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Speaker Redmond: "The House will come to order. Members please be in their seats to be led in prayer by the Reverend Krueger, the House Chaplain. In case Appropriations II is listening, we will be recessing here in a few minutes right after we pray."

Father Krueger: "In the name of the Father, the Son, and the Holy Ghost. Amen. O Lord, bless this House to Thy service this day. Amen. It is written in the 12th verse of the 13th chapter of the Book of Proverbs: Hope deferred maketh the heart sick; but when the desire cometh, it is the tree of life. Let us pray. ALMIGHTY GOD, Thou who art the strength of the weak and the courage for those who do rise, we praise Thy holy name for all the plenteousness with which we have been endowed, and for our special calling to serve the people of the State of Illinois in this House of Representatives. Deepen our appreciation of the patients we must develop as we seek to carry forth with refined laws and new legislation. Develop our tenacity that we may persevere in our determination to bring forth equitability and stability that is harmonious to Thy wishes for all mankind; through Jesus Christ our Lord. Amen."

Speaker Redmond: "Pledge of Allegiance."

All: "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 Redmond: "Roll Call for Attendance. Take the record. We'll stand in recess till the call of the Chair. The... one of the Appropriations still needs a little more time. Representative Kosinski."

Kosinski: "Mr. Speaker, as a matter of record, Mr. Capparelli and I are removing our names from House Floor Amendment..."

Speaker Redmond: "Why don't we wait till we get back in Session. We're not in Session yet."

Kosinski: "Oh, I didn't know we weren't. Okay."



Speaker Bradley: "The House will be in order. Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in passage of Bills with the following titles to wit: House Bill number 3041 together with Amendments passed by the Senate as amended June 19, 1980. Kenneth Wright, Secretary."

Speaker Bradley: "Change of votes will be read now. Request for the change."

Clerk Leone: "Representative Pierce requests to vote 'no' on Amendment #3 to Senate Bill 1559. Are there any objections? Representative Catania wishes to vote 'no' to Amendment #3 on Senate Bill 1559. Are there any objections? Representative Giorgi wishes to vote 'no' on Senate Bill 1844. Are there any objections? Re...Representative Breslin wishes to vote 'no' on Senate Bill 1621."

Speaker Bradley: "Objection? Mr. Campbell."

Campbell: "Yes, Mr. Speaker, I would ask that you'd go to motions. I have a motion that I would like to make."

Speaker Bradley: "Well, let's read these first then we'll get to that motion."

Clerk Leone: "Representative Breslin wishes to vote 'no' on Senate Bill 1621. Are there any objections? Representative Breslin wishes to vote 'no' on Senate Bill 1709. Are there any objections? Representative Kent... Representative Boucek wishes to vote 'yes' on Senate Bill 1548. Are there any objections?"

Speaker Bradley: "Mr. Wolf, what purpose do you rise?"

Wolf: "Just an inquiry, Mr...Mr. Speaker. I assume none of these were verified Roll Calls."

Speaker Bradley: "True. Proceed."

Clerk Leone: "Representative Marovitz wishes to vote 'yes' on Senate Bill 1569. Are there any objections? Repre-



Representative Ewing wishes to vote 'no' on Amendment #1 to Senate Bill 1979. Are there any objections? Representative Currie wishes to vote 'yes' on Amendment #1 to Senate Bill 1979. Are there any objections? Representative Balanoff wishes to vote 'aye' on Senate Bill 1651. Are there any objections? Representative Balanoff wishes to vote 'aye' on Senate Bill 1620. Are there any objections? Representative Balanoff wishes to vote 'aye' on Senate Bill 1613. Are there any objections? Representative Murphy wishes to vote 'yes' on Senate Bill 1623. Are there any objections? Representative Bell wishes to vote 'yes' on Amendment #2 to Senate Bill 1841. Are there any objections? Representative Matula wishes to vote 'yes' on the motion to Senate Bill 1483. Are there any objections? Representative Hudson wishes to vote 'yes' on Senate Bill 1340. Are there any objections? Representative Johnson wishes to vote 'yes' on Senate Bills 1441, 1585, and 1619. Are there any objections? Representative Sumner wishes to vote 'no' on Senate Bill 1621. Are there any objections? Representative Breslin wishes to vote 'no' on the motion to discharge Senate Bill 1340. Are there any objections? Representative Sumner wishes to vote 'no' on the motion to discharge the Committee on Senate Bill 1810. Are there any objections? Representative Macdonald wishes to vote 'no' on concurrence to House Bill 3055. Are there any objections? Representative Balanoff wishes to vote 'aye' on Senate Bill 1585. Are there any objections? Representative Johnson wishes to vote 'no' on Senate Bill 1618. Are there any objections? Representative Sumner wishes to vote 'yes' on Senate Bill 1618. Are there any objections? Representative Ewing wishes to vote 'yes' on Senate Bill 1651. Are there any objections? Representative Totten wishes to vote 'aye' on Senate Bill 1628. Are there any objections? Representative Skinner wishes to vote 'yes' on House Bill



1844. Are there any objections? Representative McAuliffe wishes to vote 'yes' on Senate Bill 1844. Are there any objections? Representative Reed wishes to vote 'no' on Amendment #5 to Senate Bill 1639. Are there any objections? Representative Kent wishes to vote 'yes' on Senate Bill 1841. Are there any objections? Representative Karpziel wishes to vote 'aye' on Senate Bill 1651. Are there any objections?"

Speaker Bradley: "Hearing no objections, the record will so indicate those particular changes of votes. Let's go to Senate Bills Second Reading. Senate Bills Second Reading page four 1457. A fiscal note has been requested on that. 1480. Mr. Hoffman on the floor? Mr. Pierce on 1497. Representative Slape. Stanley,... Woodyard...McClain...his coat is there. McClain on the floor? Mahar...1631. Read it a second time, Mr. Clerk."

Clerk Leone: "Senate Bill 1631, a Bill for an Act making appropriations to the ordinary and contingent expenses of the Emergency Services and Disaster Agency, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Bradley: "Who asked you to do that? Mr. Mahar. What... I didn't...Are there any motions filed?"

Clerk Leone: "No motions filed."

Speaker Bradley: "Floor Amendments?"

Clerk Leone: "Amendment #2 was withdrawn. Floor Amendment #3, Mahar, amends Senate Bill 1631..."

Speaker Bradley: "The Gentleman from Cook, Mr. Mahar."

Mahar: "Thank...thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3 ^{adds} ~~has~~ ^{the} in ~~it~~ an amount of \$7,100 to the Bill. And the reason for that is the restoration of a communications dispatch supervisor of which \$3,500 is GRF, and the rest of it is federal funding. This Amendment has been approved and...by the Majority and the Minority by the Appropriations Committee,



and I know of no opposition. I would ask for its approval."

Speaker Bradley: "Discussion? The question's on the Gentleman's motion. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Bradley: "Third Reading. Senate Bill 1635. Out of the record request of the Sponsor. Senate Bill 1650. Mr...what purpose does Mr. Huskey arise?"

Huskey: "Mr. Chairman...personal privilege, Mr. Chairman."

Speaker Bradley: "State your point, Sir."

Huskey: "Mr. Chairman, I have Senator Don Moore with me. Just... each Lady in this House is a Cosponsor of House Bill 24. It just passed out of the Senate 53 to two."

Speaker Bradley: "Senate Bills Second Reading Senate Bill 1666. Mr. Telscer on the floor? Mr. Ebbesen on 1712. Read it a second time."

Clerk Leone: "Senate Bill 1712, a Bill for an Act to amend the Illinois Municipal Code, Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Bradley: "Any motions filed?"

Clerk Leone: "No motions filed."

Speaker Bradley: "Any Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Bradley: "The Gentleman from Macon, Mr. Dunn, what purpose do you rise?"

Dunn: "Mr...Mr. Speaker, one of the Amendments adopted in Committee was an Amendment offered by me to help resolve a local problem at home, and it appears, number one we may not need the Amendment, and number two, it creates legal problems with the Bill, and I would ask leave of the House to withdraw Amendment...Joe, do you know which number? Amendment number..."

Speaker Bradley: "Table that Amendment."

Dunn: "...Leave of the House to table Amendment #2 to Senate



Bill 1712."

Speaker Bradley: "The Committee Amendment?"

Dunn: "It is a Committee Amendment."

Speaker Bradley: "The Gentleman moves to table Committee Amendment #2 to Senate Bill 1712. If there are no objections we will use the Attendance Roll Call and that's tabled now. I am informed there are Floor Amendments to... Amendment #3..."

Clerk Leone: "Floor Amendment #3, Ebbesen, amends Senate Bill 1712 on page one line two and so forth."

Speaker Bradley: "Mr. Ebbesen on the Amendment."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, Amendment #3 is one suggested by the Attorney General's office. It merely defines municipalities as cities, and villages, and incorporated towns, and the Amendments change in the wording means that villages and incorporated towns would be included in the...as...under Section 1 of the Article 7 of the Constitution."

Speaker Bradley: "Discussion? The question's on the Gentleman's motion. All in favor signify by saying 'aye', opposed...opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Amendment #4, Ebbesen, amends Senate Bill 1712..."

Speaker Bradley: "The Gentleman from DeKalb, Mr. Ebbesen, on the Amendment."

Ebbesen: "Yes, the Amendment #4 merely gives non-home rule municipalities the need...there is a need for commercial revenue bond issuance authority, and such as home rule communities have, and that's all that this Amendment does."

Speaker Bradley: "Discussion on the Amendment? The question.. Mr. Getty."

Getty: "Will the Gentleman yield?"

Speaker Bradley: "He indicates he will."

Getty: "Does this expand the basis for the issuance of revenue bonds by this Amendment?"



Ebbesen: "Well, what it does is to...you know, when the non-home rule communities see the need for having the authority to...issue revenue bonds, and what the Amendment does is to allow non-home rule units to have that same authority that home rule units might have.".

Getty: "Do I understand the purpose of your Amendment is to merely permit non-home rule units to do the same thing that home rule units presently can do? Is that correct? Is that a yes?"

Ebbesen: "Yes, I'm sorry."

Getty: "It would not expand any additional powers?"

Ebbesen: "No. That is all."

Getty: "Thank you."

Speaker Bradley: "Further discussion? On the question then. Everybody in favor of the Gentleman's motion...The Gentleman from Cook, Mr. Bowman."

