been provided by the Mayor of Aurora, Jack Hill, on the recent derailment on this same line which is spent nuclear fuel will be passing through the G.E. Plant in Morris. I recommend most of you take some look, take a good, long look at the recent derailment, the second in six weeks that they've had on this particular line. What this legislation would do would be an examination and a safety precautions provided by the ICC and other agencies of our government, the Nuclear Safety Department, so that the tracks, the beds, etcetera, would be in conformity for the public health and safety. By the same token, it would set up a permit for the transfer of those spent nuclear rods into the State of Illinois. This Bill makes sense. No one wants such highly dangerous and potentially disruptive materials creating a public health and safety problem or a public nuisance. We want to provide protections for the citizens of this state. This legislation, in no way, shape or form, is provided to relinquish and to abate any existing contract that is in force with the G.E. Plant and other energy providers. This legislation follows, in part, the rules and regulations now provided in the Federal Government and the minimal standards for routing of spent fuels. A carrier is

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compelled by federal law to ensure route selections that minimize radiological risks. Our Bill simply fills the gap in the federal regulatory scheme here with some pretty common-sense standards. A permit must be issued. The public health and safety must be protected before those spent nuclear fuel rods come into the State of Illinois and find their resting place at the General Electric Plant in Morris. Those cities and those individual citizens in those cities where the train will be going through need and deserve our protection. This is no different than what is provided for our regular permitting Sections for the regular common carriers of this state. I agree with the Conference Committee Report on Senate Bill 1939. I ask for the people of this State of Illinois this public health and safety provision, permitting and the public safety factors involved with the movement of hazardous nuclear waste to our G.E. Plant in Morris. And I ask for an 'aye' vote on the Conference Committee."

Speaker Greiman: "Gentleman from Bureau moves that the House do adopt Conference Committee Report #1 to Senate Bill 1939. And on that, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. Two times this House has already rejected this ill-advised plan - two times - and we have yet to arrive at a reasonable resolution of how we keep highway money in this state by dealing with auto emissions. We haven't yet dealt with tourism and McCormick Place, and yet the Gentleman insists on bringing this kind of a patently unconstitutional proposal back. Now, I think every Member has heard the discussion of why this is unconstitutional enough times. I want to reiterate the far more important point; that what this does is disastrous to railroad labor, to teamsters, to jobs, to growth and to economic

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vitality in Illinois. It is a bad plan. It is a plan that has been rejected twice. It's a plan that I request a verification for should it appear to get the requisite number of votes. And if the Sponsor should lose, because of the time element, parks and park proposals in his district - then he knows he is to blame."

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

Flinn: "Well, Mr. Speaker, I'm not going to make my normal Motion. I'm going to tell you that this is 1382 all over again, not once, but twice - now the third time. We have just a bit over an hour to pass Bills with a simple Majority. I think my good friend, Representative Mautino, has had more than a fair try at this Bill. I think we should stop the debate, but I'm not going to make the Motion. I've already spoken against the Bill, but I think we ought to stop the debate and get on with other people who have Bills much more important than this one. And this one should be defeated soundly again for the third time."

Speaker Greiman: "Gentleman from Grundy, Mr. Christensen."

Christensen: "Thank you, Mr. Speaker, Members of the House. They're correct when they say this was voted on twice, but I want to remind you the day after the second vote there was a train derailment in southern Illinois. Now, we're going to have spent fuel coming in from Minnesota, Nebraska and California. All we're asking for you to do is let us protect the people against an accident. One of these train loads of spent fuel, instead of ending up in the dump in Morris, Illinois is going to end up in somebody's backyard. It was also mentioned about unconstitutional. It was also unconstitutional to put a moratorium on nuclear plants, but that's been changed. So, I wouldn't worry about that end of it. This will protect the people of the State of Illinois which you were sent down here to do as

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Representatives, to protect your people against hazardous wastes being shipped through their backyard on faulty railroads. I ask for a green vote."

Speaker Greiman: "Mr. Mautino, to close."

Mautino: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, the constitutionality question was presented in the original proposal of 1382. In my mind and in my opinion, it is not unconstitutional. This legislation tracks the federal proposals but enacts additional protections for the people of the State of Illinois. There are many of you here that have been saying that nuclear... spent nuclear waste is not a major issue in this state. I submit to you that you're not correct in that evaluation and analysis. It is the most important issue in this state. All you have to do is read the newspapers, watch TV, listen to the radio. This is the issue of most importance and is on the mind of the citizens of the State of Illinois, specifically those citizens who lie within the confines of the Burlington-Northern which will be transporting this material. We ask for permits for the hauling of gravel and steel in this state as well as other common commodities, including but not limited to machinery, to horses, to cattle, to livestock going to market. I think the least we can do is offer the public health and safety the correct tracks and the bedding underneath those tracks, but most importantly we should offer the public health and safety of the citizens of this state their right when nuclear waste is moved to this state. And I ask for an 'aye' vote."

Speaker Greiman: "Question is, 'Shall the House adopt Conference Committee #1 to Senate Bill 1939?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Mr. Davis, to explain

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your vote. One minute."

Davis: "Yes, Mr. Speaker, I wish to explain not only my vote, but the fact that I was unavailable for the Conference Committee Report for my signature. I would have signed it, just for the record, had it been presented to me, but I was unavailable."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 43 voting 'aye', 47 voting 'no', 15 voting 'present', and the House fails to adopt Conference Committee Report #1 to House Bill... to Senate Bill 1939. Mr. Cullerton. Mr. Mautino, for what purpose do you seek recognition?"

Mautino: "I would like to request a Second Conference Committee."

Speaker Greiman: "Gentleman asks for a Second Conference Committee on Senate Bill 13... 1939. The Second Conference will be appointed. ... Barnes, are you prepared on your Motion? Motion for nonconcurrency... No, refuse to recede on various appropriations Bills."

Barnes: "Representative Leverenz was going to do it."

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

Leverenz: "Speaker, Ladies and Gentlemen of the House, I would move that the House refuse to recede in the following Senate Bills: Senate Bill 1546, with all the Amendments, 1549, 1554, 1558, 1574 and 1599 and request that a Conference Committee would be appointed for each."

Speaker Greiman: "Gentleman asks leave... Oh, Mr.... Mr. Leverenz, would you care to..."

Leverenz: "Repeat."

Speaker Greiman: "Add Senate Bill 1555. That's on Supplemental Calendar #1."

Leverenz: "I would so amend the Motion to include 1555, a Senate Bill."

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Speaker Greiman: "Alright. Gentleman asks leave of the House that these be taken in a single... in a single Roll Call or voice vote. Does the Gentleman have leave? The Gentleman has leave. Mr. Leverenz moves that the House refuse to recede from the ... all the Senate Amendments on... all the House Amendments on Senate Bill 1546, 1549, 1554, 1555, 1558, 1574 and 1599. There being no discussion, 'Shall the House refuse to recede from these Bills?' All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from these Bills. Annoucement."

Clerk O'Brien: "Supplemental Calendar #7 is being distributed."

Speaker Greiman: "On Supplemental Calendar #6, on the Order of Conference Committee Reports, Senate Bills, appears Senate Bill 1629. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1629, a Bill for an Act to amend the Illinois Horseracing Act. Second Conference Committee Report."

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

Giorgi: "Mr. Speaker, on Senate Bill 1629, the greyhounds are gone. The greyhounds have flown the coop with the pigeon Bill. And the Bill is like we've debated it and passed out of the House. So, I urge the adoption of the Second Conference Committee Report. The dogs are gone."

Speaker Greiman: "The Gentleman from Winnebago moves that the House..."

Giorgi: "Concur."

Speaker Greiman: "... adopt Conference Committee Report #1... #... yes, Conference Committee Report #2 to Senate Bill 1629. And on that, is there any discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "Would the Gentleman be so kind to remind all of us what's in the Bill? I believe that the 35 mile limit

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was... the 45 mile limit was reduced to 35. That could cause some complications in the operations of the tracks on simultaneous times. And, secondly, I believe that the Amendment still holds the controversial Lasix provisions, does it not?"

Giorgi: "I don't think the Lasix provision is controversial. It has a Lasix provision. It provides that a security officer be present when the veterinarian removes... administers Lasix. It provides for hearing officers for the Racing Board, and it does provide for the 35 mile limit. But the Bill is like we've debated before and agreed on. The only thing that caused the problem this evening was the greyhound racing adoption, and that has been taken from the Bill."

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

Vitek: "Question of the Sponsor. Does this still have the separate detention barn or..."

Giorgi: "No. This allows them to be in their stalls."

Vitek: "Well, you see, that's what we wanted to oppose. We want them to be separate. Right. So, it's still a Bill that I have to oppose, Zeke. I'm sorry."

Speaker Greiman: "Further discussion? The Gentleman from Rock Island, Mr. DeJaegher."

DeJaegher: "Mr. Giorgi, you're stating to me that we have made a revision pertaining to the mileage from 45 to 35. Is that correct?"

Giorgi: "That was Amendment #4 that was adopted by the House."

DeJaegher: "Second question. The Lasix Bill that... is also in tact?"

Giorgi: "Yes, Sir. It's like it was originally."

DeJaegher: "And you're telling me that there's nothing in here pertaining to greyhound racing. Is that right?"

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Giorgi: "Positively, emphatically, implicitly, lucidly, clearly with reservation."

DeJaegher: "Mr. Giorgi, I'd be happy to support your recommendation."

Giorgi: "Thank you."

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

Matijevich: "Mr. Speaker, I'm going to vote for this doggone Bill."

Speaker Greiman: "Ms. Topinka."

Topinka: "I am going to call the question, Mr. Speaker."

Speaker Greiman: "Alright. No one else seeking recognition, the question is, 'Shall the House adopt Conference Committee Report #2 to Senate Bill 1629?' 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 78 voting ... 79 voting 'aye', 29 voting 'no', 1 voting 'present', and the House does adopt Conference Committee Report #2 to Senate Bill 1629. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Leverenz, did you wish to make a Motion with respect to..."

Leverenz: "I don't have... I have a script, but which ... which speech did you want me to go to? Was it 1555?"

Speaker Greiman: "The Chair believe... The Chair thought that you'll wish to reconsider the vote by which we refused to recede from..."

Leverenz: "That one I was just up there about?"

Speaker Greiman: "Senate Bill 1555."

Leverenz: "We would have to reconsider that."

Speaker Greiman: "That's correct."

Leverenz: "And then go back, take the one off..."

Speaker Greiman: "Well then we just leave it where it is, or do

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you want me to do whatever you like to do."

Leverenz: "We would do it separately."

Speaker Greiman: "Yes."

Leverenz: "Thank you. I wish... Mr. Chair... Speaker and Ladies and Gentlemen of the House, I wish to reconsider the vote by which we refused to recede in Senate Bill 1555 as it was added in error."

Speaker Greiman: "Gentleman from Cook, Mr. Leverenz, moves that the House reconsider the vote by which the House refused to recede from Senate Bill 1555. Any discussion? There being none, all in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does reconsider its vote on... to refuse to recede on Senate Bill 1555. Ladies and Gentlemen, the House rules are quite precise as to who has access to the House. All those who do not have access to the floor, I would appreciate withdrawing so that we have order in the chamber. Please withdraw."

Clerk O'Brien: "Supplemental Calendar #8 is being distributed."

Speaker Greiman: "On Supplemental Calendar #5, on the Order of Conference Committee Reports, appears House Bill 2339. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2339, a Bill for an Act to create the Elder Abuse Act. First Conference Committee Report."

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

Oblinger: "Mr. Speaker, Members of the House, I move to accept Conference Committee Report #1. It is very simple. It is the Bill exactly as we passed it in the House unanimously, plus one statement that was put on over in the Senate that the report included any physician licensed under the Medical Practice Act. And secondly, in the Conference, we included the statement on liability that Representative Cullerton requested. That's all this Bill does now, and I

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request an acceptance."

Speaker Greiman: "Lady from Sangamon has moved that the House do adopt Conference Committee #1 to House... to Senate (sic - House) Bill 2339. There being none, the question is, 'Shall the House adopt Conference Committee #1 to Senate (sic - House) Bill 2339. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Yes, the Gentleman from St. Clair, Mr. Flinn, to explain his vote."

Flinn: "Mr. Speaker, I don't want to explain my vote, but the Calendar says House Bill 2339. I don't believe the Senate got that..."

Speaker Greiman: "Yes, you're correct. It is the... Yeah, the Board said Senate Bill. It is House Bill. So that we will correct the record on my call. It is House Bill 2339. Thank you, Mr. Flinn. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'aye', none voting 'no', 1 voting 'present', and the House does adopt Conference Committee #1 to House Bill 2339. And this Bill, having received a Constitutional Majority, is hereby declared passed. On Supplemental Calendar #5 appears House Bill 2953. Mr. Clerk, read the Bill. Mr.... Mr. Brunsvold."

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

Speaker Greiman: "Excuse me. Mr. Brunsvold in... Well, out of the record for the moment. Supplemental Calendar, Conference Committee Report, Senate Bills. On that Order of Business appears Senate Bill 1743. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1743, a Bill for an Act to amend an Act in relation to compensation of Members of the General Assembly. First Conference Committee Report."

Speaker Greiman: "Mr. Terzich. Mr. Terzich. Mr. Ronan, for what

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purpose do you seek recognition?"

Ronan: "If this issue is so important, Mr. Speaker, I'm also a Conferee on this Committee, and I'll be glad to handle the legislation if we can't find Representative Terzich. I think it's the significant Bill of the Session."

Speaker Greiman: "Well, let's just give him a moment. He's spent a great deal of time on this issue. Oh, yes. We've found Mr. Terzich."

Terzich: "I have my sign. I'm number one. Now is the time. Alright. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we concur..."

Speaker Greiman: "Excuse me, Mr. Terzich. This Bill is a matter of some interest to Members of the General Assembly, and I would suggest that you give this Sponsor your attention. Mr. Terzich, proceed, Sir."

Terzich: "Thank you, Mr. Speaker. I move that we concur with Senate Amendment #1... or Conference Committee on 1743. Senate Bill 1743 encompasses the General Assembly's home office allowance which will be an additional 10,000 dollars for the House Members and 20,000 dollars for the Senate. It adjusts the per diem to meet the federal requirements which will become effective on January 9 in the next General Assembly. The home office allowance will be effective July 1, 1984. It also adjusts the mileage to be in compliance with the federal standard which would also be effective January 9, 1984... or 1985. It also encompasses the Compensation Review Board of which that we were previously discussed. And I would like to add that the number of people that are supporting this - of course, we have our Governor - many of the people that are in favor of the Compensation Review Board. I believe that I discussed with you the fact that with regard to the Compensation Review Board, in the last Northern Illinois University

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survey, that 92 percent of the people thought that the legislative pay should be determined by an independent commission, as well as the Judicial and Executive Branch of government. And I move that we concur with Conference Committee #1 for Senate Bill 1743."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, moves that the House do adopt Conference Committee Report #1 to Senate Bill 1743. And on that, is there any discussion? The Gentleman from McLean, Mr. Ropp."

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

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

Ropp: "Early in your remarks, did you state that the Senate was still getting 37,000 for their district allowance, and the House Members were getting 27,000?"

Terzich: "That's correct."

Ropp: "Let me ask whether or not there is a House Member here that feels that there is a Senator that is any better than anybody in this House chamber. They have the same kind of people that we represent and we serve, and I certainly don't think that 590,000 dollars is money that should go to the Senate as a result of reducing the Illinois House by a third. If you ever want to begin to divide the House and the Senate, this is a good first step. The next thing that we'll want... they'll want to increase their pay twice as much as the House, because they'll think they're twice as good because they think they serve twice as many people. The fact is, Ladies and Gentlemen, if you want to use figures in any way, shape or form, House Members are serving half again as many people as they did two years ago, and I don't think it's anywhere right or fair that they should get that much more than Members of this Body. Particularly... One more thing."

Speaker Greiman: "Yes, Mr. Ropp."

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Ropp: "Particularly since two years ago, they got 10,000 dollars from the Senate operational expense, and then this will be another 10,000 in two short years."