Bowman: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to ask the Sponsor a question."

Speaker Bradley: "He indicates he'll yield."

Bowman: "There...there is a little confusion on the floor here. I am...the Gentleman was speaking softly. I wonder if he could elaborate a little bit more on just what these powers are. I do understand that they are equivalent to powers that home rule units have and that they don't go beyond that, however, there is a very good reason for making distinction between home rule units and non-home rule units, and we don't, as the Legislature, intend to give every power that home rule units have to non-home rule units. So I would appreciate a little more complete explanation of precisely what kinds of projects there revenue bonds could be issued for and what...how they relate to...limitations on local government debts."

Ebbesen: "Well, for one thing, you can take, you know, the development or construction of a new shopping center or an office building center, something like that, and



the only manner in which a non-home rule unit can do now is to...it's got to be in a blighted area, and there has been a lot of encouragement on the part of non-home rule units that they be allowed under this particular Amendment or such an Amendment be proposed to allow them to have such construction of shopping centers or an office building center as a non-home rule unit. And I guess, the basic thrust is...you know, you're talking about a development for a non-home rule municipality that could provide employment for nearby residents, work construction, trades, what have you. I guess that's the basic thrust behind it."

Bowman: "Well, there was one other part to the question, Sir. Could you tell us whether there is any limitation, constitutionally or otherwise by law upon the amount of such debt which can be issued."

Ebbesen: "I can't answer that question."

Bowman: "Well, Mr. Speaker, if I may speak to the Bill..."

Bradley: "Proceed."

Bowman: "I think that this is an inappropriate extension of powers to units of local government who are not home rule units. The...two points I would like to make. First of all, the kinds of projects which are being contemplated by this Amendment are precisely the kinds of projects which have blossomed all over the United States and which they are leading the Congress of the United States to consider changing the tax status of bonds which are issued for such purposes, because there has been a flood of these bonds on the market and it seems to me this is a poor time to consider extending powers of local government in this direction. Secondly, and I would like to answer the question which I posed to the... the Sponsor of this legislation, that there is no limitation on the amount of revenue bonds which can be issued. There is no limitation on that debt. That kind of debt was, in effect, discovered a couple of generations



ago by communities in the state to circumvent the limitation^S imposed^I on them for issuance of general obligation debt. This, in effect, is a back door financing that cannot come through the front door. This expands the amount of debt that local governments are incurring, and I think the taxpayers would be very poorly served at this time by authorizing issuance of debt upon which there is no limitation either in the Constitution or otherwise by law. So I urge the defeat of this Amendment."

Speaker Bradley: "The Gentleman from Cook, Mr. Mahar."

Mahar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Amendment. One of the things that has been going on in Illinois and was recently approved by the Supreme Court is tax increment financing which allows local municipalities to finance dilapidated areas with their own money. Now if they have the opportunity, non-home rule units have the opportunity to use revenue bonds, it will enhance them very much. There are several municipalities throughout the State of Illinois now that are starting a tax increment financing program, and this will very greatly aid them, and I know that in my district that practically every municipality is in support of this because you take a situation where you have a very dilapidated with a low tax return, you have an opportunity to...to get that money back through this process, and I would urge everyone to support this Amendment."

Speaker Bradley: "Any further discussion? Mr. Skinner...on the Amendment."

Skinner: "Yes, I would wonder if the Sponsor could tell us if we will be giving extra territorial authority in non-home rule units that now home rule units only have. And the instance...the instance I specifically refer to is the village of South Barrington selling revenue bonds to finance the building of Marshal Field Stores in my



district, and in return, they are getting about a \$90,000 ...well, an impolite way to be...to put it would be a bribe from Marshal Fields. Would this give that same authority to non-home rule units?"

Speaker Bradley: "Turn on Mr. Ebbesen please."

Ebbesen: "I believe anybody can bribe anybody at any time, you know."

Skinner: "No, this is a kick back basically..."

Ebbesen: "Well, whatever, you know. Whatever...you answered your own question."

Skinner: "Well, I don't know whether in non-territorial ability is included in your Amendment or not. It makes a great deal of sense that non-home rule units have the same authority that home rule units have in this respect in my opinion. But I don't think that a non-home rule unit, for example West Dundee, should be build...should be financing a store in Barrington or in let's say... let's take a home rule unit...in Elgin."

Ebbesen: "I think that this Amendment really addresses itself to that very problem."

Skinner: "Which way though?"

Ebbesen: "Let me yield over here to..."

Skinner: "Sure."

Ebbesen: "...Sam Vinson who in Committee made this suggestion and this Amendment is as a result of some of his thoughts."



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

Vinson: "Yes, Representative Skinner, the reason why that situation currently exists that you're referring to is that the non-home-rule unit can't issue these kinds of bonds, and with this Amendment, they'll be able to issue the bonds, not extra-territorially. There's no provision for that in the Amendment."

Skinner: "Oh. Alright. Thank you."

Speaker Bradley: "Further discussion?"

Vinson: "Mr. Speaker?"

Speaker Bradley: "Yes sir."

Vinson: "After responding to that question, I'd like to speak to the Amendment."

Speaker Bradley: "Proceed."

Vinson: "The Amendment, I think, is a highly desirable Amendment for at least three reasons. First of all, most surrounding states or particularly Indiana, Kentucky, Missouri already permit precisely this kind of arrangement, and for those who are late coming to the floor, I might point out precisely what it is the Amendment does. The Amendment authorizes Illinois non-home-rule units to issue industrial revenue bonds for commercial facilities. They currently cannot do that. And they are placed particularly in southern, western, and eastern Illinois at a substantial disadvantage to those surrounding states because in those states such bonds can be issued. You frequently have facilities of a commercial nature which look at the location question on the basis of whether a unit of government can do this. I'm personally familiar with a situation where this has occurred. And the Amendment will place us on a competitive equality with those states and those units of government in those states. Secondly, one concern of some people is, are you with this Amendment increasing the debt burden of local government? And the answer is, you are not. The local



government bears no burden with these kinds of bonds. The bonds are a lien against the particular real estate that they finance. Not local government real estate, but the private real estate. And the local government assumes no responsibility for retiring the bonds. The bondholders' only recourse is against the particular piece of ^{private} real estate. Finally, what I believe these will do is place non-home-rule units on an equality basis with the home-rule units which can currently do this, I believe, reasonably do it, and I believe had the ability to attract increase jobs, business, commercial development because they can to this. The Amendment is a highly desirable step. It's a step forward. It's something we ought to do for jobs in Illinois. I would urge adoption of the Amendment."

Speaker Bradley: "The Gentleman from Cook, Mr. Williams."

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

Actually I did have my light on to speak, but I think Representative Vinson certainly gave the explanation very well. The only thing that I wanted to say is that I do stand in...in great support of this, and I can cite a perfect, you know, reason in my own community. Now in Franklin Park we are a non-home rule municipality, and we are able to issue the industrial revenue bonds for plant expansion, etcetera, etcetera. We had one of the large companies, A.M. Castle Company, who wanted to build and to actually expand their office facilities. Now we found out that as a non-home rule municipality we could not issue the industrial revenue bonds for the expansion of actually office facilities and yet we could issue the bonds if they were going to add some manufacturing space. Now I think this is silly, and what we really had to do, they said that we could go to the nearest home rule municipality within five miles and get them to okay this for the non-home rule municipality. This we were able to do, but it is kind of silly that if we do have



the authority as a non-home rule municipality to...to actually...you know, to issue the bonds for plant expansion, then why shouldn't we be able to issue the bonds actually for office expansion? So I think this is an excellent Amendment and I urge everyone to support it. Thank you."

Speaker Bradley: "Further discussion? Mr. Yourell."

Yourell: "Yes, thank you, Mr. Speaker. A parliamentary inquiry. Would you ask the Parliamentarian if this Amendment is germane?"

Speaker Bradley: "The Parliamentarian is in the Reference Bureau, right now. Mr. Giorgi."

Giorgi: "Mr. Speaker, while you are waiting for the Parliamentarian, maybe the Sponsor of the Amendment can tell me... I understand that industrial revenue bonds were first used solely for land acquisition and plant expansion. Now Jack tells us that an office part of the building can't be expanded, but I am told that revenue bonds can be used for the purchase of machinery. And I am wondering how far into operating expenses industrial revenue bonds are giving into now. Would the Sponsor of the Amendment know the answer to those questions?"

Speaker Bradley: "Mr. Ebbesen. And if the Parliamentarian hears me in the Reference Bureau, would he please return to the floor?"

Ebbesen: "Representative Giorgi, I didn't really hear the question too well."

Giorgi: "To begin with, industrial revenue bonds were used for a land acquisition or the building of plants, and now Representative Williams tells us that they were precluded from expanding the office part of the plant but they could use the money to expand the manufacturing part of the plant. I am told by the industrial revenue bond people that they can purchase machinery with industrial revenue bonds. Now is that...was that the intent of the industrial revenue bonds? Is that true, and are they now



using the money for operating expenses also? I thought industrial revenue bonds shouldn't be used for operating expenses. Now if you are allowed to purchase machinery, how far are we getting into the operating expenses with industrial revenue bonds?"

Ebbesen: "Well, maybe someone on the House floor can answer that that is more familiar with it than I am, but I can't answer that question."

Giorgi: "Well, is the industrial revenue...are you putting this in for the industrial revenue people, or who are you putting it in for?" Who requested the legislation?"

Ebbesen: "The...this particular Amendment was suggested in Committee in a discussion of the dialogue that took place between the Committee and the Sponsor of the Bill... the Senate Sponsor, by Representative Vinson, and also the Municipal League had a tremendously large number of requests for...from non-home rule units for this authority. And it is really the Municipal League's... request."

Giorgi: "Yeah, but don't you think ^{exceptionally} you ought to be worried as to whether industrial revenue bonds are going to be used for their...for the purchase of machinery in a plant which is not a..."

Ebbesen: "I can't answer that question. I told you that."

Giorgi: "You should know the subject more thoroughly than you do then."

Ebbesen: "I appreciate a favorable Roll Call, Mr. Chairman... Mr. Speaker."

Speaker Bradley: "The question's on the Gentleman's motion. All in favor signify by saying 'aye', opposed...Well, wait a minute...hold it...hold it just one minute. Here is the Parliamentarian. While the Parliamentarian is looking at the germaneness point. Mr. Peters for the purpose of an introduction."

Peters: "Thank you very much, Mr. Speaker...for this opportunity, and Ladies and Gentlemen of the House if I might just have



you attention for a moment. One of the departments of government that this General Assembly has evidenced a great deal of interest in is the Department of Children and Family Services. That Department cares for some 28,000 children, and young men, and young women in the State of Illinois, and we have, I think, given our interest and support to that department. There is sometimes some criticism of what we do, of what the department does, and of what the attitudes and attention span and what have you of the young people is today. I would like to introduce to you with your indulgence the winners of the Department of Children and Family Services scholarship program. They come from a number of cities throughout the state, and I think they are representatives of the young men and women in that department and what, in fact, we can end up doing. Ladies and Gentlemen, the 28,000 young people in that department, in a sense, are our children. We take care of them. We care for them. We are, as somebody says behind me, we are their parents. We have that responsibility. I think today is a day in which we can share with them their happiness and their joy and our happiness and joy at the accomplishments they have made and the goals that they have set for themselves. And I'm especially thankful here to the director of the department for the work he has done and to Representative Bradley for allowing me and the Speaker,...allowing me to make these presentations to you here today. If I might introduce, starting on my right, Angela 'Apros', who will be attending the University...Illinois State University majoring in art; Steve 'Bernard' who will be attending the University of Illinois majoring in electrical engineering; Ronnie Carter who will be attending Illinois State University majoring in business administration; Christina 'Dranka' who will be attending Northern Illinois University majoring in social work and physical education; Bob 'Glenn' who will be...where are



you at, Bob? Bob is on this side of me now who will be attending Augustana College and majoring in law. And those of you who are going to end up needing a partner, he's open to offers right now. Andrew 'Polman'... where you at, Andy...Hoffman...Andrew Hoffman who will be at Rose 'Holeman' University majoring in engineering and computer science; Dianne 'Ortise'...Dianne who will be at Elmhurst College majoring in business administration and education; and at the University of Illinois, political scientist, and we certainly can use that kind of help here, Raymond 'Rizario', and finally Loyola University... attending Loyola University in computer sciences, Michael 'Sebenhour'. The DCFS winners...our kids." The lawyer is going to say a word."

'Glenn': "I would like to thank DCFS for presenting us these awards because these came to a total surprise to all of us, and you know, I would like to thank everybody, and I would like to be here in a few years myself."

Peters: "Thank you very much again, Representative Bradley. Thank you very much, Ladies and Gentlemen."

Speaker Bradley: "The ger...the Amendment is germane, and on the motion...Gentleman's motion...all in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment...#5, Robbins, amends Senate Bill 1717 on page one line one and so forth."

Speaker Bradley: "Mr. Robbins on the Amendment." The Gentleman from Wayne, Mr. Robbins, is this your Amendment, Sir? The Gentleman from Cook, Mr. Getty."

Getty: "I am advised it has not been printed, Mr. Speaker."

Speaker Bradley: "I understand #5 and 6 have not been printed. They were just filed this morning. Why don't we hold the Bill on Second Reading. We'll come back to them when they are printed. Alright? Mr. Getty, what purpose do you rise?"



Getty: "Well, Mr. Speaker, it just seems to me that Mr. Ebbesen ought to indicate if he wanted to have this Bill held."

Speaker Bradley: "Mr. Ebbesen, what purpose do you rise?"

Ebbesen: "Well, Mr. Speaker, I was unaware there were any more Amendments to the Bill. That is why I hesitated here. I understand there is an Amendment #5 and Amendment #6. Whose Amendments are they?"

Speaker Bradley: "Mr. Robbins Amendments."

Ebbesen: "Are those Amendments germane to the Bill? I haven't even seen them."

Speaker Bradley: "We'll make that determination for you. Maybe Mr. Robbins better walk back and talk to Mr. Ebbesen."

Speaker Redmond: "At this time I would like to turn the podium over to Representative Jim Taylor, the Assistant Majority Leader. Purpose of an introduction."

Taylor: "Thank you very much, Mr. Speaker. We have with us today a group of visiting guests from Nigeria, and they are here just to see how operation as many of us came. They are just a young government, and I want to bring to you now the Majority Leader and the Minority Leader from Nigeria. They are from the 'Bendale' state. The Majority Leader, and I think he better pronounce his name."

Nigerian Majority Leader: "My name is.....(remarks made by Majority Leader.) Thank you."

Taylor: "And because we still recognize that we have a Minority Party in our state, we also brought along the Minority Party from the state of 'Bendale', and that is Dr. James 'Obojawa'. Dr. James 'Obojawa.'"

Dr. 'Obojawa': "Thank you very much indeed. I...we feel very privileged to be present in the Legislature of Springfield, Illinois, and I think this is quite a historic moment for all of us present this day. Since our arrival...since yesterday, we have been privileged to



meet many friends from the states, and since our arrival to this historical building we have been treated in a very friendly manner. As you probably realize, we are here to watch and see you in action and to learn from you because we have only just started to operate the American presidential system, and we feel very pleased to be present with you today. We hope that by the time we go we will carry with us some of the experiences we have acquired because because of the years. Thank you very much indeed. Thank you."

Taylor: "Thank you very much, Doctor. Mr. Clerk, do you have a Resolution? Read it please."

Clerk O'Brien: "House Resolution 889, offered by Speaker Redmond, whereas the Illinois General Assembly is extremely honored to receive the visiting delegation of Members of the House of Assembly of Bendel State, Nigeria; and whereas in this age of world-wide conflicts and misunderstandings, we are gratified to acknowledge and continue the great friendship that has long existed between Nigeria and the United States, as evidence by the strong cultural and commercial exchanges between our two countries; and whereas in evidence of our countries ties and despite grave international pressures, Nigeria has continued to provide a constant and generous supply of oil to help in meeting the needs of America; and whereas we are privileged to welcome to honorable Members of the Bendel State House of Assembly: Prince Okpanbeni John; Mr. Joshua Aiwerioghene; Dr. James Otubini Akpojaro; Mr. Felix Ezika Chilebo; Mr. Joshua Adeleke Omoluabi; Mr. Job Obanor; Chief Harrison Jefia; Chief Van John Nwoko; Mr. Sunny Arnold Egas Emen; Mr. Charles Adogah; Mr. Vincent Ogan; and Mr. Goodwin Solomon Jideonwo; and whereas the occasion of this visit affords the citizens of both countries a unique opportunity to communicate and forge new ideals of understanding and friendship between our two people; therefore be it resolved by the House of Representatives of the 81st General Assembly of the State of Illinois, that we express our deep respect and appreciation to the esteemed Members of the Bendel State House of Assembly for honoring the State of Illinois and its citizens with their visit; and be it further resolved that we utilize this momentous occasion to discuss and formulate new sources of cultural and economic information and exchange between Illinois and Nigeria; and be



it further resolved that suitable copies of this preamble and Resolution be presented to our distinguished guests as a token of our honor at receiving this visit and as a hope for a continuance and furtherance of friendship and exchange between our two societies. Adopted by the House of Representatives June 19, 1980."

Taylor: "Thank you very much. The Speaker moves for the adoption. All in favor signify by saying 'aye', 'aye', and the Resolution is adopted, and let me say thanks to those visiting guests, and do come again. We plan to make a visit to that country, and tomorrow morning I hope to have breakfast at the Mansion View, and all of those that would like to stop by and visit with them, they will be there about 7:30 tomorrow morning at the Mansion View Motel. Thank you."

Speaker Bradley: "Mr. Robbins has indicated that he will withdraw Amendments #5 and 6 at the request of Mr. Ebbesen, so let's table those two. Alright...they're withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."



Speaker Bradley: "Third Reading. 1726. Mr. Mautino...Senate Bill 1726. You wish to call it? Read it a second time."

Clerk O'Brien: "Senate Bill 1726, a Bill for an Act to amend Sections of the Unemployment Insurance Act, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Bradley: "Any motions relative to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Bradley: "Floor Amendments."

Clerk O'Brien: "Floor Amendment #2 Schuenman, amends Senate Bill 1726 on page seven..."

Speaker Bradley: "The Gentleman from White Side, Mr. Schuenman:"

Schuneman: "Yes, thank you, Mr. Speaker. Amendment #2 makes a technical change in the Bill in that...the present language in Senate Bill 1726 as it came over from the Senate contains a provision which would place Illinois in non-conformity with the federal law. This Amendment merely clarifies that language without changing the intent of it, and the language deals with the problem that the City of Chicago had in employees receiving unemployment compensation while they were under disciplinary action, and I move the adoption of the Amendment."

Speaker Bradley: "Is there any discussion? Mr. Mautino."

Mautino: "Yes, I stand in support of this Amendment. It is an agreed Amendment. It has also been put on 2824 in the Senate. Clarifying language, and I would ask for a 'yes' vote."

Speaker Bradley: "All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Amendment #3, Mautino, amends Senate Bill 1726 on page 26..."

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

Mautino: "Yes, I would ask leave to hear Amendment #3 and



Amendment #4 together if I may. They both address the same question and do...I need both of them together to accomplish what I intend to present to the Assembly here today."

Speaker Bradley: "Discussion?"

Mautino: "May I have Amendments #3 and 4 then heard at the same time?"

Speaker Bradley: "Alright. Is there any objection? Hearing no objection we'll hear 3 and 4 together...Amendments #3 and 4."

Mautino: "Right. Amendment #3 and Amendment #4 to 1726 may be controversial. It is agreeable to the...one of the Senate Sponsors, Senator Donnewald, and it is a controversial proposal in some peoples' minds. I think it is the correct approach to addressing the question of a voluntary quit and a chargeback under unemployment compensation. What these two Amendments do basically is affect the state's experience factor and it...states basically that if there is a voluntary quit from a person leaving employer A for employer B there would be no chargeback to either employer A or employer B. It affects about 20,000 employees in the State of Illinois. It will have a minimal effect in my estimation on a total of about 79¢ per employee over the State of Illinois. It will not affect those at the highest level of the rate structure or the lowest, but those in between, and it is a provision that has not been totally agreed upon, but it has been accepted by one of the Sponsors of the Bill in the Senate."

Speaker Bradley: "Discussion? The Gentleman from White Side, Mr. Schuneman."

Schuneman: "Thank you, Mr. Speaker. Representative Mautino and I are in agreement on a number of these Amendments. but we are definitely not in agreement on this Amendment. I have a later Amendment, number 5, which I think is a better solution to this problem. For those of you who



are interested in unemployment compensation, I hope you pay attention to this discussion because..."