Speaker Greiman: "Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Conference Committee Report. We should be very aware of what's going on here. If this Conference Committee Report fails, you can be sure we will not be getting an office allowance increase. We won't, and the Senate won't. The Senators have a district that's twice the size of ours. Their mailing costs are indeed twice what our mailing costs are, and the cost of mailing is exorbitant. The question of whether or not it should be 10,000 dollars more or 5,000 dollars more - frankly, we're up against it. We have a few minutes left. And without that, I, for one, have an administrative assistant who hasn't received a nickel of a pay raise in the last four years. And I know most of you are in the same situation. I encourage an 'aye' vote. If you don't do it now, we won't get another chance."

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

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

Speaker Greiman: "Alright. It's not necessary. Question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1743?' All those in favor signify by voting 'aye', those opposed 'no'. Voting is now open. This is final action. To explain his vote, Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I hope everyone heard Representative Terzich when he said that the Northern Illinois University public opinion poll said that 92 percent of the people in the State of Illinois think we ought to have a Review Board,

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because they want public input into this process. They want to be a part of the process. And so, they want to have the whole process opened up, and that's what the Review Board does. It brings rationality to the process we have not had before now. And 92 percent of the people support it. I'm supporting it. I vote 'aye'."

Speaker Greiman: "Mr. Bonan, to explain his vote."

Ronan: "Thank you, Mr. Speaker and Members of the House. I, too, urge the Members of the Illinois General Assembly to support this legislation. This is a fair plan, and we've conformed to every kind of criticism that's ever been brought before the General Assembly in the past. We're doing this before the election. We're giving an opportunity for public input, and we're establishing a precedence that's long overdue in this state. We've got a situation where you've got Legislators, Cabinet Members and Judges who have not been adequately compensated, and every time we come into a situation where there's a need for reform, where there's a need to... to look at the salary scale, political implications and election implications come into legislation. Here we've got an opportunity where an objective Board can review their legislation, review the situation of salaries in this state, come in with recommendations. If people don't want to go along with those recommendations, they can vote them down. So, this is an opportunity to open up the process, to give the public input and to establish a fair and equitable system so that individuals down the road can be adequately compensated for public service. It's crazy the system that's established in the past which drives people out of public service, and I think it's important that we review the fact that people who work hard and provide services for their constituents, whether they be in the Executive

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Branch, the Executive Branch or the Judicial Branch, deserve adequate compensation. And this is the move in the right direction. This is real legislative reform. And I urge the Members of the General Assembly to vote for something that's going to do benefit for all the taxpayers in the State of Illinois, because we'll have an open, honest system from now on. I urge Members to support this decent legislation."

Speaker Greiman: "Mr. Pierce, one minute to explain your vote."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, this could be my last speech, not my last Bill. I served 20 years in the Legislature, and I will not receive one dime of any salary increase that comes from the Compensation Review Board. But, believe me, believe me, this House is worth much more than you're compensated. Don't sell yourself cheap. Don't be ashamed of your office. Be proud of what you are. Your mileage is inadequate. We know the home office expense is very inadequate. Most of us have to rely on our campaign contributions to keep our legislative offices open in the home districts. Certainly, our per diem is way below what the Federal Government authorizes. And, believe me, the compensation should be reviewed by others and should be determined to be increased from time to time. Be proud of being in this Legislature. You work hard. You deserve more. The voters... The voters will understand it if we do it in this manner, now, before the election. I urge everyone... I urge everyone to have the pride in this Body that I do and to make sure that future generations of Legislators are paid adequately so they can be respected by others and by themselves. Vote 'aye' on this Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, to explain his vote."

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Clerk O'Brien: "Supplemental Calendar #9."

Terzich: "Just to reiterate that the last time the per diem or the office allowances were made was 1977. And I'm sure that every Member has either gone over their allowance; that if you want to service your constituency, certainly you have to meet the cost of inflation, the cost of stamps, mailing and servicing your accounts and your constituents. With regard to the Compensation Board, that many of you are talking about the Legislature increasing their salary and what have you. The Compensation Review Board, I would like to point out, would be a Board of 12 members, and the Board must hold public hearings which would be subject to the Open Meetings Act. In setting the salaries for all officials, the Board will consider the skill and time required, the opportunity for other earned income, the value of the skill to perform in the private sector and the economy of the state. These are the same type of considerations we should be giving everyone who has come up before the General Assembly for any type of salary increase. It's the same type of board that's used throughout industry. It is a Compensation Review Board. This is a fair and equitable way. I'm sure that the Governor is also supporting this. The Bill did pass out of the Senate. And, therefore, we need these extra votes if we want equity in government, if we want a fair and equitable way to assess salaries. If you want to come back here and vote against any salary adjustment, go ahead and do it. But at least now we will have a Board to determine what type of a salary not only the Legislature should receive, but the Executive Branch of government, as well as the Judicial Branch. And I'm sure that every Member in this chamber would like some type of input, whether we are affirming a collective bargaining agreement which has been

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pre-determined by some bargaining unit and some salary compensation..."

Speaker Greiman: "Bring your remarks to a close, Sir."

Terzich: "... review board. And, therefore, this is a fair and equitable plan. It should receive a resounding support of all the Members of the General Assembly."

Speaker Greiman: "Gentleman from Cook, Mr. Leverenz, one minute to explain your vote."

Leverenz: "Thank you, Mr. Speaker. I take the minute to encourage those that have not got the guts to get up there green or red to get up there green and red and a suitable copy of the Roll Call be given to every Director that might be in the Conference Committee Report. And there is 10,000 good reasons why you should be voting green. Thank you."

Speaker Greiman: "The Lady from Cook, Ms. Topinka, one minute to explain your vote."

Topinka: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I mean, I'm always amazed. You know, when the public elects people, they elect us to have good judgement. They elect us to make decisions. And sometimes decision making is very difficult, and it always should be upfront. Now, I'm always amazed - and I hate to sometimes play conscience around here and to put things into prospective - but I see a lot of the people with red lights up there slithering around here in the shadows on a regular basis complaining about how they're dying on the vine because their offices don't function and how their aides aren't paid. They can't pay for the phone bill, and life is just too terrible. But when they do have a chance to act upon this measure, they come forward with another red vote, which tells me their spineless. And I'll direct my comments basically to the Republican side of the aisle, because I deal with those people a little more often. And I think we lack a little

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less spine at this point than the Democrats do who seem to be putting a few more votes up there. And I would hope that the Democrats would take care of your red votes as I'm trying to encourage ours. This is the time to speak. You cannot get decent people to run for public office anymore. Every person that I go to who would make a good Representative, a good public servant, says, 'Why bother? I can make more outside. I can afford to keep an office going.' This is stupid. In our office, we run out of state money in March of every year. From that point on, I have to rely on campaign funds and at least one annual fund raiser a year just to support an office and two aides who I'm underpaying, because they don't have union contracts, and they don't have collective bargaining, and they have no benefits, and they suffer and they put in 14 to 16 hours a day. Get those green lights up and show what you're made of. It's got nothing to do with... with being ashamed of holding office. It's a matter of you're either worth something or you're not."

Speaker Greiman: "Mr. Bullock, to explain his vote. We have one minute, Sir."

Bullock: "Well, Mr. Speaker, I've already cast an 'aye' vote, and I've voted for the proposition everytime its come before this Body. And I've said on many occasions and I'll continue to say on the occasions that sometimes you get just what you pay for. And we've got people here that don't have opposition in the fall campaigns, and they don't understand the very basic theory of economics, and that is, there's no free lunch. If you want to be compensated and you want to be respected not only in your district, but by your colleagues, you ought to have the intestinal fortitude to stand up and take a stand, bite the bullet and cast your lot for the things that you truly believe in. There is no

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logical explanation for anyone that has served here beyond one term to say to anyone in this chamber that we are not worth the salary that we're hoping the Commission will expend in this direction. We certainly have justified the office allowance. And I think, at some time, that you have to stand up, be a man or be a woman, and cast your vote and especially those who have no opposition in the fall campaign. There's no earthly excuse for you not to vote 'aye' and to sit back and hope and pray on one hand that it passes so you can go back to your district and tell them how parsimonious you were. It's the height of hypocrisy. Bite the bullet and vote 'aye'."

Speaker Greiman: "Yes. The Gentleman from Cook, Mr. Harris, one minute to explain your vote, Sir."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I probably risk the 'emnyty' of the entire House with these comments, but notwithstanding the remarks of the previous speakers, it is not the height of hypocrisy that I stand up there as a red vote. I stand up there as a red vote, because I honestly believe that this Legislative Body is adequately rep... or adequately compensated in its salary emoluments. I adequately believe there is enough money to run the district offices with the amount that we get now. I do not believe that an additional 10,000 dollars for Senators are in order. And despite the veiled threats of some of my colleagues on the other side of the aisle, I am proudly going to make a copy of this Roll Call and send it to every Director and highlight my vote and let them know where I stand on the issue."

Speaker Greiman: "Further discussion? 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 61 voting 'aye', 54 voting 'no', none voting 'present', and

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the House does adopt Conference Committee #1 to Senate Bill 1743. And this Bill, having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar #7. On the Order of Conference Committee Reports appears Senate Bill 1893. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1893, a Bill for an Act to amend an Act creating the Tourism Fund in the State Treasury. First Conference Committee Report."

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

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Conference Committee Report on Senate Bill 1893 includes the following provisions: It has a debt service of McCormick Place expansion; a statewide tourism promotion; promotion grants for convention of local tourism bureaus; World's Fair studies for one year; conservation and park projects. This plan includes a one percent increase in the hotel/motel tax, is approved by the Illinois Hotel/Motel Association. It repeals a loophole in the tax reform legislation which exempts the soft drinks from the five percent statewide sales tax. This tax adjustment is supported by the Illinois Retail Merchant's Association, the Illinois Restaurant Association, the Chicago Association of Commerce and Industry and the Illinois Federation of Independent Business. It avoids the restaurant taxes in Chicago, which many Legislators could not support. It provides sufficient revenue to fund a project listed above and sufficient coverage for debt service in McCormick Place. It includes no use of general funds in FY '85, beyond that already suggested, the tax... and Senate passed plans for the World's Fair. I move for its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Nash, moves for the adoption of Conference Committee Report #1 to Senate

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Bill 1893. On this, is there any discussion? The Gentleman from Cook, Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to Conference Committee Report #1 to Senate Bill 1893. The expansion of McCormick Place is an outstanding idea. It does wonders for the City of Chicago. It does wonders for the State of Illinois. Funding for tourism is an outstanding idea, and it is good for the State of Illinois, but to go and throw eight and a half million dollars at a World's Fair, in my district, at least, I have yet to find a single individual, who is in favor of that World's Fair. On the other side, I have had people contact me - write letters - make phone calls in opposition to holding that Fair. On a dollars and cents category, it is absolutely not feasible, and to find out of its feasible by throwing eight and a half million dollars at it, makes no sense. We were told reducing eight and a half million dollars to a five million dollar amount, would make some sense. I didn't believe that, and the Conference Committee came out with a report that increased it from five to eight and a half million again. That makes no sense whatsoever, and I encourage a 'no' vote."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this proposition. The Conference Committee has worked long and hard. The fact of the matter is, this is the last chance we have this Session with the requisite number of votes, to pass the funding mechanism for these three important programs. This proposition is predicated on a five percent tax on pop. This is the least objectionable of all of the revenues, and I would respectfully urge an 'aye' vote."

Speaker Greiman: "Mr. Matijevich."

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Matijevich: "Mr. Speaker, Ladies and Gentlemen, I move the previous question."

Speaker Greiman: "The Gentleman from Cook, Mr. Matijevich, moves the previous question be put. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question is put. Mr. Nash to close. Mr..."

Nash: "Mr. Speaker, I ask for a Roll Call."

Speaker Greiman: "The question is, 'Shall the House adopt Conference Committee #1 to Senate Bill 1993?' And on that, all those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. The Lady from Cook, Ms. Braun, to explain her vote."

Braun: "Mr. Speaker, some of us care about process, and some of us care that legislation we vote on conforms with the explanation that's given over the hubbub of this room. Some of us care to see the Bill. The Bill has not yet been put on anybody's desk. I haven't seen it. I haven't had a chance to read this hundred and umpteen page document. And I think it's an abuse of this Membership for legislation of this importance to continually in Session after Session be reserved until the 11th hour, 59th minute, and then shoved down our throats. Now, as people elected to represent constituents from our various districts, we have a right and a responsibility to review the legislation, whether you think it's funny - whether you think it's state business as usual, it's quite irrelevant to the fact that you are trampling on constitutional and legal responsibility of every Member in this chamber, by this abusive process that seems to be standard operating procedure in this General Assembly."

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

Mautino: "Thank you very much, Mr. Speaker. I stand in support

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of the Conference Committee on 1833. Included in this report is a funding mechanism for the statewide capital program for renovations of state parks, lodges, camp grounds and facilities all over the State of Illinois. As I envision, and I would hope that Representative Nash would nod his head, since I did not find the exact line, but what is embodied in this Conference Committee Report is the \$10,000,000 per year through 1983, for the renovation of those lodges and a downstate program that would enhance our parks, probably the best program that has been provided since the depression days. What we have before us in an overall package which would include \$21,000,000 for the repair and maintenance of the highways and roads within the parks and conservation properties, as well as the \$10,000,000 for the tourism on a statewide provisions, the \$2,000,000 for downstate, plus \$1,000,000 for the tuition... for the convention center tourism. And most importantly, it has the overall complete \$151,000,000 seven year capital program for all of the state lodges and the recreational areas of our state. If we're going to pass a proposal for McCormick Place, for the convention centers, for the World's Fair, it should be a state proposal. Embodied in this proposal are those provisions that would enhance the recreation areas of our state for all of the people of Illinois based on the income, and I ask for an 'aye' vote."

Speaker Greiman: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, this Conference Committee Report is the result of extensive debate on the House floor and extensive negotiation by and between the Governor's Office and the Legislative Leaders. Stated very simply, it provides that we would take the Bill which came from the Senate, and we would substitute a closure of a

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current loophole in the tax laws, to provide that we will be able to move ahead with the expansion of McCormick Place in Chicago, to continue to study the feasibility and the wisdom of a World's Fair in Chicago in 1992, to provide for convention bureaus all across this state and to provide for a statewide tourism program. The matter has been well thought out. It has been well debated. I would highly recommend that everyone...that we place sufficient 'aye' votes on the board to permit the report to be adopted and to move over to the Senate. Thank you very much."

Speaker Greiman: "The Gentleman from Cook, Mr. Piel, to explain his vote. One minute, Sir."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. True, this Bill isn't what everybody wants it to be, but it definitely helps our local and State Government. It is something that will definitely help the entire state. We've got an area in for downstate. We got the tourism for the entire state. We got McCormick Place tourism and the World's Fair for Chicago. This isn't a permanent area for World's Fair. It's just for one year. If a year down the road, we don't want the World's Fair, fine, we can stop it, but the tourism is something that we've got to compete with the other states. We will get between five and six times the money invested in tourism coming back to the State of Illinois. Those taxes will be spent throughout the state. This is a beautiful state. It's time to advertise this state and to start fighting the states who are taking our visitor dollars to their states. Let's bring them back here. Give us a green vote, and let's get this going."

Speaker Greiman: "The Gentleman from Peoria, Mr. Tuerk. One minute to explain your vote."

Tuerk: "Mr. Speaker, Members of the House, having served on the World's Fair Task Force, I've been subjected to a number of

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figures, probably more than I ever wanted to be subjected to. This particular agreement is not necessarily agreed upon by everybody. There are parts of it that I don't care for, but there are many parts of it I do care for. There is money in there to make the study for the World's Fair. Perhaps it's a little high on the one side, but all and all, I think we have to look at it from an objective view point and support the program, because I think it does for downstate many of the things that we of us from downstate have acted for and actually bargained for in the agreement. I think it deserves our support."

Speaker Greiman: "Mr. Mulcahey. One minute to explain your vote, Sir."