Speaker Bradley: "Could we have some order please..."

Schuneman: "...Because Amendment #5, which I will be offering soon, will put the chargeback provision in this Bill into the same posture as Representative Lechowicz' Bill, 18...or House Bill 2824 which this House passed out of here earlier. I think Representative Mautino's Amendment is defective in that it would not have any chargeback provision at all as respects many people who voluntarily leave their jobs. This means that no employer would object to those claims filed by employment who are voluntarily leaving their jobs. I think that this particular provision also does not include those employees who voluntarily quit their jobs and don't take subsequent employment. So I offer to you the argument that this Amendment is inferior to the Amendment that is going to be offered in a minute, and that is Amendment #5, and I would urge the defeat of this Amendment."

Speaker Bradley: "The Gentleman from Cook, Mr. Getty."

Getty: "Mr. Speaker, it...I just wondered if maybe Representative Mautino could tell us if he knows if Representative Lechowicz who has had quite a bit of input into this area is in favor of this Amendment, if he has discussed it with him, then this is...and has been purported to be an agreed Bill. I am wondering if we are getting into an area here where it is not an agreed Bill."

Speaker Bradley: "Mr. Mautino, do you wish to respond?"

Mautino: "Yes, in response to your question, Representative Getty. I believe Representative Lechowicz is in support of Amendment #6. I must point out totally that this Amendment, in my estimation, does not affect Amendment #6. It is a provision...it is a provision which I think will have to be put in the law either this year or next year to address that question



of who gets chargd. Under both the agreed Bills, the next subsequent employer is chargd for the benefits that accrue to a voluntary quit person under unemployment compensation. He is in favor of #6. Number 3 and 4 that I presented were my Amendments originally introduced in '78 under House Bill 3177. I think it is...I think they are good Amendments, but I said earlier, they are controversial. If it is the feeling of the House that they don't want to accept this, I'm not going to stand here and fight it."

Getty: "My...my concern is that this is...my understanding at least is that this has been presented as an agreed Bill. Is that correct?"

Mautino: "Well, it is not a total agreed Bill because there were some Amendments that were not adopted in the Senate. According to the Senate Sponsors and the Amendments that we are presenting...together, it would constitute the agreed Bill with this additional provision. Yes, Sir."

Getty: "Alright, then the affect of adopting this Amendment might very well be to kill the agreed Bill."

Mautino: "It is not my intention to kill any agreed Bill on unemployment compensation because it does not address the same questions that were in the agreed Bill. This is another aspect of the chargeback provision. For those of you who are familiar with the chargeback provision, let me explain how it works, and you can decide for yourself. If in fact a person voluntary...voluntarily leaves an employer and goes to work for someone else and subsequently leaves that person, the...under the existing law, the first employer is charged for whatever that employee draws. If he draws \$3000, that is included in the chargeback provision. His rate may go from four-tenths of one percent to four percent in order to pay back those dollars. What this Amendment does is spread that whole total cost over the system and it is very similar to insurance. It is called spreading



the risk. This, in fact, is the opposition on the Democratic side of the aisle. I would be happy to withdraw it. I do think it is the correct thing to do, but it is just my Cosponsor is in opposition, my floor Leader is in opposition, I would be happy to withdraw it."

Getty: "Well, Mr. Speaker, Members of the House, in addressing myself to the Amendment, regardless of the merits of this Amendment as Representative Mautino explains them, it appears to me that if indeed we are going to accept an agreed Bill. To put on an Amendment that is clearly not an agreed Amendment as the Sponsor indicates it is not an agreed Amendment, is to put the entire Bill into jeopardy. I respectfully suggest that if we were to do that, we will be faced with a situation where we will be hurting not only the workers of the state possibly, but the employers of the state because we will end up not having legislation, and I think it is very dangerous to put a Bill such as this that is an agreed Bill into jeopardy."

Speaker Bradley: "Maybe we could take care of this situation. I think that Mr. Mautino is offering to withdraw the two Amendments. Is that correct, Mr. Mautino, or do you want to persist?"

Mautino: "Well, basically, as I said, if that is the position of Members of both sides. I do think if I withdraw these Amendments, it is the proper procedure to take, every employer in the State of Illinois will be very happy with it, and I think eventually it will be part of the law because it is the right, and proper, and responsible thing to do. But if there is a problem with it, I would be happy to withdraw it knowing full well that everyone in this Assembly should know what those chargeback provisions are, what the absolute cost is, like 79¢ per employee, and it'd cause us all a lot of less headaches from the employers in the state if we were to adopt it."

Speaker Bradley: "So you're withdrawing Amendments #3 and 4?"



Mautino: "Well, I'm looking at Representative Lechowicz now, and I would be..."

Speaker Bradley: "Alright, while you're looking, making that decision, the Gentleman from Coles. Mr. Stuffle."

Stuffle: "Yes, Representative Mautino, would you yield to a question?"

Speaker Bradley: "He indicates he will."

Stuffle: "Dick, two questions really. Number one, you made some allusion to the Senate Sponsors of this Bill, and you indicated, I think, that Senator Donnewald supported the Amendment. Where is the opposition from the Senate sponsorship? Is it among on Party, or Senator Rock, or who?"

Mautino: "No, Sir. Yesterday when I met on the floor with Senator...Senator Donnewald and Senator DeAngelis. Senator Donnewald agreed that this provision, he now feels is pretty good, and he would accept it. Representative DeAngelis says that whatever Cal Schuneman would like to do as my major Cosponsor is totally in his hands, and he would abide by whatever Representative Schuneman decided. Representative Schuneman is now opposed to that provision, so I don't want to cause any problems with it. I just want to get it squared away."

Stuffle: "I didn't...don't know if it was directed as a question, but what is your response to Representative Schuneman's remark that in effect by the elimination of the chargeback the way you are doing it, that there will be no incentive to challenge these particular workers."

Mautino: "This only would affect in the long term...would only affect the state experience rate. Now the state experience factor, by law, says that any time of movement, it reduces it by one percent positive. That means we go from a state experience factor of 119 down to 118 at an absolute cost of 79¢ per employee at the two point seven rate that everybody comes into." But I think..."



Stuffle: "I disagree...we disagree..."

Mautino: "Okay..."

Stuffle: "He's saying though,...is he not saying that you won't have an incentive to go down and challenge that particular individual that is involved here though?"

Mautino: "There will always be incentive to challenge, and I think if the employers have been doing so, you'll find that 80 to 90 percent of the challenges have been withheld...upheld for the employer in most cases. Representative Lechowicz has asked me to withdraw it, and I will be happy to do so, but I think it was the right proposal anyway."

Speaker Bradley: "Alright, the Gentleman withdraws Amendments #3 and 4. Further Amendments? Three and four were withdrawn."

Clerk O'Brien: "Floor Amendment #5, Schuneman amends Senate Bill 1726..."

Speaker Bradley: "The Gentleman from White Side, Mr. Schuneman on the Amendment."

Schuneman: "Thank you, Mr. Speaker. This is the Amendment that I mentioned earlier. This Amendment simply puts the language in Senate Bill 1726 as ^{respects} respects the chargeback provision into the same posture as Representative Lechowicz' Bill, House Bill 2824, and I would move the adoption of the Amendment #5. And I assume that Representative Mautino now supports this Amendment."

Speaker Bradley: "Discussion? Mr. Mautino."

Mautino: "Yes, as I understand this, this is the same provision in Representative Lechowicz' Bill, and I do support it 'as per our agreement'."

Speaker Bradley: "Alright, the question's on the Gentleman's motion. All in favor signify by saying 'aye', 'aye', opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, Currie, amends Senate Bill



1726..."

Speaker Bradley: "The Lady from Lake, Mrs. Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. Amendment #6 to House...to Senate Bill 1726 would return the sexual harrassment exemption to the new voluntary quit provisions to make this the...in the same form as the Bill we passed out already, House Bill 2824, Representative Lechowicz's Bill. It would restore Senate Bill 1726 to another provision of the original agreed Bill. I move its adoption."

Speaker Bradley: "What purpose does the Gentleman from Cook, Mr. Jaffe, arise?"

Jaffe: "Just a point of order, Mr. Speaker. Do we have a Calendar?"

Speaker Bradley: "Aren't they distributed? Would one of the pages get a Calendar for Mr. Jaffe? Alright. Discussion on the Lady's Amendment? The Gentleman from White Side, Mr. Schuneman."

Schuneman: "Mr. Speaker, has this Amendment been printed and distributed?"

Speaker Bradley: "It has on our side, yes. On the Republicans' side, they've got it. They indicate they have it."

Schuneman: "Okay, could I ask the Sponsor to repeat...I have not had a copy of this..."

Speaker Bradley: "Mrs. Currie, would you repeat what the Amendment does please?"

Currie: "In fact, Representative Schuneman, I'll read it to you. This would add the exception...exemption from the new voluntary quit provision that is already a provision in House Bill 2824. It is the sex harrassment exemption. And it reads..."

Speaker Bradley: "Further discussion? Mr. Mautino."

Schuneman: "Well, I have no objections..."

Speaker Bradley: "Alright...on the Lady's motion then.

All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further



Amendments?"

Clerk O'Brien: "Floor Amendment #7, Wikoff-Anderson, amends Senate Bill 1626 (sic) as amended by deleting the effective date Section and inserting in lieu thereof the following, Section 2 and so forth."

Speaker Bradley: "Mr. Wikoff on the Amendment. Who's handling the Amendment? Mr. Getty, what purpose do you rise?"

Getty: "I wonder if the Clerk would read that Amendment again please? I thought I heard him say 1626."

Clerk O'Brien: "I sure did. This is an Amendment to 1626."

Speaker Bradley: "Thank you for bringing that to our attention. Further Amendments? No further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "Third Reading. 7...1729. Mr. Schneider. is he on the floor? Out of the record. 1822..."

Clerk O'Brien: "Senate Bill 1822, a Bill for an Act in relation to the publication by the Secretary of State of an Illinois Administrative Code containing all rules of state agencies, Second Reading of the Bill. No Committee Amendments."

Speaker Bradley: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Representative Yourell, amends Senate Bill 1822 as amended by deleting the title and inserting in lieu thereof the following and so forth."

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

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to Senate Bill 1822 adds the shift of the burden of proof provision to this Bill. We have debated this provision in detail several times previously. It is virtually identical to Senate Bill 307 which was passed overwhelmingly last spring. It narrowly failed in the House to receive the two-thirds Majority vote required to override the Governor's veto this last fall. The only change which is being made from



the previous Bill is the addition of a sentence which says that failure to object should not be construed, as approved by the rules...by the Joint Committee or the General Assembly. This is an important clarification. I move for the adoption of Amendment #1 to Senate Bill 1822."

Speaker Bradley: "What purpose does the Gentleman from Cook, Mr. Conti, arise?"

Conti: "Well, Mr. Speaker, I have been trying to get your attention before Mr. Yourell was called. 1728 was next in line, can I have an explanation why we went out of the line of calling 1728. That Bill was up next."

Speaker Bradley: "We'll get...we'll get back to it, Mr. Conti."

Conti: "Well is there any explanation why that Bill was bypassed?"

Speaker Bradley: "Well,...we'll get back to it very shortly. Is this on the Amendment, Mr. Leinenweber? Mr. Leinenweber on the Amendment."

Leinenweber: "Thank you, Mr. Speaker, Members of the House. I rise in opposition to Amendment #1 to Senate Bill 1822. As the Sponsor pointed out, this is a...certainly not a new idea...not a new concept which has been debated on the floor of the House, but it is one that we have, from time to time, considered, and fortunately not passed into law. It is a rather marked change in concept of what started out as probably a fairly good idea, and that was to have some kind of legislative oversight of what our administrative agencies are doing when we give them legislative authority to enact rules. This... Amendment which, I don't know if it becomes the Bill or not, but adds to the already extensive powers and duties of the Joint Committee on administrative rules, the power to, in effect,...to effect the actual workings of administrative rules which is an exercise of the executive department. It is not a good idea. It wasn't



a good idea last...whenever it was we considered this... numerous times...the Governor vetoed it before we wisely acceded to his veto. I don't think we ought to put this Amendment on this Bill which is certainly not of emergency nature, and rekindle all of these old arguments which are going to be vetoed any way. And with the make-up of the House essentially the same...wise... minds that were here last year. I think we should reject this Amendment, and I would ask for a Roll Call."

Speaker Bradley: "Further discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, would the Sponsor yield for a question, Mr. Speaker? Should I understand from Representative Leinenweber's comments that this is the burden of proof concept?"

Yourell: "That's correct."

Vinson: "...That the House rejected last winter?"

Yourell: "No, the House passed it overwhelmingly."

Vinson: "Well, I thought it came back to the House, and I vaguely recall a verified Roll Call where there was inadequate support for it. Is that right?"

Yourell: "What happened, it passed the House with a big Majority. It passed the Senate with a big Majority, and I believe only fell two or three votes short of the 107 required to override the Governor's veto. And I think after my conversation with you and with others over there, you had decided that this was in the best interests of the...of the General Assembly in support of the Bill and... at the end."

Vinson: "Well, I...now wait a minute...let me...maybe I am confused on Bills. Is this the...reverse the burden of proof, or does this apply to the legislative veto?"

Yourell: "The legislative veto is passed the Senate. It'll be over here very shortly as another Amendment. But this is the shift in the burden of proof from



those who have always been obligated to provide the burden of proof to the agency. This only gives the General Assembly more input and more responsibility to the agency rules. This concept is, as I've indicated, the same that appeared in House Bill 307 which passed out of this House with a very favorable majority in the Senate as well, and narrowly lost in the override veto of the Governor."

Vinson: "Well, to the Amendment, Mr. Speaker. My recollection of my commitment to you Mr. Yourell is that I would support the legislative veto, and that I would not support this. And the reason why I would support the legislative veto is that before it becomes effective the entire House has to act on the legislative veto. My understanding of this Bill, unless it's been changed, is that the reversal of the burden of proof, the authority to do that is totally vested in the Joint Committee. And, for that reason, I continue to oppose this but will continue to support the legislative veto. The problem with this is that it has one Committee, one small group of the Legislature acting in a fashion which takes authority away from the full Legislature so that when a Member of this House votes on a Bill, sponsors a Bill, passes a Bill and has an intent to have that Bill enacted a small group of this House and of the Senate can come back and defeat that total intent. It is not... you never have an opportunity to check, control, review, or in anyway influence the authority of the Joint Committee with this Bill. With the legislative veto Bill which is a highly desirable way, in my judgment, to control the bureaucrats this full House acts on it, and the intent of every Legislator can be manifested. And you can control the bureaucracy as well as control this Committee. The problem with this Bill, on the other hand, is that the individual Members may take some



authority away from the existing bureaucracy while they vest it in a new bureaucracy the Joint Committee. I don't think we ought to do that, but I do think we ought to go the legislative veto route which would take the power away from the existing bureaucracy and vest it here in the whole House where every Member has a voice and an influence. So I would urge rejection of the Amendment and I would also request a Roll Call on this, Mr. Speaker. Thank you."

Speaker Bradley: "Further discussion? The question's on the Gentleman's motion... Mr. Yourell."

Yourell: "Yes, just briefly to close, Mr. Speaker.

All this provision, this Amendment will do will provide an additional provision to give the Legislator more effective control over rules and regulations of the various state agencies which violate or ignore the statutory authority or the intent of the legislation that this General Assembly acts on. That's all it does. It has worked well in other states, and I would suggest in order to strengthen our control over state agencies so that we will have a means of providing the opportunity to have the agencies prove that the General Assembly, relative to legislation that affects the agencies and affects the public of this state, will be more forceful. I urge you to give us an aye vote on Amendment #1 to Senate Bill 1822."

Speaker Bradley: "Question's on the Gentleman's motion.

All in favor signify by saying 'aye'. Opposed 'no'.
Mr. Leinenweber."

Leinenweber: "When I made my remarks I specifically requested a Roll Call, and I think five people joined me."

Speaker Bradley: "Alright. Fine. On the question. All in favor signify...well, wait a minute...Roll Call for Attendance. Everybody that's here...the Lady from Lake, Mrs. Frederick."

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



I rise to make an announcement. I would like to remind you all of the Mr. Wonderful Contest which is going to be Sunday afternoon, June 29. For \$25 you will have a delicious dinner and a chance to pick the Mr. Wonderful winner of this year. Buy your tickets from your favorite woman Legislator, and we'll see you all there."

Speaker Bradley: "Alright...Alright...now on the question. All in favor...of the Gentleman's motion will signify by voting 'aye', and those who are opposed vote 'no'. Yeah, Mr. Katz, what purpose do you rise?"

Katz: "To explain my vote, Mr. Speaker. Previously when the distinguished Gentleman presented this Bill last time I voted against it because I thought he was wrong. Now I have thought about this a good deal, and I now believe that the Gentleman is absolutely right that the taxpayer has no alternative. He cannot come in and prove the state agency is wrong, and it is an unfair burden on the taxpayer. I have gotten a little more wisdom, I hope, in the intervening period. I think that the idea of the state having to prove that they are right, and not the individual to have to prove that the state is wrong is a perfectly fair and just system. I believe that there ought to be a lot of red votes up there in behalf of little taxpayers who come up against big states...some green votes up there on behalf of little taxpayers who come up against big government and who have one devil of a time trying to make a dent in it. I think we ought to pass this Gentleman's Amendment."

Speaker Bradley: "Further discussion? Yes, Mr. Borchers, from Macon."

Borchers: "Mr. Speaker, in explaining...in my...explaining my vote, I've had some trouble on this very point, and I have reported it last June a year ago to this House the trouble I was having with one of the agencies of government. This is a very good thing for the little



fellow, and we need it because the little fellow is in a hell of a fix when he cannot get the proper help from the agencies involved, and I think Representative Yourell and...is right in what he is trying to do."

Speaker Bradley: "Yes, Mr. Vinson, from DeWitt."

Vinson: "In the event that no one else has requested a verification, I would so do."

Speaker Bradley: "Have all voted whowish? Have all voted who wish? The Clerk will take the record. Mr. Vinson requests a verification. Mr. Yourell, Poll of the Absentees. We'll Poll the Absentees."

Clerk O'Brien: "Poll of the Absentees. Barnes, Bullock, Capparelli, Casey, Catania, Chapman, Christensen, Cullerton, Daniels, Davis, Deuster,..."

Speaker Bradley: "McAuliffe, 'aye'. Capuzi."

Capuzi: "Change my 'no' vote to 'aye' please."

Speaker Bradley: "From 'no' to 'aye'. Totten. Turn Mr. Totten on."

Totten: "Please change me from 'no' to 'aye'."

Speaker Bradley: "Mr. Totten from 'no' to 'aye'." Mr. Conti, would you come here please? Proceed with the Call of the Absentees...or the Absentees...Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees continuing. Ebbesen, Ewell, Gaines, Grossi, Hanahan, Hannig, Kornowicz, Krska, Laurino, Madigan, Marovitz..."

Speaker Bradley: "Marovitz wishes to be recorded 'aye'. McClain... 'aye'. McClain 'aye'. Mr. Doyle...record the Gentleman as voting 'aye'. Mr. Kornowicz...Mr. Vinson..."

Vinson: "Noting the fact that nobody who cares about this Bill seems to want to work on it, I withdraw the verification."

Speaker Bradley: "He withdraws the...his request. Mr. Griesheimer, what purpose do you rise?"

Griesheimer: "Please also change me to 'aye'."

Speaker Bradley: "You wish to be recorded as 'aye'? Alright.. Mr. Davis...Mr. Davis wishes to be...Why don't we take a



new Roll Call on this measure. We have enough votes. There is 82 'ayes', 52 'nos'. Mr. Sanquist, 'aye'. Vinson, 'aye'. Piel, 'aye'. We might be going too fast here. Ropp,...Watson, 'aye'. Ralph Dunn... Mr. Ralph Dunn, 'aye'. That's it? Mr. Burnidge, 'aye'. Ronan, 'aye'. Ronan. Burnidge was also 'aye'. Grossi, 'aye'. It turned into a good Amendment. Patrick, 'aye'. Pouncey, 'aye'. Getty, 'aye'. McCourt, 'aye'. I think we've got Mr. Piel 'aye' already. Okay. That's... the Amendment...92 'ayes', 6...48 'nos', and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "Third Reading. The Gentleman from Cook, Mr. Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, and you, Mr. Speaker, sitting in the Chair. I want to call to the attention that a Member's rights have been violated here this afternoon. We're going in order on the Calendar, and you bypassed this Member's Bill. Now you told me you were going to get back to this Bill. I hope that you would please stick with the rules and give this Member a chance to call his Bill."