Mulcahey: "Thank you, Mr. Speaker, Members of the House. This Bill today is no better in theory or philosophy than it was the other day. I understand full well that tourism is very important. I am a big advocate of tourism. I understand that McCormick Place is a place that can do a lot to bring money to the State of Illinois, too. But by the same token, we all know that the World's Fair is a boondoggle, and to spend \$10,000,000 on it in one year, is absolutely ridiculous. And I don't want my kids taxed with orange juice. If you don't believe me, look under page eighty-five."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer. One minute, Sir, to explain your vote."

Homer: "Thank you, Mr. Speaker. This entire Spring Session has been dominated by discussion by people who've come down here. We've had a Committee of the Whole to talk about the gut-wrenching issue of how we're going to fund public education in this state. And so far, we haven't come forth with a plan that will adequately address that need. Even though we spent months toiling over that issue, now within

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the last twenty-four hours, we come up with a plan that according to the analysis, we'll spend two and a half billion dollars of the state taxpayers' money over the next thirty years, for this mirage of projects that we're telling the taxpayers we can't do without. Well I, for one, am not willing to go back to my district to say that I couldn't support an increase for education of the children of this state, but I'm willing to spend two and a half billion dollars over the next thirty years, for the array of Christmas tree items that are in this project, and I think it's a terrible vote. I would urge more Members to put up the proper vote, which is a red vote."

Speaker Greiman: "Have all voted who wish? Have all... Mr. Clerk, take the record. On this question, there are 69 voting 'aye', 43 voting 'no', 1 voting 'present', and the House does adopt Conference Committee Report #1 to Senate Bill 1893, and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Supplemental Calendar #8, Conference Committee Reports... On the Order of Senate Bills, appears Senate Bill 1733. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1733, a Bill for an Act to amend certain Acts in relation to toll highways. First Conference Committee Report."

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

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

Speaker Greiman: "Mr. Ryder, would you sit down, please? Thank you."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the tollway Bill that will free up a hundred million dollars of federal tax money to build highways in other parts of the state. I move for its favorable passage."

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Speaker Greiman: "The Gentleman from DeWitt has moved that the House do adopt Conference Committee Report #1 to Senate Bill 1733. On that, is there any discussion? The Gentleman from Will, Mr. Davis."

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

Speaker Greiman: "Gentleman... Mr. Keane. Mr. Keane."

Keane: "Thank you, Mr. Speaker. Just so we know what's involved in the DuPage County toll road. We're going to... We're being asked to vote for a toll road Bill that has no environmental impact statement, although we've been told time and time again that there's going to be a major environmental impact, especially on the Arberitem. We're also having a very... We're going to vote for a very, very unique system of funding. What we're going to do is we're going to take two outstanding toll roads that have excellent funding built up. The tri-state... those of you who have the tri-state, people who drive the tri-state, your people have paid for that road. They're supposed to be freeways. The northwest toll road, it's in the same situation. We're going to defease those bonds. In other words, we're going to take those bonds to fease them, and then we're going to put one, big bonding issue together, which includes the DuPage County toll road. Everyone agrees that the Tri-state and the northwest toll road are going to have to subsidize at least 20 million dollars a year to the DuPage County toll road. We're looking at a third of a billion dollar boondoggle for the DuPage County toll road, and I would ask that you vote 'no'."

Speaker Greiman: "Mr. Davis. Now Mr. Davis moves the previous question be put. All those in favor signify by saying 'aye'. In the opinion of the Chair, the 'ayes' have it... all those say 'no'. In the opinion of the Chair, the 'ayes' have it, and the previuos question will be put. Mr.

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Vinson, to close."

Vinson: "You all ought to vote for this."

Speaker Greiman: "Alright. Question is, 'Shall the House now adopt Conference Committee Report #1 to Senate Bill 1733. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. The Gentleman from Cook, Mr. Ronan, to explain his vote."

Ronan: "Thank you, Mr... Thank you, Mr. Speaker and Members of the House. I rise in support of this fine piece of legislation. I understand Representative Keane's concern about building a tollway in DuPage County, but this is a unique funding plan which is going to set a model for the rest of the country. The days of building the interstate freeway system are over. If you're going to have major construction in this country, it's going to have to be done through this method. You're going to have to use a user plan in order to put major highways in this country. This is a new concept. It's the way that we should be going, and I'm proud to see that the State of Illinois is moving in the right direction, continuing its national leadership in providing a transportation network for the people of the entire state. This tollway is definitely going to help Cook County. It's going to help the City of Chicago, because it's going to alleviate transportation off of our road system. This is the way we should be going. I'm proud to see that the Tollway Authority, the Department of Transportation, the Legislature and the Governor worked together to put together a decent transportation network. Last year we did it with the passage of the gas tax increase. This year we're doing it with the DuPage County tollway. And I urge all Members on both sides of the aisle to support this kind of a plan. This is where we should be going on transportation funding. User plans are the plans

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of the future, and I commend the Tollway Authority for this fine Bill."

Speaker Greiman: "Mr. McNamara, one minute to explain your vote."

McNamara: "I rise in opposition to this bad piece of legislation. Number one, Representative Keane expressed it very well that the money that is going to be used on this particular tollway will come in part from that on 294. That will put the bond holders into such a situation that the extended fees will continue for many, many months, beyond many, many years, beyond what they normally should. The second situation is is the amount of business that it will drag into an already overburgeoning area of DuPage County inasmuch as that DuPage County does not need that increased business in that area. The southwest section of Chicagoland is in definitely need of transportation. This hasn't been brought about. This is a bad piece of legislation. I would vote... I would ask you to all vote against it."

Speaker Greiman: "Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I think this is a real bargain. The only people that's going to pay for this is the people that ride on it, and that's not most of you. I think you ought to be voting green."

Speaker Greiman: "Gentleman from Cook, Mr. Petersen, you have one minute to explain your vote."

Petersen: "To explain my vote, I have nothing against toll roads in principle. I believe that privatizing the building of roads... I mean private builders and private people who run them would save us money in the long run, but I do believe we should all be paying for toll roads, not just the suburbs. And so this is my protest, because we don't have a freeway."

Speaker Greiman: "Have all voted who wish? Have all voted who

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wish? Mr. Clerk, take the record. On this question there are 64 voting 'aye', 46 voting 'no', 1 voting 'present', and the House does adopt Conference Committee Report #1 to Senate Bill 1733. And this Bill, having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar #7, Conference Committee Reports. On that Order of Business appears House Bill 2368. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2368, a Bill for an Act to amend the Regional Transportation Authority Act. First Conference Committee Report."

Speaker Greiman: "The Gentleman from DuPage, Mr. Daniels, Minority Leader. The Gentleman from DeWitt, Mr. Vinson, has leave to handle that. Mr... Mr. Vinson?"

Vinson: "Thank you, Mr. Chairman (sic - Speaker). I would... I would move for the adoption of Conference Committee Report #1 to 2368. It is a... establishes a salary for the rail board that we created as part of the RTA reform package last year. We neglected to put the pay provisions in that package, and I would move for its adoption."

Speaker Greiman: "The Gentleman from DeWitt moves that the House do adopt Conference Committee Report #1 to House Bill 2368. And on that, is there any discussion? There being none, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 2368?' All in favor signify by voting 'aye', those opposed vote 'nay'. This is final action, and we are almost at 12:00. Have all voted who wish? Have all voted who wish? Have all voted who wish? This Bill... Mr. Clerk, take the record. On this question, there are 70 voting 'aye', 33 voting 'no', 6 voting 'present', and the House does concur... does adopt Conference Committee Report #1 to House Bill 2368. And this Bill, having received a Constitutional Majority, is

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hereby declared passed. The... Gentleman from... Oh, Mr. Hicks? Hicks asks that his vote be added to the Roll Call. Gentleman have leave? Has leave. Leave is granted, and you're added to the Roll Call, Mr. Hicks. Yes, Ms. Markette. Markette votes 'aye'. Mr. Shaw votes 'aye'. Alright. Ladies and Gentlemen, the hour of 12:00 midnight has come and passed. Good morning to one and all. Under the Constitution of the State of Illinois, henceforth, an Extraordinary Majority will be required in the passage of Bills... of many Bills. Alright. On the Order of Senate... On the Speaker's Table, on page five of the Calendar, Special Subject Matter - State Task Force, appears Senate Joint Resolution 82. Mr. Clerk. Out of the record, Mr. Berrios? Out of the record. Alright. We are going to go to the Order of Speaker's Table, Senate Joint Resolution, Special Subject Matter - State Task Force, Senate Joint Resolution 82. Mr. Clerk... And for that..."

Clerk O'Brien: "Senate Joint Resolution 82."

Speaker Greiman: "The Chair recognizes the Gentleman from Cook, Mr. Berrios. Take... Mr. Berrios."

Berrios: "... one technical Amendment on there."

Speaker Greiman: "Just hold with us. We'll be there."

Clerk O'Brien: "Supplemental Calendar #10 is being distributed."

Speaker Greiman: "Alright. With respect to Senate Joint Resolution 82, are there any Amendments, Mr. Clerk?"

Clerk O'Brien: "Amendment #1, offered by Representative Berrios, amends Senate Joint Resolution #82 in the last line, on page one..."

Speaker Greiman: "Gentleman from Cook, Mr. Berrios, on Amendment #1."

Berrios: "All it is is a technical Amendment. It changes the 20 to 21 right there, and I urge its adoption."

Speaker Greiman: "The Gentleman from Cook moves that the House

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adopt Amendment #1 to House... Senate Joint Resolution 82.
On that, is there any discussion? The Lady from DuPage,
Ms. Karpiel."

Karpiel: "I'm sorry. Whose Amendment is this?"

Speaker Greiman: "Mr. Berrios' Amendment."

Karpiel: "Representative, I'm sorry. I didn't hear your... Where
are you? I didn't hear your explanation? What does
Amendment #1 do?"

Berrios: "It's just a technical Amendment. There's one mistake
on there. It's got a 20. It should have a 21."

Karpiel: "Thank you."

Speaker Greiman: "Question is, 'Shall the House adopt Amendment
#1 to Senate Joint Resolution 82?' All those in favor
signify by saying 'aye', those opposed... In the opinion of
the Chair, the 'ayes' have it, and the Amendment is
adopted. Further Amendment?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative
Ropp."

Speaker Greiman: "Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. This
Amendment is improperly drafted, and I wish to withdraw it,
please."

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

Clerk O'Brien: "Floor Amendment #3, offered by Representative
Ropp."

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

Ropp: "Thank you, Mr. Speaker and Members of the House. I really
think that the major concern for truancy throughout the
State of Illinois is that we have a lot of problems that
deals with lots of different children. However, in this
study, I hope the results of this study will not only be
totally relative to one particular sex or group of people
and ethnic heritage, and I hope that it will come up with a

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lot of different ideas for all people. And in order not to change the intent of the Sponsor of this Resolution, I will also withdraw this Amendment."

Speaker Greiman: "Amendment #3 is withdrawn. Further Amendment?"

Clerk O'Brien: "Floor Amendment #4, offered by Speaker Madigan."

Speaker Greiman: "On Floor Amendment #4, the Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker, I request leave to withdraw the Amendment."

Speaker Greiman: "Amendment #4 is withdrawn. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Alright. We will now then consider the Bill... or the Resolution. Mr. Clerk, Senate Joint Resolution 82. And on that, Mr. Berrios."

Berrios: "What this Resolution would do, it would create a state task force on a Hispanic dropouts. We've had, in my community where I come from, a few surveys that have come out and have showed that the Hispanic dropout is way over fifty percent. We need to investigate this problem so that the Hispanics in not only my community, but in Myron's community and Al Ronan's community, all over the State of Illinois, have the opportunity to continue their education and have a chance in life to progress. What we want to go is to out, search out the problems, come back here, try to get some legislation passed to give the young kids of my community a chance in life. Without education, they're not going to be able to progress. They're not going to be able to get on the tax rolls, and all they're going to do is be on the streets. What we're trying to do is give them a chance at life, and I would request your favorable vote."

Speaker Greiman: "The Gentleman from Cook has moved that the House adopt Senate Joint Resolution 82. And on that, is there any discussion? The Gentleman from Winnebago, Mr.

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Hallock."

Hallock: "(Speaks to Representative Berrios in Spanish)."

Berrios: "(Answers in Spanish)."

Speaker Greiman: "How come Hallock has a better accent than Berrios? Proceed, Mr. Hallock."

Hallock: "(Speaks in Spanish)."

Speaker Greiman: "Thank you. Further... Further discussion? Mr. Johnson, Gentleman from Champaign."

Johnson: "Well, I'll have to speak downstate English so if you can... I hope you can understand that."

Speaker Greiman: "Proceed."

Johnson: "Tell me who's going to be on this commission or task force that we're creating, Representative Berrios."

Berrios: "Twenty-one individuals."

Johnson: "Well, who are they?"

Berrios: "Whoever the Speaker wishes to appoint and some Members from the Senate..."

Johnson: "Well, I understand that."

Berrios: "One from the President of the Senate, one to be appointed by the Senate Minority Leader, one... who will act as the task force chairman, two members of the general public appointed by the President of the Senate, two Members of the House of Representatives, one to be appointed by the Speaker of the House. It's all in the Bill... in the Resolution."

Johnson: "Aren't there one, two, three, seven members from the various commissions also?"

Berrios: "Yes."

Johnson: "Is this a full-time job for these people or just a part-time thing?"

Berrios: "The... It's not a commission. It's a task force which has a sunset of..."

Johnson: "And are they working for free?"

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Berrios: "Yes."

Johnson: "The members of the commission are working for free. They're not reimbursed or anything like that?"

Berrios: "There's not going to be any monies for the commissions anyway. So, they're going to be working for free. And plus, it's a task force."

Johnson: "Well, what's the cost to the state going to be as far as expenses and reimbursements are concerned?"

Berrios: "Minimal."

Johnson: "Well, what's minimal?"

Berrios: "Printing of the report."

Johnson: "The members aren't paid per diems or travel expenses or anything like that?"

Berrios: "No."

Johnson: "Well, I hope it's as worthy a project as you say it is. I'm not going to vote for it."

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

Ronan: "Thank you, Mr. Speaker, Members of the House. I, too, rise in support of Senate Joint Resolution #82. I represent a district on the near northwest side of the City of Chicago which has a large Hispanic population. The frustration level in that community is very, very intense. We've got a situation here in the State of Illinois where we constantly address the issue of education of our young people. We put billions of dollars into these programs. We try to do the best job we can here in the General Assembly to maximize those state dollars so that the young people throughout the State of Illinois get the best education they can in the public school system. We've got a significant problem that's well documented. The Hispanic dropout problem is much higher than any other population in this state, and there is obviously some underlying reasons that hopefully this task force will be able to identify

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because there will be tremendous input from individuals from the community, from professional educators, from other individuals in our society who can hopefully come up with serious solutions to this significant problem. We spend the money in our districts. We try to provide the decent type of education, but something's going wrong. Hopefully this task force will be able to address the issue, come up with recommendations so that next year when we come in with funding plans for the people of the State of Illinois, we'll be able to do something for the significant growing Hispanic population, not only in the City of Chicago. The Hispanic population has grown in the ring counties downstate, and it's a community that can no longer be ignored. This is a move in the right direction to do something about education which will open up the other benefits in later life in job opportunities, stable families and other things. I applaud Representative Berrios and Speaker Madigan, and I urge both... Members on both sides of the aisle to support this worthwhile task force. It's not a commission. Individuals who serve on it are not going to be reimbursed. It's an opportunity to do something about a significant educational problem that affects people here in the State of Illinois, and I urge an 'aye' vote."

Speaker Greiman: "Mr. Kulas."

Kulas: "Thank you, Mr. Speaker. I know that the hour is late and that we're all tired and our nerves are frayed, but we're making light of a serious matter. We're talking about a serious problem in a lot of communities in the City of Chicago and outside of the City of Chicago. We've got to find out where this problem lies, why the Hispanic community has such a high dropout rate in their schools. The problem might lie in their language, in their culture,

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in their family lives. This is something that we must look into and search out. We must bring these people back into our community so they'll be viable citizens for the State of Illinois. And I would urge all of you to support this Resolution."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken."

McCracken: "I move the previous question."

Speaker Greiman: "Gentleman from DuPage moves the previous question be put. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question be put. Speaker Madigan, to close."

Madigan: "Mr. Speaker, I simply rise in support of the Resolution and commend Representative Berrios for his sponsorship of the Resolution, and I also commend Representatives Ronan and Kulas for their very strong support of the Resolution. I think that the project will be very worthwhile, and clearly it is very much needed in this particular area. Thank you."

Speaker Greiman: "Question is, 'Shall the House adopt Senate Joint Resolution 82?' All those in favor signify by voting 'aye', those opposed vote 'no'. This Resolution takes 60 votes, 60 votes. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 104 voting 'aye', 2 voting 'no', 8 voting 'present', and the House does adopt Senate Joint Resolution 82. For what... Yes, Mr. Panayotovich 'aye' on that one. Supplemental Calendar #8, Conference Committee Reports, appears House Bill 1704. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1704, a Bill for an Act to amend the Illinois Vehicle Code. First Conference Committee Report."

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

Homer: "Thank you, Mr. Speaker. I would move, pursuant to Rule

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75, to table the Bill."

Speaker Greiman: "Yes. Speaker Madigan, Gentleman from Cook."

Madigan: "Mr. Speaker, on a point of order, I submit that the Gentleman's Motion is not in order, because the matter is now in a Conference Committee."

Speaker Greiman: "Yes, Mr. Homer."

Homer: "Mr. Speaker, I would only point out that Rule 75(b) states that the principal Sponsor of a Bill may, with leave of the House, table the Bill at any time. It's not limited to as.. for example, committing a Bill to Interim Study to being on Third Reading. So, I do think the Motion is in order, and I would ask leave of the House to table the Bill."

Speaker Greiman: "Mr. Homer. Oh, I'm sorry. Mr. Matijevich, on a point of order."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the Chair (sic - House), the Chair must rule with regards to our rules and precedent of this House. The precedent of this House, under rules that we have always operated - and I've been here 18 years - is that once a Bill becomes a Conference Committee Report, it... it there... the Sponsor of the Bill thereby relinquishes control of that Bill. And, therefore, the tabling Motion would be out of order."

Speaker Greiman: "Well, the Chair does rule that the Motion is out of order, but; however, for a different reason. The reason why is because the Bill is not within the total jurisdiction of the House. The Bill is a Conference Committee, and it is not wholly held by the House. Accordingly, the Motion is out of order. Mr. Berrios, who is Chairman of the Conference Committee, I recognize you, Sir."

Berrios: "I make a Motion to adopt the First Conference Committee Report on House Bill 1704."

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Speaker Greiman: "Mr.... Mr. Homer, I was going to recognize you. Yes, Mr. Homer. Well, first let me put the MO... The Gentleman from Cook, Mr. Berrios, has moved that the House do adopt Conference Committee Report #1 to House Bill 1704. Mr. Homer has sought recognition on a point of personal privilege. And, of course, I recognize you."

Homer: "Thank you, Mr. Speaker. I would ask leave to withdraw as the Sponsor of the Bill."

Speaker Greiman: "Fine. Mr. Homer asks leave to withdraw as Sponsor of the Bill. Leave is granted, and Mr. Berrios will be shown on the records of the Clerk as the Sponsor. Mr.... The Gentleman from St. Clair, Mr. Flinn, seeks recognition. For what purpose do you seek recognition, Sir?"

Flinn: "Well, Mr. Speaker, I was trying to get recognition before you recognized Representative Berrios."

Speaker Greiman: "I'm sorry. I didn't see your light."

Flinn: "I would like to move that we override the ruling of the Chair."

Greiman: "Well, it's not timely. I didn't see you, and it is not timely, at this time. Mr... Yes, Mr. Flinn?"

Flinn: "It would have been timely, had you recognized me. I had my light on all the time Mr. Homer was talking, and I think that you are... "

Greiman: "Mr. Homer was on a point of personal privilege, after the fact."

Flinn: "Well I know, but he asked to table the Motion. When you made the ruling, my light came on at that time, and you did not recognize me. I think you're not giving my what is rightfully mine, is recognition at a timely... in time that I could make the Motion to override your ruling, and I think the Members of the House have the right to vote on it. Now maybe you'll vote me down, but I have a good

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reason for wanting to overrule the Chair."

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

Madigan: "Mr. Speaker, I rise in opposition to the Gentleman's Motion to overrule the Chair. I think we should all... "

Speaker Greiman: "Well, Mr. Madigan, I haven't... I have ruled that it was not timely."

Madigan: "Thank you, Mr. Speaker."

Speaker Greiman: "Mr. Berrios has previously moved that we adopt the Conference Committee Report. And on that, is there any discussion? The Gentleman... The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Well, Mr. Speaker, I'd like to have the Gentleman explain what the Conference Committee Report does, and then I would like to speak to the Motion."

Speaker Greiman: "The Gentleman will yield for a question. Mr. Berrios? Mr. Flinn, why don't you put your question to him?"

Flinn: "I would like to find out what the Conference Committee does... the Conference Report does."

Berrios: "Okay. It requires vehicles registered in Cook and certain parts of Lake, DuPage, St. Clair and Madison Counties to be annually tested for pollutant emissions. All of Cook County would be included, but the western portions of DuPage, Lake and the eastern portions of St. Clair and Madison would be excluded. It provides for such testings to be performed through a centralized system of new testing lanes to be constructed and operated by one or more contractors. It requires such contractors to be selected through an open bidding process, subject to the Purchasing Act. It provides for the testing of lanes to be located so that no vehicle owner must drive more than 12 miles to the nearest station or wait more than 15 minutes for testing. It provides for the emission standards for

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the vehicles to be set by the Pollution Control Board. It provides that a waiver would be provided for a vehicle which failed the emission test but have performed a low emission to and of and have proper pollution control equipment in place. Requires the amount of repairs to qualify for a waiver shall not exceed \$75. Provides for the test to be conducted at a state expense to the diversion for motor fuel tax. Provides for the testing requirements to be enforced through a computer matching system and driver's license suspensions. The Illinois EPA would keep track of the vehicles that have passed the test on a computer matching system, and after several notices, would send the violations to the Secretary of State, who would suspend the violator's driver's license."

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

Speaker Greiman: "To the Bill. Yes, Sir."

Flinn: "I would like to point out to the Membership here, that this House voted 70 votes on a Motion for decentralized inspection, and the Bill that we passed over to the Senate included all of St. Clair, all of Madison, and the four counties in the northeast - all of them, not part of them. It passed by a substantial Majority. I would like to point out that if this Bill passes like it is, that the people of Belleville will not have to have their cars inspected. Neither will they in Hamel in St. Clair... in Madison County or Edwardsville or a number of other places. There is at least 1200 to 1500 automobiles daily travel from Belleville through Cahokia, through East St. Louis, through Granite City, going to St. Louis. All these automobiles daily pass through there twice - in the morning and again at night, polluting the air. These people will not have to have their cars inspected to see if they are contributing to the hydrocarbons that the EPA is asking us to eliminate.

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Why be unfair? Why be unfair to the poor people of East St. Louis, of Cahokia, the people who can least afford this inspection are carrying the brunt of the whole thing. I say to you that this is a... we are committing rape on the people of the... down below the hill in St. Clair and Madison Counties. I say to you that a deal has been cut. It's been cut for some other reason, and the one guy who's most worried about this is a Senator down there who's going to probably win two to one, unless it gets out on what kind of deal he's made here, and maybe they'll beat him two to one. I hope to hell they do, but I want to tell you now, I've been here a long time, and I haven't stood up and talked very much. You've heard me move the previous question and all that sort of thing. It's to shut this rhetoric up. That's what I've tried to do, but I am damn mad about what's going on. I'm telling you, my Majority Leader called me in, and his first word was, 'I have signed off on this. How do you feel?' Well, I told him where he could go, as far as I feel. And I'll tell you again, I realize it's all been greased. I realize we're going to do it, even though it takes 71 votes now. I want to tell you right now, we have been had. The people who can least afford this has been had. And I sure feel sorry for the people in Chicago. They are in the same boat."

Speaker Greiman: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, Members of the House, I understand Representative Flinn's concern, and I if I thought this was the final thing that was going to happen on this matter, I think I'd be with him. The truth of it is, if we don't do anything, Monday morning we're going to have sanctions on the State of Illinois which will affect our road money and a lot of other things. The truth about the matter is, this is not going to into effect until 1986. We're going to be

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back here in November. Some of us, at least, I hope will be back in here in January. We've got a lot of time to change this. I would pledge to Representative Flinn and anyone else that has a problem with that... that kind of problem that I'll work to help solve it. But the truth of it is if we don't do something now before we go home, we're going to be back here next week anyway. So, I think the thing to do is to pass whatever we can at this point and then straighten it out in November and January."

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

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

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

Mautino: "As I look at the Amendment, Representative Berrios, I notice that there are no... no provisions for private enterprise funding. What I think you have here is the contract that is going to be for six years with a centralized source and a provision that says there will be no cost for the testing to anyone with the state's Road Fund picking up all of the costs of the contract as well as for the inspection and maintenance. Is that correct?"

Berrios: "It would pay for the actual cost of the test - no repairs."

Mautino: "The facilities that would have to be provided in this legislation - who picks up the cost of the facilities?"

Berrios: "The private contractor would have to build those at... with his private capital."

Mautino: "And that would be a for a term of how many years?"

Berrios: "At least till 1991."

Mautino: "And that means that it would be based upon the number of vehicles that would be going through the emission testings and the contract would probably provide for a return to that investor if, in fact, that facility was

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closed. And where would that money come from?"

Berrios: "If it's closed, it would be a breach of the contract."

Mautino: "And then what the... if that was closed because of a change in the emissions that are in that area or if it was closed because we changed an exemption that's authorized, would we then as a state be in a breach of contract?"

Berrios: "Correct. They would be."

Mautino: "Then we would... the State of Illinois would then have to reimburse that contract, or would they not?"

Berrios: "It's possible."

Mautino: "In your discussions of the Conference Committee, was there any reflection of the House's position for the 70 affirmative votes for the decentralized system that would allow an individual to purchase or lease the emissions control equipment anywhere from 200 dollars to 6000, if they were going to purchase the equipment outright, so that the local gas stations, repair shops, new and used car dealers could become a part of this program and, since I see in the Bill that an individual doing the inspection is not allowed to do any repair work on anything, are we eliminating all of the gas stations, etcetera, from possible introduction into this area?"

Berrios: "The Senate and the EPA preferred the centralized system, and they wouldn't back off."

Mautino: "They preferred the centralized system; but, if my memory serves me correctly, Mr. 'Ruckleshouse' said that he was acceptable and agreeable to the decentralized program and that is the program he wished to see enacted by the State of Illinois. Wasn't that the initial input by the Federal EPA here in Springfield?"

Berrios: "That would have been acceptable, but the centralized was preferable."

Mautino: "And do you think it's fair that the Road Fund be the..."

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the financial force to support this concept, which could then be used statewide if, in fact, the whole State of Illinois had to come under it in future years?"

Berrios: "We're talking about a hundred million dollars coming to the state, and that's what we stand to lose. The approximate costs to test... you know, if all the cars were tested, would be 30 million. So, we're talking about a 70 million dollar gain."

Mautino: "Thank you."

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

Davis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Gentleman's Motion to adopt this Conference Committee Report for a variety of reasons, some of which have been mentioned here in debate. No one is particularly happy with this notion. No one is particularly happy with this plan. Nevertheless, I think Representative Friedrich hit it right on the head. We've got to do something, and we must do it today, tonight or tomorrow morning or sometime before midnight tomorrow night. I began to draft an alternative plan myself that I think would have been more acceptable to the General Assembly, but only four or five days ago and was unable to get signoff on it. But I could tell you that if we do pass this - Representative Friedrich was also right - the effective date is January 1, 1986. It gives us an opportunity to continue to negotiate with... with the Federal EPA and the state EPA. It gives us an opportunity to put a plan in place to proceed towards what can be a decreasing problem solution. It puts us in a position where, by 1986 or 1987, the ... the testing of the air quality, ... air quality and attainment levels in the regions affected in this Bill may be lowered enough so that the eventual outcome of this procedure is quite painless to

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nonexistent. It gives us an opportunity to forego the sanctions that I am now absolutely convinced exist that are in statute, that are ready to go on Monday morning, and it could cost the Road Fund up to 100 million dollars in the next fiscal year. Illinois has been out of compliance, according to the Federal EPA, for a long time now. We stand out like a sore thumb, according to them. A lot of us don't believe that be the case, but I can tell that there is... there are ways to alter and to move toward other provisions in the fall and through the next Legislative Session that mitigate and soften the blow to the affected areas. It's not going to make everybody happy, but we must do something on this Sunday, July 1st, or face the music on Monday, July 2nd. I urge an 'aye' vote."

Speaker Greiman: "Mr. Brunsvold, the Gentleman from Rock Island."

Brunsvold: "Thank you, Mr. Speaker. I stand in opposition to the Gentleman's Motion. Last year we passed a gas tax, 1305, and I supported that gas tax to fix Illinois roads. I didn't support that gas tax for 30 million dollars to be used for testing automobile emissions. The people in this House drive down here. I'm sure they can find roads in their area it affects with 30 million dollars without doing this. When the Conference Committee was put together, I didn't think they needed to put this into that Conference Committee. We could have done something else besides divert 30 million dollars from the motor fuel tax monies. So, I rise in opposition and would ask for a 'no' vote."

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

Brummer: "Yes, two questions. Will the Sponsor yield?"

Speaker Greiman: "Indicates he will."

Brummer: "Yes. Is there a fee for the testing?"

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Berrios: "There is no fee to the individual."

Brummer: "Okay. And what is the estimated annual cost of operating these testing stations then?"

Berrios: "Approximately 30 million."

Brummer: "Per year?"

Berrios: "Yes."

Brummer: "Thank you."

Berrios: "Testing is annual."

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

Marzuki: "Thank you, Mr. Speaker. I think that what is involved here is clean air. If we truly accept the fact that emissions from automobiles are part of our problem, then we ought to solve it in the fairest way and that is to include everyone in that; that every auto ought to be inspected. This puts a heavy burden on the people in Cook County, much heavier than probably the other counties who may be contributing more to the problem than anywhere else, even though I did read in the paper the nonsensical statement that of course the people in the western suburbs has the better cars. It just seems that we do not want to face the problem, that we have thrown together a bad Bill that was going to take it out on some of the population and the rest of us are going to continue to pollute or to keep our automobiles in a condition that may not be the best for all of the environment. I know that we can spend more time working this out, but I doubt if we will because I doubt if there's a real sincerity in getting this job done properly. I would urge a 'no' vote on this."

Speaker Greiman: "Gentleman..."

Marzuki: "Let's go back to a second Conference Committee."

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

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I've had

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the responsibility of looking into this matter; and, while I know that there are many objections and some probably with some validity, this is a problem that we are forced to solve at this time. And I know that it's after midnight, but that doesn't make any difference. We still must put enough votes up there to make this Bill effective. And I would say to my friends from downstate and those areas which are not affected and which did not have a pollution level which requires testing, how many times have you had your constituents tell you how that we should get these old cars off the road, complain about this type of lack of testing? Ladies and Gentlemen, this will not be a bad vote in your districts. Let's put up enough votes to pass this Bill out tonight. Thank you."

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

Wolf: "Thank you, Mr. Speaker and Members of the House. I rise not particularly in opposition to the Bill. I'm going to support this Bill, but I do disagree with the methods that were used in ramming this thing across. I didn't even receive a copy of this Report until five minutes ago, and I had to borrow that from somebody else. I also disagree with the methods that have been used by the Federal U. S. EPA in ramming this thing down the State of Illinois. This state will attain... will attain the quality level by 1986. I don't think there's any reason for us to be getting into this program, but I'm going to support it for a lot of the reasons that were enumerated by Representative Dwight Friedrich. I have all of the opinions and feelings that Representative Flinn has, maybe even more. I would say to many of you who think that you're getting a free ride, fasten those seatbelts that we put on you about a week ago, because you're going to need them when they lower that pollution level. I'm going to support the Bill..."