Speaker Bradley: "Mr. Conti, I appreciate you calling to my attention that I went over that Bill, and we'll call Senate Bill 1728 at this time in all fairness, and I appreciate your calling that to the Chair's attention. Will he read it a second time?"

Clerk O'Brien: "Senate Bill 1728, a Bill for an Act in relation to exemptions and bankruptcy proceedings providing federal exemptions Section 522D of the Bankruptcy Code are not available to persons residing in this state, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Bradley: "Is there any motion relative to Amendment #1?"

Clerk O'Brien: "No motions filed."



Speaker Bradley: "Floor Amendments?"

Clerk O'Brien: "Amendment..."

Speaker Bradley: "Yes, 17...1728."

Clerk O'Brien: "Amendment #1 was adopted previously. Floor Amendment #2, Greiman, amends Senate Bill 1728 as amended by deleting the title..."

Speaker Bradley: "The Gentleman from Cook, Mr. Jaffe, are you handling this Amendment, Sir?"

Jaffe: "That's correct, Mr. Speaker."

Speaker Bradley: "Mr. Jaffe on the Amendment."

Jaffe: "Mr. Speaker and Members of the House, what Amendment #2 does, as you know, House Bill 1728 is the one that substitutes the Illinois exemptions for the federal exemptions..."

Speaker Bradley: "Could we give the Gentleman some attention please, and...could we have some order please? Proceed, Sir."

Jaffe: "And what Amendment #2 does is that it updates Illinois exemptions. All other states that have gone to state exemptions have updated their exemptions. Everybody in the legal field acknowledges that the Illinois exemptions at the present time are most repressive, and what we ought to do if we are going to go to the Illinois exemptions is to update the Illinois exemption. So what Amendment #2 does is it takes the exemption and it tries to strike a median point somewhere between the federal law and somewhere between Illinois state law. And I think it is a good Amendment. It does not go as far as the federal law, and it is better than Illinois state law at the present time. And if I could go into specifics, Amendment #2 revises the real estate exemption."

Speaker Bradley: "The Gentleman...are you finished with this?"

Jaffe: "No, I haven't discussed the Bill. It revises the real estate exemption by cutting the exemption from \$10,000 to \$7,500, and it makes that exemption available



to all..."

Speaker Bradley: "Mr. Jaffe, Mr. Leinenweber, what purpose do you rise, Sir?"

Leinenweber: "Yes, parliamentary inquiry asks for the germaneness of Amendment #2. It...not only it strikes the title and the entire Bill and inserts a new Bill. Something that the Gentleman calls an Act in relation to the rights of creditors and debtors."

Speaker Bradley: "Okay, we'll take a look at it. In the mean time we are going to turn on the T.V. lights. Mr. Griesheimer, what purpose do you..."

Griesheimer: "Well, Mr. Speaker, I had also, as a matter of inquiry of the Chair, could it be possible to turn up Representative Jaffe's microphone? We can't hear him back here at all."

Speaker Bradley: "Well, I tried to get some order, and we'll turn him up a little louder, and maybe you'll be able to hear him. I recognize the problem. We're checking the germaneness, Mr. Jaffe. Turn Mr. Jaffe on. Yes Sir, what's..."

Jaffe: "Yeah, I just wanted to point out to the Parliamentarian if he would start with line seven I think he would find that the Bill is definitely germane. Cause it does amend the same Sections if you go on to line seven from there on in."

Speaker Bradley: "Yeah, we're going to rule that it is germane. The Gentleman..."

Jaffe: "I thank you..."

Speaker Bradley: "What purpose do you rise, Mr. Piel?"

Piel: "Question of the Chair. Has a motion been filed to replace Representative Jaffe with Representative Greiman on this Amendment, cause Representative Jaffe is not on the Amendment."

Jaffe: "Mr. Speaker, let me say that I have a letter from Representative Greiman. I discussed this with Representative Watson. 'Once' Representative Watson wants to move



the Bill, and he agreed to me handling Amendment #2."

Piel: "Has it been filed? Mr. Speaker, at the same time I would like to ask the Parliamentarian if there is an authority to do that in our rules?"

Speaker Bradley: "Mr. Piel, what rule are you under these circumstances...what rule are you referring to if you're objecting to Mr. Jaffe handling the Amendment?"

Piel: "The question I had was...as I recall, and I might be wrong, but as I recall it was Representative Hoffman... was going to handle a Bill for Representative Daniels..."

Speaker Bradley: "That's a Bill though. That's not an Amendment. We don't in the...we don't see anything in our rules to...not to allow Mr. Jaffe to handle out of a common courtesy, to handle the Amendment. Mr. Jaffe might have...and the Sponsor is not objecting to it. In my opinion, in the opinion of the Chair, Mr. Jaffe would have, at one point, filed his own Amendment but knowing that this Amendment was there, he was going to move with this Amendment. Let's go ahead with the Amendment."

Piel: "That was not the question Mr. Jaffe started out by saying though, Mr. Speaker. His remark was, he said, 'Representative Greiman has asked me to handle the Amendment.' The understanding that I have had from the Chair in the past was the situation if you wanted somebody else to handle the Amendment...in fact, I filed a couple Amendments with somebody else's name on this in case I was not on the floor at the time."

Speaker Bradley: "Well, in any...in any event, we're going to... yes, and with the...the Sponsor of the Bill is not objecting. The Gentleman can...we're going to allow him to go ahead and move the adoption of the Amendment. Now Mr. Schuneman, the Gentleman from White Side."

Schuneman: "Yes, an inquiry of the Chair, Mr. Speaker. Does this mean that in the future when the Sponsor of an Amendment is not on the floor and some other Member stands



and says that he's been asked to handle that Amendment, that you're going to let anybody handle it who will stand up and make that statement without any proof to the Chair. Is that...is that what this ruling means, Mr. Speaker?"

Speaker Bradley: "If the...if the Sponsor of the Bill is not objecting under those circumstances, I see no reason why...there is nothing in our rules that provide against this happening, so if the Sponsor of the Bill is not objecting to Mr. Jaffe handling Mr. Greiman's Amendment, and there is nothing in the rules that..."

Schuneman: "Well, I'm not inquiring about this particular Bill, Mr. Speaker. I am inquiring about the principle involved here and..."

Speaker Bradley: "With an Amendment..."

Schuneman: "...You're ruling...your ruling intends to say that if the Sponsor of the Amendment..."

Speaker Bradley: "I'm not making any ruling. Nobody has really raised an objection to this. I'm not...I'm just saying we're going to let him proceed with the Bill. Nobody objected to him doing it."

Schuneman: "This is no precedent then on...for future cases like this?"

Speaker Bradley: "The...they're saying that there are no standards in the...but I see no reason in the rules, and if I am in the Chair and the Sponsor is not objecting, I would so rule again. Now, Mr...Mr. Vinson."

Vinson: "Well, Mr. Speaker, I think if you look at Rule 34B, the Member desiring to offer the Amendment must ^{submit} it in writing to the Clerk, and I question whether Mr. Jaffe submitted the Amendment in writing to the Clerk? It wouldn't bear the other Gentleman's name if Mr. Jaffe submitted the Amendment in writing to the Clerk. And therefore, I object to...to Mr. Jaffe handling the Amendment, and I object to what appears to be a very poor ruling."



Speaker Bradley: "I...Mr. Pierce."

Pierce: "I think the last Gentleman is mis^rleading the intent of the rule. The rule says that an Amendment to be offered must be offered in writing by a Member. It was. It was offered in writing, obviously, by Mr. Greiman. Now Mr. Greiman has requested Mr. Jaffe to handle that today. Mr. Jaffe is a Member of this House. He is standing before you, and he is saying his colleague...his colleague from the great Village of Skokie has asked him to handle this. He is not a mere volunteer. I think what...what Representative Schuneman was worried about was that someone would handle someone's Amendment without permission, just stand up and take over someone's Amendment. Mr. Jaffe has stated here on the floor of the House that Mr. Greiman talked to him and asked him and requested that he handle this Amendment. I think we all know that is the case. Mr. Jaffe has stated a fact. The fact is the man who sponsored the Amendment and filed it in writing is not here at this moment and asked Mr. Jaffe to handle the Amendment so that Mr. Watson would not be delayed in the pursuit of his important legislation. And I think the Speaker's ruling was correct, and we should proceed."

Speaker Bradley: "Mr. Vinson, you were objecting...you're objecting to...Mr. Jaffe handling Mr. Greiman's Amendment."

Vinson: "Yes, Sir. That's exactly what I'm doing."

Speaker Bradley: "Okay. Alright. Now, is there leave for Mr. Jaffe to be added as a Cosponsor to the Amendment? Alright. On that, Mr. Jaffe moves now to be added as a Coponsor to the Amendment. All in favor of that...we'll take a Roll Call vote. Mr. Vinson."

Vinson: "It would appear to me under Rule 60 that for him to do that, the motion has to be reduced to writing."

Speaker Bradley: "Mr. Jaffe."

Jaffe: "Yes, Mr. Speaker. You know, I realize that this deals



with poor people, and some of the people on the other side of the aisle get a little uptight because they are here for the small loan companies that charge 30% interest. But nonetheless, let me tell you that I have... you now, I thought that I had a conference with the Sponsor of the Bill. The Sponsor wants to move this particular Bill today. We could have filed that Amendment ourselves if we knew that Mr. Greiman was going to be late, talked it over with Mr. Watson, Mr. Watson said, 'Sure, you handle the Amendment', and it was only an agreement with Mr. Watson that we actually agreed to go ahead with this particular Amendment. So we've talked to the Sponsor. We've talked to Mr. Greiman, and I think, you know, that they want to go out to petty technicality, we know where they're coming from, but I think that they're wrong."

Speaker Bradley: "Mr. Marovitz, what purpose do you rise?"

Marovitz: "Mr. Speaker, I think it absolutely absurd for the House to get bogged down on this kind of pettiness. It has always been a courtesy in this House for somebody to be able to handle an Amendment for somebody who is away on an emergency business, and I think it is really ridiculous for us to get bogged down on this. A Majority can control this Amendment. Let's take the Roll Call and give the man the courtesy that he deserves, and move on with the House's business."