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Speaker Greiman: "Gentleman... Sorry."

Wolf: "... but I don't like it one damn bit."

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

Shaw: "The... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill. I have utmost respect for the Sponsor, Representative Berrios, but everybody's talking about the hundred million dollars that the state is going to lose. What about the millions of dollars that this Bill will cost citizens throughout Illinois? No one has talked about that, and there is a lot of old cars in Illinois. Someone made the statement a few minutes ago about you need to get these old cars off the road. Well, if you go out here and look in the parking lot, you will find a lot of old Representatives' old cars in these parking lots. And not only... not only that, every citizen in this state cannot afford a new car. There's high unemployment in this state, and you got a Bill like this, and particularly up there in Chicago it will affect great many... a great many citizens of Chicago. And I think that you should get a Second Conference Committee Report and... to clean this Bill up where the people of Illinois can live with it."

Speaker Greiman: "Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I also rise in opposition to the Bill and most specifically about the centralized testing station. I thought that I beared my soul and some of my private enterprising with you the other day. Evidently some of you don't believe me. I told you about testing at a centralized testing station, and it's cost me 1200 dollars to have that car tested. Now, you know, it's a terrible feeling when you go there with a car that has to be tested and has to be given the okay by that place, and they have you right by the throat. You have really no

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choice what to... really what to do. I don't know what to say. I would hate to be put in the same position with our own American-made cars in our own states, and I know, you know, the excuse given by the testing stations I went to was said, 'We've got very sophisticated testing equipment here and; therefore, we have to have this large amount of money'. I'm just afraid that somewhere down the road, if we go along with the centralization, that we may be put in the same situation with... with our own state. And I urge you to give a red vote."

Speaker Greiman: "Gentleman from Cook, Mr. Krska. Gentleman moves that the previous question be put. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question will be put. Mr. Berrios, to close."

Berrios: "The task force worked very hard on this. We try to compromise. We try... You know, I would have loved to have had the entire state on this packet so that we could guarantee the clean air for our children in the future. For Mr. Shaw, we also... and I forgot to say, we took out pre-1968 cars. They won't have to be tested. We're talking about hundred million dollars. Like one of the previous speakers says, we got till Monday. If we don't pass something, the hundred million dollars is gone. If you want to blow it, just vote 'no'. I would request a favorable Roll Call and like they said before - if we problems with it later, we can change it, but right now we have to pass something. We've put in safeguards. Let's go with it."

Speaker Greiman: "This Bill will require a vote of 71 votes, because it has an immediate effective date. For what purpose does the Gentleman from Cook, Mr. Shaw, seek recognition?"

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Shaw: "Mr. Speaker, a point of personal privilege. My name was mentioned in debate, and I would like to ask Representative Berrios, how much does this cost..."

Speaker Greiman: "No. No, Mr. Shaw, we've had debate on this. That would be in a debate. You may make a reference to the personal privilege that you believe you have. The mere mention of a name in debate does not give you the right to begin to debate the issue. You have... If you were offended by his mention, then you may address that."

Shaw: "Well, Mr. Speaker, he did mention the fact that some money would be involved, and I was trying to get him to clarify that."

Speaker Greiman: "Well, that's part of the debate. Thank you. Now, 71 votes will be required, because this Bill has an immediate effective date. The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 1704?' All those in favor signify by saying (sic - voting) 'aye', those opposed 'no'. Voting is now open. This is final action. Speaker Madigan, to explain his vote."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, this is something that none of us want to do. We have received a mandate from the Federal Government, a mandate from the Federal EPA. Stated very simply, it means that the metropolitan areas of the State of Illinois must be subjected to an inspection and maintenance program. The construction of the inspection program is not simple. It's very complex. This Bill represents a compromise. It is not intended to be panacea. It simply attempts to treat the different areas that must be treated because of the federal mandate. I would suggest to you that in light of the deadline that has been imposed upon us by the Federal Government, that we have no choice. We have come down to the wire. Now is the time where we must move some

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legislation to the Governor's desk so that we can avoid the imposition of the federal sanctions which are ready and prepared to be put in order. Thank you very much."

Speaker Greiman: "The Gentleman from DeWitt, Mr. Vinson, one minute to explain your vote."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I just want the Assembly to consider two critical realities about this Bill. Number one, if the federal money is cut off, no Governor of this state could do anything other than to reprogram state highway money away from downstate into northern Illinois. You know that is what will happen, and you know that projects that you have that you put out press releases on will go down. Number two, if you don't go for a centralized system, you are going to have the people, you are going to have the people who are inspecting the cars repairing the cars, and there can be no greater conflict of interest. It's just like having the policeman be 'Mr. Fix It'. It urge an 'aye' vote on this program."

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

Karpiel: "Thank you... Thank you, Mr. Speaker. I stand in opposition to this Bill. First of all, in 1977/'78, there were 25 counties in this state that were out of compliance. Today there are four targetted counties, and I think we've been doing a fine job of cleaning up the air without having this emission testing standards. I don't think that there is any Bill or any... anything that we can do to the people of this state that is going to be more repulsive to them than to tell them they have to wait in these long lines to get their cars tested and then perhaps go out and get a 400 or 500 dollar devise to clean up ... to take care of their cars' pollution whatever. And I think that where you're going to find the greatest amount of pollution in this

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state is right over those testing stations. And I urge a 'no' vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Ronan, one minute to explain your vote."

Ronan: "Thank you, Mr. Speaker and Members of the House. I, too, rise in support of this piece of legislation. We're down to the 11th hour again. We've got a serious situation where there could be a tremendous loss of road money here for the State of Illinois. Last year, as was mentioned earlier, we passed the gas tax increase so that after a decade of neglect, we could finally put together the kind of statewide road network that could fix the roads, fix the bridges and fix the local system that really was in terrible need of repair. We've now got a situation where we potentially will lose a hundred million dollars in federal money, what will cut back on a lot of the projects that are so desperately needed at the local and state level. I urge the people to vote for this. It's a compromise. It is not a situation that we may be happy with. There were some considerations that were put in that may not be perfect; but, at the same time, it's crucial that we keep doing what's necessary to repair this transportation system. I urge everyone to vote 'aye'."

Speaker Greiman: "Gentleman from Cook, Mr. McNamara, one minute to explain your vote."

McNamara: "Mr. Speaker, Ladies and Gentlemen, I rise in opposition to this for one, simple reason. We can afford a better compromise than the one we have here. There is no question that we need the dollars, the hundred million dollars in order to repair our roads. The compromise that is here is not sufficient. I think we can wait long enough in order to dress it up, clean it up and get a better package out of the whole deal."

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Speaker Greiman: "Gentleman from Cook, Mr. Peterson, one minute to explain your vote."

Peterson: "Thank you, Mr. Speaker. To explain my vote. I'm against centralized testing. We approved decentralized the other day, but testing should be privatized too. Also, suburban Cook, especially the northwest, should not be lumped in with Chicago. It's unfair. As I mentioned on the tollroad, we need to make distinctions. So, I vote 'no'."

Speaker Greiman: "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 77 'ayes', 33 'nos', 6 'present', and the House does adopt Conference Committee Report #1 to House Bill 1704. And this Bill, having received the Constitutional Majority, is hereby declared passed. Yes, Mr. Brunsvold, for what purpose do you seek recognition, Sir?"

Brunsvold: "Yes, Mr. Speaker, the Senate has not concurred on the First Conference on 2953, and I would request a Second Conference."

Speaker Greiman: "On 2953, Mr. Brunsvold would request that a Second Conference Committee be appointed, and it will be so appointed. Alright. We're going to go to general Bills... to Bills on Supplemental Calendar #9, Conference Committee Reports - Senate Bills, appears Senate Bill 1179. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1179, a Bill for an Act in relation to parentage. First Conference Committee Report."

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

Jaffe: "Yes, Mr. Speaker and Members of the House, this is the Uniform Parentage Act of 1984. I would say that this is probably one of the few Conference Committees that actually met and met for a long period of time. And when you have

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the Members of that Conference Committee being Senator Lemke and Senator Netsch and Senator Sangmeister and Senator Geo-Karis and Senator Barkhausen and Representatives McCracken, Churchill, Cullerton and Levin and myself and everybody agreeing, I think you can full well see that there really is not too much to discuss with regard to the final Conference Committee. The Conference Committee, I think, eliminated all the problems that were raised on the floor of the House, and basically, what it does, is that with regard to the statute of limitation, it deletes the provision that there is no statute of limitation for suits brought against a presumed father, and makes one statute of limitations for a child brought against an alleged father. It deletes provisions limiting the admissibility of evidence regarding sexual intercourse with the mother by men other than the alleged father. It adds Section 12.1. It allows the court to enter an order incorporating a settlement agreement reached by the party that requires the alleged father to pay child support but does not make a finding of paternity. The court must consider the best interests of the child. It provides a public policy language and provides that disagreement among experts regarding blood test results does not, of itself, makes the expert's finding inadmissible and provides that if a minor or disabled father is determined to be obligated to make support payments, that obligation may be stayed until the father reaches the age of maturity or the disability is removed. In summation, I would say that this gives the illegitimate child the same rights as the legitimate child. The court has ruled that the present statute of limitations that we have is unconstitutional, and unless we pass this Bill, we may not have a Paternity Act in the State of Illinois. I would be happy to answer

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all questions."

Speaker Greiman: "The Gentleman from Cook, Mr. Jaffe, has moved that the House do adopt Conference Committee Report #1 to Senate Bill 1179. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, would the Gentleman yield for a question?"

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

Cullerton: "If I could just ask you a few questions concerning the statute of limitations. First of all, Section 8 has... starts out with a-1, and that refers to an action brought by or on behalf of a child, and basically, it says it's a two year statute of limitations after he reaches the age of majority. Is that correct?"

Jaffe: "That is correct."

Cullerton: "And if it's brought by a public agency, it shall be barred two years after the agency has ceased to provide assistance to the child."

Jaffe: "That... That's correct. It was our feeling that we didn't want a public agency to have a... the same type of statute as you did - the child or the mother."

Cullerton: "Okay, then. Section 2, then, says an action brought on behalf of any person other than a child shall be barred after two years after the birth of the child. Right?"

Jaffe: "That is correct."

Cullerton: "Okay. Now, the... and the time during which any party is not subject to service of process, that the time period is told. Is that correct?"

Jaffe: "That's... That is correct."

Cullerton: "Now, could you explain, then, in the second part of the statute of limitations Sections, Section B, it says, 'However, upon showing by the defendant that unreasonable delay in bringing the action has unduly prejudiced the defendant, the court, after deliberating over all the

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circumstances, including equitable considerations, may dismiss the cause of action'. What is that designed to do?"

Jaffe: "Let me yield to Representative McCracken."

Cullerton: "Fine. Representative McCracken, could you explain to me what the function of Section B would be? It's on page two of the... Representative McCracken."

Speaker Greiman: "Yes. Mr... Excuse me, Mr. Cullerton."

Cullerton: "Well, had you been following the debate with us?"

Speaker Greiman: "Yes, I am. Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. I'd be happy to answer the question. If the action is brought by the child, that child has two years from his or her age of majority for a total of 20 years in which to do that. Given that length of time, the Conference Committee thought it was prudent to allow a court, in its discretion, to dismiss the action brought within that 20 years, but only where, as the language indicates, to do so would be just. And I would indicate, for purposes of legislative intent, that we envision that to be just only where the passage of time has created substantial and identifiable difficulties in defending the action."

Cullerton: "Okay. Now then, you consider it to be a limitation - a statute of limitations. In other words, the court would dismiss the case on the theory that the statute of limitations had run."

McCracken: "No, that's not correct."

Cullerton: "Okay, then, what theory... "

McCracken: "The... The statute... "

Cullerton: "Even though the statute of limitations hadn't run, what theory would the court dismiss the case on?"

McCracken: "It would be a laches type of theory, where, due to the inexcusable neglect or inadvertence of the plaintiff

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bringing the action, the passage of time has caused the defendant to become unable to defend the action."

Cullerton: "Would it be something like equitable estoppel?"

McCracken: "Yeah. Laches, equitable estoppel. Right."

Cullerton: "Can you think of any other examples, maybe?"

McCracken: "I don't know. Is this a trick question?"

Cullerton: "Well, is it a trick Section?"

McCracken: "No, no. Not... No. This... This has precedent in the case law, now. Now you've raised two theories. There is a third theory, and one is... "

Cullerton: "I knew if we talked long enough, we could think of another one."

McCracken: "No, no, no. There is. There is other precedent for this, as well, and there are actions, particularly in the criminal law, where they are brought within the statute of limitations, but are dismissed upon motion where the defendant can demonstrate clearly identifiable and substantial prejudice in defending the action."

Cullerton: "Okay, fine. Thank you very much."

Speaker Greiman: "Further discussion? The... The Lady from Champaign, Ms. Satterthwaite."

Satterthwaite: "Well, Mr. Speaker and Members of the House, I also rise to question exactly what that particular Section on page two means, and I don't know who the appropriate person is to ask this question at this point, but I hope that someone would be able to tell me what is meant by 'equitable considerations' in line 16 of page two."

Speaker Greiman: "Mr. Jaffe, you want to respond, or Mr. McCracken? Mr. McCracken."

McCracken: "Yes. One example - and probably the best example - is a situation where the defendant can demonstrate that, due to the passage of time, he is unable to make his defense. For example, a key witness has died, or evidence

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which, admittedly, existed at one time, has, by the passage of time, become unavailable, and it could be determinative of the case. I would... We talked earlier about the equitable theories of laches or estoppel. I would not expect a court merely to deny an action on that basis. I would think we'd be more analogous to the cases in the criminal law, where the inability to defend is considered."

Satterthwaite: "But, isn't it true that the main determinant in a paternity case after a substantial length of time, would be the result of blood tests that would indicate that this was a person who could have fathered the child in question?"

McCracken: "Yes. Blood tests are admissible evidence, under the Act."

Satterthwaite: "And that is really the determinant question, as I understand it."

McCracken: "No, that is not the determinant... the determinative question. I'm glad you brought that up. This Bill... This Bill acknowledges the usefulness of blood tests but does not make them determinative of the issue of parentage."

Satterthwaite: "Well, Mr. Speaker and Members of the House, I support the major part of the Bill. I do have a great deal of reservation about whether this paragraph ought to be included, because I think that we cause undue confusion...
"

McCracken: "I don't even have it."

Satterthwaite: "... if, on the one hand, we declare that there is a statute of limitations, and on the other hand, we try to make some kinds of conditions limiting that statute of limitations. Considering the lateness of the Session, however, I believe that, on balance, it is our obligation to pass the Bill, and I would hope that this portion of the statute can be reviewed more thoroughly, and we can come back with corrective language or a deletion of this

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paragraph, which seems to me only to make the issue less clear than it deserves to be."

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

Levin: "As one of the other Conferees and a Sponsor, I would just add my understanding of the intent, here, and that is, there is an additional factor which I really think is the paramount factor in terms of equitable factors, and that is whether or not there was knowledge in the... the plaintiff could have reasonably brought the action earlier. Irrespective of anything else, I think that is the key factor, and I would just ask Representative McCracken if he agrees with me, if that is, in fact, what we intended by equitable considerations."

McCracken: "Yes, that's an excellent point. The court would balance both the reasons for waiting so long to bring the action and the prejudice to the defendant. So you are correct."

Levin: "Mr. Speaker, to the Bill. I would just say... just reiterate what many of the other speakers have said. This Bill was extensively explored in Conference Committee, and the Conference Committee was very cognizant of the concerns that were expressed when this Bill came up on Third Reading originally and eliminated those factors, particularly the football Amendment... the football team Amendment that had caused so much concern when this Bill was up before. As you see, it's been signed off on by all of the Conferees, although I noticed one didn't have an opportunity to sign it. I know he did indicate he supported it, and we do need this so that we have a Paternity Act, because without it, as Representative Jaffe pointed out, the courts have found the existing Act to be unconstitutional. And so that we can have a Paternity Act, we do need to pass what I think is, at this point, a very, very good Bill."

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

Terzich: "Yes, Mr. Speaker, I'd like you to adjourn at 1:15 so I could win the pool, and I also move the previous question."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, moves the previous... moves the previous question be put. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question will be put. Mr. Jaffe to close."

Jaffe: "Yes, Mr. Speaker, I really don't believe that there is very much opposition to this particular Bill, if any opposition at all. It gives illegitimate children the same rights as legitimate children. As I indicted beforehand, there are a number of court cases that have indicated that our present statute of limitations is unconstitutional. If we don't pass this, we won't have a Paternity Act. The Conference Committee, I think, was... composed of people from every political stripe that you could possibly find, and we all agree to this particular product, and I think we've taken all the bad parts out, and everybody can rest easy. It's a good Bill, and I would urge an 'aye' vote."

Speaker Greiman: "Because this Bill has no immediate effective date, it will require only 60 votes. The question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1179?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. Johnson, the Gentleman from Champaign, to explain his vote."

Johnson: "Well, this is going to pass, but I think, just as a matter of intent, if Subparagraph B on page two were not included, it would really make this whole Bill unique in the concept of law. I don't think we can pass the Bill without this in it, and if we didn't put it in, the courts would, on equitable estoppel grounds anyway. So I think it

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doesn't create uncertainty in the law. It simply makes the law in concert with the law everywhere else in every other area of similar jurisdiction."

Speaker Greiman: "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 adopt Conference Committee Report #1 to Senate Bill 1179. And this Bill, having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar #8, on the Order of Conference Committee Reports, appears House Bill 3128. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3128, a Bill for an Act in relation to Boards and Commissions. First Conference Committee Report."

Speaker Greiman: "The Gentleman from DuPage, Mr. Daniels, Minority Leader."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me first preface my remarks by telling you that this is the Commission Reform Bill that has been worked on for several months by many Members of the House, spearheaded by the organization, the House Republican Policy Committee, which called for the abolition of legislative Commissions - single purpose Commissions. I stand here today, yes, proud once again, because at midnight tonight, the temporary tax dropped off that this House placed on the people of Illinois to get us out of a very difficult financial condition, as a result of the work House Republican Policy Committee. Tonight, I stand before you, a year later, announce, once again, a program that I think we can all be proud of. And proud of the fact that, yes, Speaker Madigan has joined in this effort to abolish needless and wasteful Commissions. Today, this General

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Assembly can once again hold its head high. The plan that's before you is one that meets all the criteria we set down in our initial Report. It is accountable to this Assembly. It eliminates the waste and mismanagement that has been with this Assembly for far too long, like a thorn in our side for years. The plan that you have before you creates a Joint Committee on Legislative Support Services which will meet quarterly and require the actions - almost the unified actions - of your elected leaders. It creates support agencies to continue in servicing the needs of the Legislature, as well as setting forth support agencies through Membership in the General Assembly. I'm sure you all have on your desks, a list of those Commissions that will abolish... be abolished immediately, effective August 31, 1984, after the usual lapse period. Those Commissions will mean a sizeable savings to the people of Illinois in the tune of some \$5,500,000 immediately. Secondly, there is another list of Commissions that will expire on March 31, 1985, at a savings of \$3,575,000 in hard-earned tax dollars. The administrative structure is set forth. It is agreed to by all Leaders, and I earnestly recommend your support for this Conference Committee Report #1."

Speaker Greiman: "The Gentleman from DuPage has moved that the House do adopt Conference Committee Report #1 to House Bill 3128. And on that, the Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the Gentleman's Motion that we adopt the First Conference Committee Report on House Bill 3128. This Conference Committee Report represents a true legislative compromise. You all know that we began this effort with a House plan that would have provided for radical changes in what had become known as the Legislative Study Commissions

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and the Legislative Service Commissions. At the same time, the Senate was advancing their ideas as to how we could effect the reform that most of us had come to feel was needed in this particular area. This Conference Committee Report adopts principles which were advanced by both the House and the Senate. It represents a settlement where there was a compromise by the House, at the same time a compromise by the Senate, as Representative Daniels explained. It will provide for the elimination of the Legislative Study Commissions. Certain of those Commissions will be permitted to remain alive for nine more months, and at that time, there will be a final decision as to whether they shall be retained or continued. I think that all of those who worked in this effort should be complimented for the long hours of work, the long hours of thought that went into the process of developing this legislation. I heartily recommend an 'aye' vote in support of this Conference Committee Report."

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

Johnson: "This is a Bill that's obviously going to pass with a big margin, so my vote doesn't matter. I, too, think that the work of our Policy Committee and certain Legislators has been productive, but I notice we're saving six or seven Commissions. I don't know why we're saving those Commissions. I don't know why they're different than other Commissions, other than each one of those areas, I guess, is some sort of a sacred cow. The problem is, we all said to begin with, if we saved one or two, we'd have to save them all. Well, we won't do that tonight, but we'll save six or seven, and then, when the other tens and twenties and thirties and forties, and we'll... all the other Commissions that exist now and those others that our wild

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imagination can devise over the next two years, which is practically unlimited, foist themselves on us, then we've got a precedent for those other Commissions being recreated. And I think if we're going to do it, we've got to do it with one fell swoop, and we're not doing it with this Bill. I think it's a... certainly, a laudatory effort, but when you do it halfway, you're not doing it well. And I'm not going to vote for the Bill."

Speaker Greiman: "The Gentleman from Jersey, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I appreciate the comments made by Mr. Johnson, and as with him, I, with some reluctance, have to speak in favor of this. We would have liked to have had what we wanted in the beginning. Unfortunately, many compromises are made in order to get the best for the State of Illinois. We've come a long way, and I think that we've set a precedent that speaks very clearly as to what we wish to have done. I, too, wish to compliment those that worked on this project, and I think that they have set an example of eliminating waste, confusion and duplication of services for the State of Illinois. I urge an 'aye' vote."

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

Brummer: "Yes, will the Sponsor yield?"

Speaker Greiman: "Indicates that he will."

Brummer: "This Conference Committee Report just landed on our desk a few minutes ago. I think it was supposed to be an hour ago, but that's okay. Would you... If the Sponsor will answer a few questions - Would you give us a list of the Commissions that are going to continue in existence until March 31, 1985?"

Daniels: "Yes, Sir. The law provides - and I should be very clear on this - the law provides that they will be abolished on March 31, 1985, contrary to the previous

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Gentleman's speaking. The law provides that the following seven Commissions shall be retained until March 31, 1985: the Commission on Children, the Economic Development Commission, the Energy Resources Commission, Mental Health Commission, Status of Women Commission, Public Aid Advisory and the School Problems Commission - those seven."

Brummer: "Okay, and what... If this Bill passes, what will be the posture, for example, of the Legislative Audit Commission, the Sunset Commission, the Legislative Counsel and some of the other service Commissions?"

Daniels: "The following Commissions, generally regarded as legislative service agencies, will be retained: Joint Committee on Administrative Rules, Illinois Economic and Fiscal Commission, Illinois Commission on Intergovernmental Cooperation, Legislative Reference Bureau, Legislative Information Service, Legislative Audit Commission, Legislative Space Needs Commission. The Legislative Counsel would be split into two service agencies called the Legislative Printing Unit and the Legislative Research Unit."

Brummer: "So, those that you just itemized would remain intact? Is that what you said?"

Daniels: "The ones that I just named would remain as service agencies. They would... will have new governing boards. Each board shall be comprised of 12 members. The boards are balanced politically with each Leader appointing three members. The chairmanship of these boards would rotate between the two Houses."

Brummer: "Okay, what about the Sunset Commission?"

Daniels: "The Sunset Commission would be abolished."

Brummer: "And when would it be abolished? Tonight?"

Daniels: "Effective... Effective September 30, 1984, after the lapse period. But, in effect, it would be abolished

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immediately. They would be not able to enter into any more contracts. There would be lapse period spending that would be entered into. Employees would be notified of termination, and the final abolition would be... on September 30, 1984."

Brummer: "Mr. Speaker, may I address the proposal?"

Speaker Greiman: "Proceed, Sir."

Brummer: "I suppose everyone serves on some Commission that they feel should not be abolished. I am a member of the Sunset Commission. We have... under the... as Representative Cullerton just said, we just got sunsetted, I guess. The Sunset Commission has been in the midst pursuant to the statutory provisions required under the existing law to... to examine the Public Utilities Act, which itself is sunsetting, and I think it is a waste of energy and effort that has gone into that study to... to not allow that Commission to complete its report which is due, I think, next January, and at that point, quite frankly, whatever this Body would decide with regard to that entity, I think, would be fine. Might I ask the Sponsor one more question? Representative Daniels, will you yield for one more question?"

Speaker Greiman: "Yes."

Brummer: "Representative Daniels, with regard to the Sunset Act itself, has that been repealed, or are the various agencies and... going to continue to be examined on the Sunset schedule, the various licensing that occurs in the State of Illinois?"

Daniels: "The Sunset Act itself will be repealed. The Service Committee on the Committees, in reviewing this, can recommend that we perform those functions through the legislative service agencies."

Brummer: "So, the Sunset Act itself is being repealed?"

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Daniels: "Yes."

Brummer: "Okay. Further, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Brummer: "The Sunset Act, here, passed. I think Representative Harold Katz was the Sponsor of that legislation. It was legislation that was simply... was adopted three or four years ago to examine all the licensing that occurs in the State of Illinois. It passed with widespread support, as a method of examining unnecessary licensing in government, unnecessary regulation that we do in government, so that various Acts and various licensing would, from time to time, sunset. It seems to me that that was a worthwhile goal at that time. It seems to me that the Sunset Committee, which I have served on only a very short period of time, has performed very worthwhile services in examining licensing that occurs in the State of Illinois. I think it is a mistake to abolish the Sunset Act itself. I think we should continue to examine, on schedule, as we have from time to time, the various professions that we regulate, to determine if it is necessary to continue to regulate those. And for that reason, I would urge a 'no' vote on this Conference Committee Report."

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

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

Speaker Greiman: "The Gentleman from Lake has moved that the previous question... previous question be put. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question will be put. Mr. Daniels to close."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am proud, as the Speaker is, of the work that's been accomplished as a result of negotiations primarily between the House Republican Policy Committee and Members

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on the other side of the aisle. Once again, I'd like to thank the Speaker for his cooperation and his efforts in this matter, and I solicit your 'aye' vote."

Speaker Greiman: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 3128?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. 71 votes required. Ms. Zwick to explain her vote. One minute."

Zwick: "Thank you, Mr. Speaker. Four years ago, when I originally introduced a proposal very similar to this, I was labeled a reformer, I think, and the media applauded this effort, and I'd like to, now that it has reached fruition, praise those who did and praise those in this Body who are doing this action now. I think we're doing a very good thing, and I appreciate your 'yes' votes."

Speaker Greiman: "The Gentleman from Cook, Mr. Levin, to explain his vote. One minute."

Levin: "Good. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As one of 12 who voted 'no' or 'present' on this Bill on Third Reading because of my concern about throwing out the baby with the bath water, I'd like to commend the Speaker and the Minority Leader for coming back with a plan which I think is a good plan. I think it's a balanced plan, and I'm proud to vote for it."

Speaker Greiman: "The Lady from Champaign, Ms. Satterthwaite, one minute to explain your vote."

Satterthwaite: "Mr. Speaker and Members of the House, it certainly is a compromise, and for that, we do have to commend our Leadership in coming back with some additional time for a few of our very worthwhile Commissions. I would hope, however, that we don't stop with the passage of this legislation, but that we immediately act with those Commissions that have been prolonged until March 31st, to

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devise a way for a smooth transition for the carrying on of their responsibilities. I think this is a very difficult time for the staff on those Commissions, but I hope that we would not just leave them hanging in limbo until that sunset date, but rather, incorporate some of those very worthwhile resource people into whatever mechanism is to continue the services needed."

Speaker Greiman: "Mr. Clerk, have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 102 voting 'aye', 9 voting 'no', 4 voting 'present', and the House does adopt Conference Committee Report #1 to House Bill 3128. And this Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, there is a Motion from Mr. Matijevich, the Gentleman from Lake, with regard to a meeting of the Rules Committee. Got to stay on your toes, John. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, I would move to suspend or ask unanimous leave to suspend the posting notice and that provision of the rule whereby the Rules... a Committee cannot meet while the House is in Session for the purpose of an immediate meeting of the Rules Committee with regards to Senate Bill 1865. This has cleared both sides of the aisle, and ask... use of the Attendance Roll Call."

Speaker Greiman: "The Gentleman from Lake... I'm sorry. The Gentleman from Lake has moved that the House suspend the appropriate rule for immediate meeting of... of the Rules Committee by suspending the posting rule and that the Committee be allowed to meet while the House is in Session. Does the Gentleman have leave to use the Attendance Roll Call?"

Matijevich: "And there will be a meeting in the Speaker's..."

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Speaker Greiman: "Leave is granted, and there will be a meeting.

All Members of the Rules Committee, all Members of the Rules Committee... in the Speaker's Conference Room right now. Right now. Yes, I'm sorry. The Gentleman from Cook, Mr. Madigan, for what purpose do you seek recognition?"

Madigan: "To ask the Members if they would be patient for just a few minutes to permit Representative Daniels and I to go over to the Senate to confer with President Rock and Senator Philip to determine if we can complete our work tonight or if we will be required to come in tomorrow. So if you could just give Lee and I a couple of minutes, we'll be right back to you."

Speaker Greiman: "Alright, on the Order... Yes, Mr. Daniels."

Daniels: "Okay, buddy."

Speaker Greiman: "Just follow our Leader out, Mr. Daniels. On Supplemental Calendar #11, Conference Committee Reports appears Senate Bill 833. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 833, a Bill for an Act to amend the Revenue Act. First Conference Committee Report."

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

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I would move the Motion to accept the First Conference Committee Report on Senate Bill 833. This has been worked out by both sides of the aisles of the House. It's a Bill that is also supported by the Governor, and I would appreciate an 'aye' vote."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, has moved that the House do adopt Conference Report #1 to Senate Bill 833. On that discussion, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, Representative McGann, this has to do with bingo parlors?"

McGann: "Representative Cullerton, it actually states one thing

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in regards to the Bingo Act, and that is that we're opening to the public the tax returns. And that's exactly what the legislation does."

Cullerton: "Right. This is... This is... I rise in support of this Conference Committee Report. It's a very important Bill for the groups that are making money on the bingo which need it the most, and I... I would urge everyone to support this fine Conference Committee Report."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 833?' 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 question, there are 108 voting 'aye', none voting 'no', none... and 3 voting 'present', and the House does adopt Conference Committee Report #1 to Senate Bill 833. And this Bill, having received a Constitutional Majority, is hereby declared passed. Yes, Mr. Hastert. An Extraordinary Majority was obtained in the last vote. Just so there is no question as to the appropriate number of votes, I will announce the results of that Bill again. That Bill required 71 votes because of an immediate effective date. And accordingly on this question, there are 108 voting 'aye', none voting 'no', 3 voting 'present', and the House does adopt Conference Committee Report #1 to Senate Bill 833. And this Bill, having received a Extraordinary Majority of Three-Fifths, is hereby declared passed. On the Order of Supplemental Calendar #5 appears House Bill 2576. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2576, a Bill for an Act to amend the Illinois Police Training Act. First Conference Committee Report."

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

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2576 was put into a Conference Committee to correct some... technical language. And what it does, it eliminates part-time correction officers and makes technical correction of the definition of correction officers. It provides that the county correctional officers under the sheriff will now be trained under the mandate of the Police Training Board in the same manner we are now train police officers. Half of the cost of the training is paid for by the Board, the same as for police officers. It reduces the liability of county boards and sheriffs. It is requested by the Illinois Sheriff and Police Training Board as a result of the Illinois Lieutenant Governor's Study Committee on jail standards, and I would move for its adoption."

Speaker Greiman: "The Gentleman from Cook moves that the House do adopt Conference Committee Report #1 to House Bill 2576. And on that, is there any discussion? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you. Will the Sponsor yield to a question?"

Speaker Greiman: "Indicates he will."

Hoffman: "How does the First Conference Committee Report differ from the Bill as it went out of the House?"