Speaker Bradley: "Well, I think we can resolve this problem. Now he has filed the motion...and there is not a leave of the House, so it takes simple Majority on this vote for Mr. Jaffe to be added as a Cosponsor to the Amendment. I think that's how we can resolve that issue. And so Mr. Jaffe now moves that he be added as a Cosponsor. All in favor of Mr. Jaffe's motion vote 'aye', and opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. There are 95 'ayes', and 29 'nos', and the motion prevails, and



Mr. Jaffe is added as a Cosponsor to the Amendment. Now Mr. Darrow. And the Clerk will add his...Representative Jaffe as a Cosponsor of Amendment #2. Now Mr. Darrow, what purpose do you rise?"

Darrow: "Thank you, Mr. Speaker. While we're talking about sponsorships, I was wondering a parliamentary inquiry. By what authority are we having joint chief Sponsors on these Senate Bills. I was under the impression we could have one Sponsor. That Sponsor's name was to be in parenthesis. If that is the case, what is Wikoff and Johnson doing on Senate Bill 1728?"

Speaker Bradley: "The rules don't provide for two Sponsors that...the control of the Bill is in the hands of the lead Sponsor who in that case is Mr. Watson."

Darrow: "Well, shouldn't the names Wikoff and Johnson be deleted from the Calendars from now on? Since they have no control over it. They are not Sponsors. I don't understand why their names are in there."

Speaker Bradley: "The Clerk will...indicates he will be very happy to strike those two names from that."

Darrow: "And I would suggest that that apply to all these other joint Sponsors here where we have more than one."

Speaker Bradley: "Pardon, Mr. Darrow?"

Darrow: "I would suggest that the same be done with all the other..."

Speaker Bradley: "We'll do it. The Clerk indicates he'll do it with all of them."

Darrow: "Thank you."

Speaker Bradley: "Alright, Mr. Jaffe on the Amendment."

Jaffe: "Yes, thank you, Mr. Speaker. As I indicated it before, Senate Bill 1728 is the Bill that substitutes Illinois exemptions for the federal exemptions under bankruptct. And as I have indicated before that all the other states that have gone to state exemptions have updated their particular exemption statutes. Everyone in the legal field agrees that Illinois exemptions are



probably the most regressive in the United States. And what we're trying to do with Amendment #2 is we're trying to strike a balance. A balance half way between the federal and half way between the Illinois law. A balance that I believe would really be quite equitable. And if we could, I would just like to go through the provisions of Amendment #2 which is quite lengthy, but I think it is important. Number one, as far as the real estate exemption goes, it cuts the exemptions from \$10,000 to \$7,500. Under the Illinois exemption you only...you could have a \$10,000, but that is only for the head of a householder. A single individual does not have any household exemption at all. So what we're doing is we're cutting it to \$7,500, but we're making that exemption available to all individuals. That would be single people as well as...as married people. As I said, that only applies to heads of households at the present time. We allow an exemption to be applied to a personal property which is occupied as a residence. By that, we mean a mobile home or property held in a land trust. As you know, under Illinois law, property held in a land trust..is deemed to be only personal property, and you don't have the homestead exemption existing with that particular piece of property. So that would expand it. In addition, it allows the exemptions of a...of a cooperative...that would be used as a residence which you cannot do at the present time under Illinois law. Then we revised the personal property to include a \$2,500 interest in household goods or furnishings and other property. We also include a \$1,200 interest in a one motor vehicle. Well, it is our feeling if...if someone goes bankrupt, you know, they should at least have a junker to get to work in, and so we give them a \$1,200 interest in one motor vehicle. We give them \$700...\$750 interest in the tools of the trade of the debtor. What we're saying is that if a carpenter goes



bankrupt, all that carpenter will...at least have his tools. You know, if anybody else goes bankrupt, they ought to have the tools of their trade if they are going to get a job. I don't think anybody would want that particular individual to go on aid. We permit them an interest in a life insurance contract in the cash rights thereunder, and we also give them professionally prescribed health aids of the debtor and the dependents. They have the right, of course, to receive social security, unemployment compensation. They have a right to receive their veterans' benefit, or they have the right to receive alimony support or separate maintenance. They also have the right to receive, you know, crime victims compensation and wrongful death recovery. Those are all included under Amendment #2. Let me just say to you that Amendment #2 is very complex. I will answer all questions concerning it, but nonetheless, this Amendment is an approximate midpoint between the federal exemption and the Illinois exemption. The Illinois exemption is most regressive. Many people think that the federal exemption is..."

Speaker Bradley: "The Gentleman...Just a minute, Mr. Jaffe. The Gentleman from Cook, Mr. Leverenz, what purpose do you rise?"

Leverenz: "Mr. Speaker, could he talk into the microphone a little closer? I thought he was on Agreed Resolutions."

Speaker Bradley: "Mr. Jaffe, it seems they're having trouble understanding. We'll turn up...turn up the volume on Mr. Jaffe."

Jaffe: "Well, basically in summary, Mr. Speaker, I would just tell you that this Amendment is the approximate midpoint between the federal exemption which many Members think to be too liberal, and the present Illinois exemption which is really very regressive. You know, if I had my druthers...druthers, I would keep with the federal exemption, but it would seem to me that this is a reason-



able approach. It is half way in the middle, and I would urge an 'aye' vote on Amendment #2."

Speaker Bradley: "Alright, the Gentleman from Champaign, Mr. Johnson, on the Amendment."

Johnson: "Well, we have, Mr. Speaker and Members of the House, a number of Amendments offered here. This is the first one of the barrage. But I think in setting the...the scene here, everybody ought to understand what we're dealing with. You go out and incur a debt, borrow money from a bank or Savings and Loan, get in a car accident and incur debt because you are negligent in driving. You buy furniture and don't pay for it. You execute a contract or lease; you don't pay your landlord. A variety of ways that you incur debt, but the net result is that you incur substantial debt in excess of what your assets are to pay for it. Let's assume your debts are \$30,000 and your assets are a car and household furnishings and so forth that amount to \$10,000. The whole purpose of bankruptcy law, Mr. Speaker and Members of the House, is to allow you a fresh start. The fresh start is you get rid of all those debts, and the premise of bankruptcy law is in turn for getting rid of those debts. You also get rid of your property to satisfy at least so many cents on the dollar for your creditor. Representative Jaffe and other people not only want to have you eliminate your debts, and they not only want to let you have a fresh start, but they want to let you have a fresh start with all your creditors property. They want to let you start out in this, quote unquote, fresh start with all your household furnishings that somebody has lent you money on, that somebody has sold you and you haven't paid for. They want to let you start out with a whole series of exemptions that basically eliminate the purpose for the bankruptcy law. And I would suggest to you, Ladies and Gentlemen of the House, that the, quote,



modest scale that we have under Illinois law not is not really so modest. As a matter of fact, if you compare it to other states around the union, it is fairly much in the midstream of those exemptions that various states allow. And I think it is absolutely ludicrous, and not only ludicrous in terms of the equities of the matter, but also in terms of the fact that creditors aren't going to lend money. People aren't going to sell furniture on credit. And if poor people, that Representative Jaffe is so concerned about, aren't going to get the money to begin with. They aren't going to be able to buy their household furnishings to begin with. They are not going to be able to be deadbeats because they are not going to be able to have the opportunity. And I would suggest that this Amendment, just like most of those Amendments that are offered, are ones that pull over this phony cloud of oppressing the poor when what we're really talking about is allowing a deadbeat to be a super deadbeat, and not only not pay his debts to begin with, but not use any of his assets or property to satisfy those debts when he eliminates them under federal bankruptcy law. This Bill as it came out, an Illinois law with a slight modification, and really fairly substantial modifications that Representative Watson has already made is reasonable. This Amendment ought to be resoundingly defeated. If you vote for it, you better be prepared for a total drawing up of credit. You better be prepared for the fact that creditors, and not only just creditors who are banks and Savings and Loan, but everybody in this House who somebody might owe money to, aren't going to be able to not only get their debt repaid, they're not even going to be able to get two cents on the dollar. I urge a 'no' vote on this Amendment."

Speaker Bradley: "Further discussion? The Gentleman from Will,



Mr. Leinenweber."

Leinenweber: "Will the Sponsor yield for some questions?"

Speaker Bradley: "He indicates he will."

Leinenweber: "Representative Jaffe under Section 1, you changed householder having a family to individual, and you decreased the exemption from \$10,000 to \$7,500. Is that correct?"

Speaker Bradley: "Turn Mr. Jaffe on please."

Jaffe: "Yes, as you know at the present time, a single individual cannot get a household exemption. So someone who is single they don't get anything, so we're going to \$7,500. I explained that."

Leinenweber: "So the answer is yes that...alright, now just, as usually the case, a husband and wife are both on most of their notes so that they both declare bankruptcy together. Would they be entitled each to the \$7,500 exemption, and would that then total \$15,000 for the husband and wife?"

Jaffe: "Yes, that is exactly correct, and that is what we intended to do."

Leinenweber: "Okay, and now moving over to page three of the Bill, the debtor is entitled to \$2,500 in household furnishings, etcetera, etcetera, etcetera, Is that correct?"

Jaffe: "Well, yeah. He is entitled to \$2,500 in value and assets of household furnishings, household goods, appliances, animals, crops, you know, this pertains to farmers, too. I don't think any of you want any farmer to be left with only \$300 in his pocket. So that goes for animals crops, musical instruments etcetera Yes."

Leinenweber: "If...going back once more, and excuse me, to Section one again. If my...I have five children. If each of them owed money to say their grandparents, since that's their...since they really don't have very many assets, and I've put them on the house, would they be entitled to \$7,500 exemptions, too?"

Jaffe: "Kids aren't...kids aren't involved there. They're not



going bankrupt. I think you're mistaking..."

Leinenweber: "Well, I'm..."

Jaffe: "Wait a second, let me answer your question here.

You're talking about A which says the necessary wearing apparel, the Bible, the school books, and family pictures of the debtor and the debtors dependents. Yeah, I think that the kids ought to have their wearing apparel and they ought to have their school books."

Leinenweber: "If my children, each of my five children borrowed \$1,000 from their grandparents for tuition let's say, and execute a note, they have no assets, they would, as I understand bankruptcy law, fall within the definition of a bankrupt, and since they are an individual, each of them are an individual residing on buildings, would they not each be entitled to \$7,500?"