Terzich: "It only... The only thing it did was make the correction... It put in order the definition of a correction officer, which was basically the full time correction officer rather than part-time. It had to do it through the Bill in accordance with the Illinois Police Training Board."

Hoffman: "Thank you very much."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the House adopt Conference Committee

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Report #1 to House Bill 2576?' This Bill takes 60 votes, 60 votes. All those in favor signify by voting 'aye', those opposed 'no'. This is final action. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'aye', none voting 'no', none voting 'present', and the House does adopt Conference Committee Report #1 to House Bill 2576. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Supplemental Calendar #9, Conference Committee Reports appears House Bill 2381. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2381, a Bill for an Act to amend an Act concerning public utilities. Second Conference Committee Report."

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

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. This Bill was defeated earlier this evening because of some provisions we had to deal with towing companies in the City of Chicago. And at that time, it provided that the Commerce Commission would set those rates, and I think it was the will of this House overwhelmingly that that not be the case. The Bill differs from that Bill in one respect. We simply change in the case of towing companies... the cap we change from 35 dollars to 45 dollars. I think in this case that's a reasonable thing to do considering they have not been raised for approximately seven years, and I know of no opposition to this Conference Committee Report and does nothing else other than that and address the water Bill provisions which were not controversial earlier. And I would move for its adoption."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig, moves that the House adopt Conference Committee Report #2 to House Bill 2381. And on that, is there any discussion?"

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There being none, the question is, 'Shall the House adopt Conference Committee Report #2 to House Bill 2381?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 102 voting 'aye', 6 voting 'no', 6 voting 'present', and the House does adopt Conference Committee Report #2 to House Bill 2381. And this Bill, having received a Constitutional Majority, is hereby declared passed. This Bill needed only 60 votes. On the Order of Supplemental Calendar #9, Conference Committee Reports appears House Bill 2987. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2987, amends an Act concerning public utilities. Conference Committee Report #1."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo. Mr. Levin, are you seeking recognition? Oh. Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move for the adoption of Conference Committee Report #1 on House Bill 2987. Senate Amendment... The original Bill was amended in the House to provide permission for the Illinois Commerce Commission to become involved in various kinds of efforts regarding energy conservation programs. The Senate attached Amendment #2 which deals with the public television stations and provides... changes the definitions of those stations and deletes the requirement that they be licensed by the FCC. That provision passed the Senate by a vote of 52 to nothing. The Conference Committee Report on House Bill 2987 also was included... also has included some provisions that were included in House Bill 2553, which passed this House by a vote of 92 to 16, that relate to the Citizens' Utility Board. Those provisions, number one, extend the date of election of permanent Board of Directors of CUB from December 31st, '84

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to April 30th, '84. It allows that all employees of public utility companies who are not in the supervisory or managerial capacity to be eligible to serve on the CUB board. It sets standards which prevent a quorum from being smaller than one third of the members of the Board of Directors. It adds specific language to provide for the availability of membership applications and nominating petitions by the library systems as defined in the Illinois Library System Act. New language that has been provided deals with access of membership lists to CUB members from the CUB district from which a candidate is running in terms of each candidate running for the Board. We've also provided safeguards for membership privacy. The lists shall be made available 60 days prior to the election, and the excess costs of providing these lists shall be reimbursed to the CUB by the various candidates. We have also provided that each person upon joining CUB or renewing membership in CUB shall have the opportunity to refuse to allow their names to be disclosed to candidates. The... The provisions that we have provided relative to the Citizens' Utility Board are... are provisions that must be enacted so as the elections, which are to be... which are to be conducted in the near future, can be conducted properly, and I would move for the adoption of Conference Committee Report #1 to House Bill 2987.'

Speaker Greiman: "Gentleman from Cook, Mr. Steczo, moves that the House adopt Conference Committee Report #1 to House Bill 2987. And on that, is there any discussion? Mr. Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, I must reluctantly rise in opposition to this Conference Committee Report. You know, most of the provisions I like. Most of them are very good, but there is one provision I think is very bad. And I think one could describe that provision.

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Remember a couple of years ago we had a Constitutional Amendment which was called the Pat Quinn Amendment, and that cut the size of the House? Remember Pat Quinn? Well, there is a provision in this Bill that one of his friends who sits on the CUB board has been pushing for which I think we can call the 'Pat Quinn II' Amendment. This is the provision that opens up without willy-nilly the CUB membership list. This is what Mr. Sam Cahnman, who is the Vice President of CUB, who was put there by Mr... he's a friend of Mr. Quinn, wanted so that Mr. Quinn can have all the membership lists of CUB, so that I guess if he wants to run for Governor or whatever he's going to run for, he's going to have this. It's a bad provision, and I hope we can send this Bill back for a Second Conference Committee to take this out. The CUB board has not yet acted on the question of access to records as far as for candidates. And I think it would be presumptuous upon us. When we passed the legislation last year, we asked the CUB board to enunciate a policy. They have not yet enunciated policy in terms of candidate access to... to the records, to the membership lists - to go in and legislate on this matter before they had had an opportunity to act. If they act irresponsibly, there are vehicles that we can act upon in November to clarify the situation, but I do not think we should be establishing a precedent that every time a member of the CUB board does not like a decision made by that Board or thinks the decision is going to be adverse that they run down to the General Assembly and have us overturn what has been done. We established CUB to represent the consumer interests. We repre... We established CUB to give the consumers some hope in this state, and we should not be interfering in the internal business of CUB. The rest of this Bill, as I said, I support. I support allowing

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utility employees to be able to serve on the CUB board. I support everything else in this Bill, but this one provision, the 'Pat Quinn II' Amendment, I think, would establish a very bad precedent. It would... It is presumptuous since the CUB board has not yet even acted on this issue for us to come in and legislate on this matter. And I would urge a negative vote. I would also point out that the way that the 'Pat Quinn II' Amendment is drafted, it would require CUB, which currently has about 50,000 membership applications outstanding that have already been mailed out, many of which have already come back, to get back to every one of these people with a new form. And I've been provided information by CUB that if CUB... if this Bill were to pass, it would cost CUB in additional mailings, assuming bulk mailing, 23,750 dollars, which to a governmental authority may not be a whole lot, but to CUB, particularly given the fact they are operating on a loan of, I think, 50,000 dollars at this point, is a substantial amount of money. So, I implore you to vote down this Conference Committee Report. It establishes a bad precedent - the General Assembly willy-nilly reversing actions of CUB. Let's send this for a Second Conference Committee, come back with the rest of the Bill and pass that. Thank you."

Speaker Greiman: "Gentleman from McHenry, Mr. Klemm."

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

Speaker Greiman: "Indicates he will."

Klemm: "Representative Steczko, is there a limit on the expenses of the campaign expenditures that a candidate for the CUB board is supposed to be able to spend?"

Steczko: "Representative Klemm, in answer to your question, the original legislation we passed last year, my understanding,

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limits the expenses that any campaign could have during one of these campaigns of 2500 dollars."

Klemm: "Alright. Now, under that original legislation, it was that if a candidate... Let me find the page. If the candidate, as a condition for receiving the benefits of the Board's mailing under Subsection 6, a candidate for election of the Board shall agree in writing to incur no more than 2500 dollars in campaign expenditures. Isn't that correct?"

Steczo: "Correct."

Klemm: "So, now if you make mailing lists available that they don't no... they no longer need the CUB board to mail their campaign literature to the members which was the original intent. Unlimited expenditures now can be allowed for each candidate. Isn't that correct under this provision of the Conference Committee Report?"

Steczo: "Mr. Speaker, I would yield to Representative Brummer on that... on that question."

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

Brummer: "Yes, we did not alter the limitation on the maximum amount of money that can be spent."

Klemm: "Alright. And my point is that if a candidate does not wish to follow - let me go back to page seven - does not wish to follow the conditions for receiving the benefits of the Board's mailing, they are not then limited by the 2500 dollars, because they can secure, under this Conference Committee Report, the mailing lists of all those members and just say, 'I'm going to spend whatever I wanted, because I can mail through whoever I wish at this point in time'. Isn't that correct?"

Brummer: "Let me look just a minute. Well, the limitation on the amount of expenditures is not... the language is not contained in this Bill. That's in the original language

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established in the CUB, and there is a blanket limitation of 2500 dollars that they can spend on campaign... on campaigning."

Klemm: "No, that's not the correct... correct, Representative Brummer."

Speaker Greiman: "Representative Breslin in the Chair."

Klemm: "It is a combination. You're right in that point, of the existing law, plus what you're suggesting under this Conference Committee Report. But if we take now what the existing law is and add it to what you wish for us to enact, I have to then look at the impact of that. The impact, if you look under the Conference Committee Report on page seven, on line 35, it says, 'Paragraph C - As a condition for receiving the benefits of the Board's mailing under Subsection 6, a candidate for election to the Board shall agree in writing to incur no more than 2500 dollars in campaign expenditures', et cetera, et cetera. Now, if that person doesn't want to avail themselves of the benefit or as a condition to receive that, they don't have to accept those conditions. And, therefore, why should they? Why should they go out and campaign for 20 - 30,000 dollars to buy a seat on that Citizens' Utility Board? That's one question I have. I have some others. But do you want to look at those while I ask Representative Steczo some other questions? Alright. While they're looking that question up, perhaps I can go on then. I don't want to mean to take the time of the House. Well, let me go on then and maybe you can answer the question after you've had an opportunity. One of the concerns that I have, and I have received communications from the Citizens' Utility Board itself and certainly I agree with everything Representative Levin has said, that they certainly oppose this. You know, one of the safeguards that we all worked for last year when

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we did this CUB Bill was to allow the consumers the opportunity to become part of this without being coerced in any way, without being intimidated in any way by mailings, by being on somebody's hit list, by finding out who is a member, who works maybe for unions that they don't want them, that utilities would find out who the memberships are. We didn't want any of the those problems. We felt that the consumer should at least become a part of this on their own without any intimidation whatsoever. Now, if we're going to give to every candidate who is certified, and that is only 30 signatures on a petition can get a complete mailing list, and the only safeguard you have in it is in the Section on page three that says, - let's see, the candidate lists shall be the property of the Board and every effort shall be made by the candidate and anybody else not to let this fall in anybody's hands. That's really highly unlikely. Each year - I don't know how many candidates will be applying for these jobs throughout the state - and each year these people all of a sudden will start getting mailing lists and get solicitations. And who knows who will sell the list for any purpose? But that's not what our purpose and intent was. It was to safeguard the consumer for a change. Now, it seems to me that if a candidate wishes to run for the office like any other candidate, that their literature is provided to the CUB board which will mail it out to every member of the CUB to be equally considered fairly and impartially by those members who are going to vote for those candidates, without having them knocking on their door, without having them calling them up on the phone, without having their mailboxes filled with literature by some candidate who may or may not be a candidate but wanted to get those names. It seems to me the drafting of this legislation and

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Conference Committee Report 1 should be soundly rejected for those reasons and for others, in... in spite of the questions that I asked earlier that there are no answers from the side supporting it."

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

Steczko: "I would ask Representative Klemm if that was a statement or a question, because I can respond to that... to that particular statement that he made in terms of protections."

Speaker Breslin: "It was a statement, Sir. Do you wish to speak to the issue?"

Steczko: "Madam Speaker, as the Sponsor, can I respond?"

Speaker Breslin: "No, wait until you close. The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Madam Speaker, Members of the House, I think the... particularly the arguments raised by Representative Levin need to be addressed. I think if you look at the Bill and the Report in terms of pages eight, nine, I think, in fact, it does address the question of costs to the Board in mailing and the costs in providing names to individuals who are candidates. I think the way the Bill is written on page nine covers any costs in that area - costs incurred now or costs incurred later in providing the candidates with the names. It's essential, I think, that we do that. I don't think it is a valid argument to say we should wait to do this. I think it ought to be a statutory public policy. It's no different than providing precinct lists to candidates. The costs are covered in the Bill. There are important provisions in this Conference Committee Report that need to be adopted now with regard to the extension of the life of the interim Board, providing also for a petitioning process. This is an important Bill to the Board. It's an important Bill to the people of the State

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of Illinois. I think adequate safeguards are in it; and, because of the provisions that are written on those pages to cover costs and because of the arguments Representative Steczo has advanced tonight, I think we ought to pass this tonight, put this behind us and put this Board on its feet in a posture to begin to operate in an orderly fashion in its transition from an interim Board to a elected Board."

Speaker Breslin: "Gentleman from Effingham, Representative Brummer."

Brummer: "Thank you, Mr... Madam Speaker, Members of the Assembly. I'm not sure if the two previous people that spoke in opposition had read this, but I want to read verbatim from, on page nine, language that is added. 'The Board shall afford each member of the corporation, when joining or renewing membership, the opportunity to indicate that their names may or may not be released by the Board to certified candidates in a district in which such Members reside for campaign purposes.' So, anyone joining CUB clearly, under this, has the option as to whether their name may or may not be disclosed. That's the exact language in this Bill. Anyone who does not want their name disclosed will not have their name disclosed. It's a bogus issue. Now, with regard to the underlying issue as to whether or not candidates ought to have availability to the list, at least with regard to those members who consent to that, I can't imagine carrying on a campaign without knowing who are going to be the voters with regard to the Directors. I ought to have an opportunity finding out if there are 50 people in Effingham that are members of the... of the CUB organization so that I can call them on the phone and say, 'Look, I'm running for the CUB board, and I would appreciate your support and these are my ideas on the issues that are going to face the Citizen Utility Board in

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the following two years'. I think it's crucial. I think it's ridiculous to think of conducting an election without making the membership lists available to the candidates who are running so that they can contact the members and solicit their support. And we do have the protection, and I reiterate again, that any Member joining may... can indicate that their names may or may not be released by the Board to the certified candidates. Now, with regard to the other items in here, there is conservation legislation in here that is very important that we passed out of this House almost unanimously. At the request of the Board, we are extending the interim Board for an additional three or four months period of time. So, they have an opportunity to build a better membership prior to the first election. We have the shelf registration of securities in here. We have the provision that originally was introduced by Representative Stuffle allowing IBAW and CCW workers to be directors if they are... are so elected by the members. I... This is a good Conference Committee Report and ought to be adopted."

Speaker Breslin: "The Membership should note that the TV light has been turned off. No pictures will be allowed. The Lady from DuPage, Representative Nelson."

Nelson: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I rise in opposition to this proposal, and I believe it to be just a perfect example of the kind of thing that is presented to this Body very, very late, either on June 30th or on the 1st of July. No Committee has seen this language, and we have not had it before us before this Conference Committee Report was plunked on our desks. I agree with Ellis Levin that this would give Pat Quinn a list that he could use for his own private purposes, and I believe that this is a very bad provision on page eight. I

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would urge 'no' votes."

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

Steczko: "Thank you, Madam Speaker. I take issue with the last statements that were made, because this legislation does contain the protections for those people who do not wish to have their names disclosed. On page eight of the Bill it says specifically, 'Such lists shall be used by the candidates only for the purposes of their campaign and in no instance shall such lists be sold or made available to anyone for any other purpose. The lists shall be property of the Board and every effort shall be made by the Board and the candidate to protect the privacy of the members of the list.' In addition to that, we have afforded the members of CUB the privacy, which Representative Brummer mentioned, regarding the checkoff as to whether or not you would want to have your name disclosed. Those are protections that we feel are important. Other speakers have mentioned the fact that the CUB board will mail to every member of the CUB. That is if the candidate for the CUB board has the money to pay for the mailing. If that CUB board member does not, then that CUB board member has very, very little chance of winning. And I would... I would hasten to say, as Representative Brummer pointed out, any of us would want to have access to precinct lists and other material in order to try to run effective campaigns for our offices. I think the Citizens' Utility Board candidates should be treated in the same manner. In answering Representative Klemm's comment regarding campaign expenditures, the present law already limits the expenditures to 2500 dollars and also indicates that any expenditure over 25 dollars must be kept available, and the Board can look at those expenditures. So, all in all,

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protections are in this Bill. We feel it's... it's fair. Other provisions contained in House Bill 2987 are important if the CUB elections are to proceed smoothly. I would encourage the House to adopt Conference Committee Report #1 on House Bill 2987."

Speaker Breslin: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 2987?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. This Bill requires 71 votes for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 29 voting 'aye', 69 voting 'no' and 7 voting 'present', and the House fails to adopt Conference Committee Report #1 to House Bill 2987 and requests... and requests that a Second Conference Committee be appointed. Ladies and Gentlemen, on your Calendar on page two, under Senate Bills Third Reading, appears Senate Bill 1562, Representative Barnes. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1562, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Insurance. Third Reading of the Bill."

Speaker Breslin: "Representative Barnes. Excuse me, Representative Leverenz."

Leverenz: "Thank you, Madam Speaker and Ladies and Gentlemen of the House, I would now move to suspend Rule 37(g) - the Third Reading deadline - with respect to Senate Bill 1562 and to take the Bill from the table."

Speaker Breslin: "This is Senate Bill 1562. The Gentleman moves to take Senate Bill 1562 from the table and suspend Rule 37(g). Using the Attendance Roll Call, are there any objections? Representative Preston objects. This is an appropriation Bill for the Department of Insurance. Representative Leverenz now moves that Senate Bill 1562 be

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taken from the table, and that Rule 37(g)... (g) be suspended. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This requires 71 votes for adoption. Have all voted who wish? The Clerk will take the record. On this Motion, there are 104 voting 'aye', 1 voting 'no' and 1 voting 'present', and the Motion is adopted. Representative Barnes. Representative Barnes now moves... asks leave to bring this Bill back to the Order of Second Reading for the purposes of an Amendment. Does the Lady have leave? Hearing no objection, the Lady has leave. Mr. Clerk."

Clerk Leone: "Amendment #4, Vinson, amends Senate Bill 1562 as amended."

Speaker Breslin: "Excuse me. Are there any Motions filed, Mr. Clerk?"

Clerk Leone: "Motion to table. 'I move to table Amendment #3 to Senate Bill 1562', filed by Representative Vinson."

Speaker Breslin: "Are there any other Motions filed? Excuse me, Representative Leverenz, for what reason do you rise?"

Leverenz: "I understood there would be a Motion to table Amendment #2."

Speaker Breslin: "Has such a Motion been filed, Mr. Clerk?"

Clerk Leone: "No such Motion lies on the desk."

Speaker Breslin: "Representative Barnes."

Barnes: "Madam Speaker, I... and Ladies and Gentlemen of the House, I wish to table Amendment #2 to Senate Bill 1562."

Speaker Breslin: "The Lady asks leave to table Amendment #2 to Senate Bill 1562. 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 tabled. Any further Motions?"

Clerk Leone: "Motion to table Amendment #3 to Senate Bill 1562, filed by Representative Vinson."

Speaker Breslin: "Representative Vinson, on Amendment #3."

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Vinson: "I move the Motion."

Speaker Breslin: "Representative Vinson moves to table Amendment #3 to Senate Bill 1562. 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 tabled. Are there any further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #4, Vinson, amends Senate Bill 1562 as amended."

Speaker Breslin: "Representative Vinson."

Vinson: "I ask leave to withdraw Amendment #4, Madam Speaker."

Speaker Breslin: "The Gentleman asks leave to withdraw Amendment #4. Hearing no objections, the Gentleman has leave. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Leverenz, amends Senate Bill 1562 as amended."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you, Madam Speaker, to explain to those that are asking me and others. Essentially, we have put the Department of Insurance appropriation back in the form in which it was prior to the one dollar Amendment that I put on it, and that further, we would amend it with Amendment #5 in its adoption by reducing retirement to 60% and allowing 35,000 contractual dollars to the Bill. And I now move the adoption of Amendment #5."

Speaker Breslin: "The Gentleman moves the adoption of Amendment #5 to Senate Bill 1562. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #5 to Senate Bill 1562 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 Barnes now asks

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leave for immediate consideration of Senate Bill 1562. Does the Lady have leave? Hearing no objections, the Lady has leave. Representative Barnes. Mr. Clerk, would you read the Bill?"

Clerk Leone: "Senate Bill 1562, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Insurance. Third Reading of the Bill."

Speaker Breslin: "Representative Barnes."

Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the House, Senate Bill 1562 addresses the Fiscal Year '85 appropriation for the Department of Insurance. I would ask for an 'aye' vote."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 1562. And on that question, the Lady from DuPage, Representative Karpiel."

Karpiel: "Yes, thank you, Madam Speaker. Will the Sponsor yield?"

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

Karpiel: "Yes, Representative, I don't have the actual Bill in front of me, so I don't know whether Amendment 5 takes care of this or not, but in my analysis of the Bill, there was an Amendment 1, which was adopted, and it says that it replaces the money - \$917,800 - in GRF funding with funding from the new Producer Administration Fund, which we don't have. Now, I didn't hear any Motion that tabled Amendment 1. Does 5 take care of that situation?"

Barnes: "That was in effect last year and was passed and takes effect January 1 of next year."

Karpiel: "Okay, so that is taken care of then. Alright, thank you."

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

Cullerton: "Yes, I would yield my time to Representative Farley."

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Speaker Breslin: "The Gentleman is not seeking recognition. There being no further discussion, the question is, 'Shall Senate Bill 1562 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? The Clerk will take the record. On this question, there are 109 voting 'aye', 4 voting 'no' and none voting 'present', and the Bill passes. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1562, having received an Extraordinary Majority, is hereby declared passed. Representative Vinson is recognized for a Motion."

Vinson: "Thank you, Madam Speaker. I would move to discharge the House Transportation Committee of House Joint Resolution 171."

Speaker Breslin: "The Gentleman has moved to discharge the House Transportation Committee with Bill... for House Joint Resolution 171. And on that question, is there any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "What was the Motion?"

Speaker Breslin: "The Motion is to discharge the House Transportation Committee for House Joint Resolution 171, House Joint Resolution 171."

Cullerton: "What does it do?"

Speaker Breslin: "Representative, can you respond to that?"

Vinson: "It directs a study of a segment of the tollway in Will County."

Cullerton: "I have... I have no objection."

Speaker Breslin: "The Lady from Cook, Representative Braun. There being no further discussion, the question is, 'Shall House Joint Resolution 171 be adopted?' All those in favor... Does the Gentleman have leave for the Attendance

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Roll Call? Hearing no objections, the Gentleman has leave for the use of the Attendance Roll Call to discharge this Bill from the House Transportation Committee. Ladies and Gentlemen, on Supplemental Calendar #9 appears Senate Bill 1853, Representative McGann. The Clerk..."

McGann: "Thank you, Madam Speaker and Members of the Assembly. I would Motion the... to accept the First Conference Committee Report on Senate Bill 1853, and the Senate concurs with the House Amendment #4 to this Bill. This Bill had no problems in the House. It passed from the House to the Senate by a 118 to nothing. It is the fiber optic Bill to install the fiber optic cables along Highway 55. I would move for its acceptance."

Speaker Breslin: "The Gentleman has moved for the adoption of Conference Committee Report #1 to Senate Bill 1853. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1853?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. This Bill requires 71 votes for passage. Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'aye', none voting 'no' and 1 voting 'present', and the House does adopt Conference Committee Report #1 to Senate Bill 1853. And the Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, on page three on your Calendar, under the Order of Nonconcurrences appears House Bill 3067, Representative Olson."

Olson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to nonconcur to Senate Amendment #1 to House Bill 3067."

Speaker Breslin: "The Gentleman moves to nonconcur to Senate

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Amendment #1 to House Bill 3067. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House nonconcur to Senate Amendment #1 to House Bill 3067?' 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... the Motion is adopted. Ladies and Gentlemen, on your Calendar Supplemental #6 appears House Bill 3093, Representative Oblinger. That's under Conference Committee Reports, House Bill 3093."

Oblinger: "Madam Speaker and Members of the House, I move to accept Conference Committee Report #1 for House Bill 3093. What this contains is something that's very important to all of us. It retained Senate Amendment #1 and added to that something that we had neglected, and that is the six million dollars for the Teachers' Retirement Service which is to pay the health insurance. The six million dollar cap is what they need in order to renegotiate their contract up from 3.6. This is not GRP. This is from earned income of their pension funds. And it's very necessary for them to have this so they can renegotiate their contract. The 3.6 would not even cover the number of people already under that, and there will be fifteen hundred more teachers retiring that may accept this."

Speaker Breslin: "The Lady has moved for the adoption of Conference Committee Report #1 to House Bill 3093. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 3093?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. This Bill requires 71 votes for passage. The Clerk will take the record. On this Bill... On this Report, there are 108 voting 'aye', 6

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voting 'no' and none voting 'present', and the House does adopt Conference Committee Report #1 to House Bill 3093. And the Bill, having received a Constitutional Majority... an Extraordinary Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, on your Supplemental Calendar #5 appears Senate Bill 1794. Representative Topinka, are you prepared on this Conference Committee Report, 1794?"

Topinka: "Yes, Madam Speaker, Ladies and Gentlemen of the House, the Senate has decided to concur with our Amendments, and I would like to agree with them and do whatever is necessary to run the Bill immediately. This is aggravated fleeing, and it is aggravated fleeing - a good law enforcement Bill without mandatory auto insurance tagged onto it. So I think everybody ought to be delighted at this hour of the morning. It's a plain, ordinary law enforcement Bill."

Speaker Breslin: "The Lady has moved for the adoption of Conference Committee Report #1 to Senate Bill 1794. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "She will yield for a question."

Cullerton: "She said she wouldn't yield."

Speaker Breslin: "Excuse me."

Cullerton: "Does this still deal with fleeing?"

Topinka: "Of course it deals with fleeing. And John, I will yield to you anytime."

Cullerton: "Alright. Thank you very much. I appreciate that. Maybe when you're in the Senate."

Topinka: "Maybe not then."

Cullerton: "On the Senate Rules Committee. Does it still apply to the collar counties?"

Topinka: "Absolutely. They'll be scratching all over it."

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Cullerton: "Okay. Thank you. Still a bad Bill."

Speaker Breslin: "The Lady from Cook, Representative Braun."

Braun: "Thank you, Mr. (sic - Madam) Speaker, Ladies and Gentlemen of the House. I'll be brief. Judy Baar is a lovely Lady, but this has got to be the... the single most ridiculous Bill we've had all year long. No offense Judy, but aggravated fleeing... Yes, it is. Think about it... how you're going to explain to your constituents that you voted to make fleeing not just a crime, but an aggravated one. I mean this Bill, we had the long debate in Committee, and I know it's... it's passed before but I think that we are going to be held up. In addition, some of the other things we've passed out of this Legislature in the waning hours, that aggravated fleeing being one of them, I don't think is going to do us any good at all. I oppose the legislation."

Topinka: "If I might respond to that. Thirty-eight some states already..."

Speaker Breslin: "Excuse me, Representative. That was not a question. The Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. I rise in support of this Bill. It is a good law enforcement Bill. Unfortunately, it does not increase the penalties for attempting to flee and allude, because in another Bill in this General Assembly, we cut in half all of the penalties for misdemeanors. So really all this Bill does is keep the penalty the same the way it's always been for fleeing and alluding, and we ought to pass it."

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

Leverenz: "The Sponsor yield?"

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

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Leverenz: "That's all I wanted from her. Does this have to do with a recent problem that happened in Lyons, Illinois, which resulted in the death of the person fleeing?"

Topinka: "It doesn't have anything to do with that particular incident but it could be applicable after passage. This particular Bill has been proposed before by the Illinois Department of Law Enforcement."

Leverenz: "The penalty is not increased?"

Topinka: "Yes, the penalty is increased."

Leverenz: "From what, to what?"

Topinka: "From a Class B misdemeanor to a Class A."

Leverenz: "And what is Class A?"

Topinka: "It means..."

Leverenz: "Sounds great."

Topinka: "No, it's up to... Carl, could you help me with that?"

Leverenz: "What's a B?"

Topinka: "Okay. Three hundred and sixty-four days penalty, but you get a day for day good time. So it can be very limited."

Leverenz: "Well, what did it... It increases it from a B, which is what..."

Topinka: "Six months."

Leverenz: "...to an A, which is what? Six months to a year?"

Topinka: "Yeah."

Leverenz: "What's the difference? Six months?"

Topinka: "What a difference a day makes."

Leverenz: "No. If you're doing one for one, the six months as a B is the six months as a A under the new one for one system. Is that correct?"

Topinka: "I think... I think, Representative, the six months would now become three months. That's what Representative Hawkinson was talking about when he said really and truly it just isn't going to increase it in reality. It's

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basically trying to keep it just where it is."

Leverenz: "How... How many pages will your press release be if this Bill should be passed?"

Topinka: "Voluminous."

Leverenz: "There's the best reason to vote 'no'. Thank you."

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

Topinka: "I think, you know, we've all laughed about the Bill, because with a name like aggravated fleeing it's pretty hard not to laugh about it. But there is a very serious type of... of reason for this Bill. In 38 states now, there's some form of alluding a police officer on the books. In eight, there is something similar to what we are proposing here, which is supported by the Department of Law Enforcement and law enforcement officials throughout the state. It's an ever increasing problem. I think my joint Sponsor, Representative McAuliffe, would probably agree because he is a police officer that it is extremely dangerous, and as these cars proceed to just take off, you know, willy-nilly and bang into other cars and bang into pedestrians the become a very serious menace on the street. It is increasing as more and more... less... more and more people less and less respect the law. I would encourage your vote on this particular issue."

Speaker Breslin: "The question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1794?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. This Bill requires 60 votes for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 60 voting 'aye', 31 voting 'no' and 15 voting 'present', and the House does adopt Conference Committee Report #1 to House... to Senate Bill 1794. And

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the Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of... On Supplemental #7 appears House Bill 2400, Representative Bowman and Representative Brookins. Are you... Are you prepared to go forward on this Conference Committee Report, House Bill 2400? Representative Brookins."

Brookins: "Yes, Madam Speaker, we move to concur with House Bill 2400, Conference Committee Report."

Speaker Breslin: "The Gentleman has moved to adopt Conference Committee Report #2 to House Bill 2400. And on that question, the Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Would the Gentleman yield for a question?"

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

Preston: "Representative Brookins, could you explain what Conference Committee Report #2 does? What... What will we be voting on?"

Brookins: "Yes. What has happened is the..."

Speaker Breslin: "Excuse me, Representative Brookins. Would you take this Bill out of the record?"

Brookins: "Okay. Out of the record."

Speaker Breslin: "Thank you. We'll get back to it tomorrow. Representative McPike, on the Adjournment Resolution, excuse me, the Adjournment Motion... Recess we're asking for."

McPike: "Does the Clerk have the Adjournment Resolution? We're going to adjourn till tomorrow."

Speaker Breslin: "Excuse me, Representative McPike. We would like to do the Agreed Resolutions first, if that's okay. Agreed Resolutions."

Clerk Leone: "Senate Joint Resolution 122, Vinson; House Resolution 1179, Panayotovitch - Vinson; and House Joint Resolution 171, Davis - Hastert."

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Speaker Breslin: "Representative Giorgi. Excuse me. Representative Cullerton, for what reason do you seek recognition?"

Cullerton: "Yes, could you... I would object to Senate Joint Resolution 122 being adopted tonight. That's not agreed tonight."

Speaker Breslin: "We're going to take the Agreed Resolutions out of the record at this time. Representative McPike is recognized to move to recess until 12:00 noon today. The reason for that is that we have already a new legislative day so we must recess from now until 12:00 noon."

McPike: "Thank you, Madam Speaker, and I so move."

Speaker Breslin: "Representative Leverenz and Representative Barnes, the Appropriations Chairman should stay, as... as spokesman of the Appropriations Committee as well as their staffs in order to get all of the Bills necessary for action by... by noon of this same day. Are there any further questions? Representative McPike has moved that we recess... that we recess until noon. Representative Piel, for what reason do you rise?"

Piel: "I might be wrong, but I think the parliamentary procedure is that you've got to take a Roll Call for Attendance before you can recess on that legislative day."

Speaker Breslin: "Tomorrow we will be taking that Attendance Roll Call at noon. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and this House stands in recess until 12:00 noon."

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