Jaffe: "Absolutely not. I think..."

Leinenweber: "Well, why not?"

Jaffe: "...I think you're way off base."

Leinenweber: "Well, why ~~would~~ they not be under the..."

Jaffe: "I don't know why they would be. I don't understand your question."

Leinenweber: "Because they are an individual residing on...a home as their residence. And they are going bankrupt."

Jaffe: "Well, not if they are under 18, not if they are not going bankrupt. I think you're making a lot of assumptions. You're really twisting it here. It's so simple."

Leinenweber: "Where does it say under 18? Where is there an age limitation?"

Jaffe: "Well, that is the law, Harry. You know 18 is the law Majority someone can...you can't make a legal debt under 18."

Leinenweber: "Well, you can if they're...Well, okay, what if they are 18? I have two children that are over 18. Would they not each be entitled to a \$7,500 exemption? ...if they went bankrupt?"



Jaffe: "But they don't own the house. They don't have a homestead exemption. I don't know what you're talking about, Harry."

Leinenweber: "If you read Section 1, where does it say that you have to own. I think it says to have an interest and occupied by him as a residence".

Jaffe: "That refers to the bankrupt."

Leinenweber: "Okay."

Jaffe: "The kids are not going bankrupt. You know...you know, you're trying to make a Philadelphia case out of garbage really."

Leinenweber: "Alright. Now each, the husband and wife, if they both went bankrupt, would each be entitled to a \$2,500 ^{exemption} for their household furnishings. Is that correct?"

Jaffe: "That is correct."

Leinenweber: "And they would each be entitled to \$2,500 on their automobile. Is that correct?"

Jaffe: "That is correct. You know, our feeling is if they are going to go to work, you have to give them something to go to work at."

Leinenweber: "Are there...are these exemptions, are they waivable?"

Jaffe: "Well, that is governed by federal law. As you know under the federal law the bankrupt can take either state exemption or the federal exemption at the present time. And what we're saying is, 'No, you can't take the federal exemption.' What we're trying to do is find a midway point between the federal exemption and the state exemption."

Leinenweber: "Alright, what would the effect of the \$1,200 exemption on a motor vehicle have on the ability of an individual to obtain a bank loan to buy a car?"

Jaffe: "I don't understand your question, Sir. That may be, you know, what does that mean?"

Leinenweber: "Well, would the fact that \$1,200 is exempt on an automobile make it more difficult for an individual



to go to a used car lot, buy an automobile, let's say, that was worth \$1,500 and go to the bank and borrow \$1,200 to buy the car?"

Jaffe: "I don't think it is going to have any bearing. You know, we...we had witnesses before the Judiciary Committee. They don't repossess on these things any way. They don't want the old junkers, and they don't want the used furniture, and they don't want all that stuff. You know."

Leinenweber: "Alright, go on to page four. In addition, your cash value up to \$4,000 is also exempt. Is that correct?"

Jaffe: "What are you on here?"

Leinenweber: "Page four. The sincere...unmatured life insurance contract, I assume, means one that's not endowed. Is that right?"

Jaffe: "Yeah, it means only the contract. It does not mean any benefits under the contract. In other words, if they have a...have a contract for a family, and the guy is dying of cancer and has lost his job...that was...that means that that guy is going to be able to keep that insurance policy..."

Leinenweber: "Aren't you talking..."

Jaffe: "...Wait a second, I'm going to answer your question. And that contract is going to be in effect, and the family if he dies is going to be able to collect under that insurance contract."

Leinenweber: "Aren't you talking about the cash value of an insurance policy?"

Jaffe: "No, the cash value goes out to the second portion of E, and what you're saying is, 'Yeah, if he has any accrued interest or loan value on any uninsured life insurance contract, he can get up to \$4,000 worth, but as far as the contract itself, that stays in effect.'"

Leinenweber: "I think that your mike was turned down. I didn't understand that, but go over to page five..."

Jaffe: "Well, I don't think you understand very much of this



at all, Harry, but we'll continue on."

Leinenweber: "Section...Section 3...a payment...would you explain what is...what we're talking about a payment not to exceed \$7,500 on account of personal bodily injury not including ^{pain and} suffering or compensation for actual pecuniary loss. What's left?"

Jaffe: "Well, that's for...that's on account of personal bodily injury case."

Leinenweber: "I know, but what's left? If you exclude pain and suffering and actual pecuniary loss, what is left?"

Jaffe: "Wait a minute. Let me just look at that. That's taken from the federal law."

Leinenweber: "Sounds like it."

Jaffe: "If you'll just wait one second, I'll give you the rationale behind that, Harry. Okay, basically what that covers, Harry, is compensation of actual bodily injury such as the loss of a limb. In other words, you can get...you can get compensated if you lost your limb, but you can't get compensated for pain and suffering. Alright?"

Leinenweber: "Alright, Mr. Speaker, very briefly on this Amendment... I've gone through this and the people that handle bankruptcy usually put both the husband and wife in together, and of course, if we adopt Amendment #2, you can guarantee that they'll both be in there together because they would be entitled to an exemption of \$15,000 on their house, \$5,000 on their personal property, \$8,000 on their life insurance, \$2,400 on their cars, and \$1,500 for miscellaneous other stuff not including...then in addition many, many other things. That will total up to about \$31,900 net worth. Now, I don't know what the average net worth of the Members of the House here is, but \$31,900 is not all that small in this day and age. I would suggest to you that we're not only making bankruptcy painless, you're



going to make it extremely profitable. Now I'm a lawyer, occasionally do handle a bankruptcy, and I'm going to get a heck of a lot more, so I probably ought to support this Amendment because it's going to put us all in that business such as...most of the people claim we're in the workmen's compensation field. So go ahead and adopt this Amendment is you want to make it profitable for us lawyers, but if you want to make it possible for the little guy to go out and buy a car, and of course, that presupposes to be somebody there will be somebody there to build a car...to keep people at work making cars, if you want to keep the economy of this state afloat, then I suggest you oppose this Amendment."

Speaker Bradley: "The Gentleman from Bond, Mr. Watson."

Watson: "Thank you, Mr. Speaker. As House Sponsor of this Bill, I oppose this Amendment for many of the reasons that have been mentioned before. There is a statement in here that I would like to have the Sponsor of the Amendment explain to me first of all. What does this statement mean, 'to the extent reasonably necessary for the support of the debtor and the dependent of the debtor.'? What does that statement mean, and who is going to determine that?"

Jaffe: "Tell me...tell me where you have it, and I will be glad to interpret the entire thing."

Watson: "It's on page four line 133, 134; page four line 138, 139; page five...line 159..."

Jaffe: "Okay...alright...let me...it says, if you read the entire thing, I think it is self-explanatory. It says alimony supporters separate maintenance to the extent reasonably necessary for the support of the debtor and any dependent of the debtor. In other words, if they are getting separate maintenance, or they are getting support payments, or they are getting alimony,..."

Watson: "I can't...I'm sorry, I can't hear you."

Jaffe: "It says that if they are getting alimony payments, or



they are getting support payments, or separate maintenance payments, they can keep getting that from their spouse so that they can go on living. I don't see anything wrong with that."

Watson: "Is that in a style of which that individual has become accustomed to?"

Jaffe: "It says extent reasonably necessary..."

Speaker Bradley: "For what purpose does the Gentleman from Champaign, Mr. Johnson, arise?"

Johnson: "I would like a clarification from the Sponsor because he full well knows that that is not what that does. You're talking about accrued alimony, and child support, and so forth. Of course somebody can..."

Speaker Bradley: "Now wait a minute, Mr. Johnson. You spoke on this issue. I didn't recognize you for...to inter..."

Johnson: "No, I think we ought to have that clarified."

Speaker Bradley: "If you want to...let me Watson..."

Johnson: "Call it a point of order or whatever you want."

Speaker Bradley: "We'll let Mr. Watson continue with his questioning. Proceed, Mr. Watson."

Watson: "Well, who's going to determine what that means...what that statement means...who determines that fact?"

Jaffe: "I would think the bankruptcy judge."

Watson: "Well, it is a very ambiguous statement, and... something that definitely needs to be pinned down."

Jaffe: "It's not ambiguous at all,... It's not ambiguous at all. It is very...it is very well stated, and I think there is..."

Watson: "Could it vary from case to case?"

Jaffe: "Oh sure, but the bankruptcy court does that all the time in different instances."

Watson: "Okay. I oppose this Amendment. There are several things in it that I could accept, and we will get an opportunity to vote on each one of those later. I believe we have 15 to 17 Amendments filed on this particular issue. Some of this I can't accept. The



majority of it I...I'd turn down. I'd say no, we cannot accept this Amendment. All it does is go back to the federal level of exemptions. This was not the intent of my legislation. I oppose this Amendment. I'd appreciate a red vote on this."

Speaker Bradley: "Further discussion? Alright. Mr. Jaffe to close the debate."

Jaffe: "Well, Mr. Speaker, you know, I think, you know, we often talk about the little businessman in this House... you know, if we're going to talk about the little businessman, let's look at Amendment #2. Let's say, if the president of Standard Oil were to go bankrupt today, he would wind up with his yacht, and he would wind up with his Cadillac, and he would wind up with all his stock options, and everybody who spoke in opposition to this Bill would say hooray. But say a little 'schnuk' who opens up a grocery store on a corner or say you have a little farmer who goes bankrupt, what do they want to get? They want to get the Illinois exemption. They want to walk home with \$300 in his pocket period, not have any television set, not have a car, not a junker or anything else, not have the tools of his trade or anything else. You know, we have to be realistic. Illinois is a most regressive state when it comes to exemptions, and if you are worried about the little businessmen, if you're worried about the little farmer, you're going to make sure he has a junker to go to work with. He is going to have his carpentry tools to work with, and he is going to have a television set in his house, maybe, that he can look at. You know, under the exemptions at the present time what you want to do is you want to sit them in a dark little room, one room with a wooden chair and have them stare at a blank wall. But some of the Members on the other side would love that, I know. But I think if you want to be decent to humans, you'll pass that...give an 'aye' vote to Amendment #2."



Speaker Bradley: "On the Gentleman's motion. All in favor signify by voting 'aye', opposed by voting 'no'. Mr. Daniels to explain his vote."

Daniels: "Ladies and Gentlemen of the House, I think we want to oppose this Amendment. Those of us that are concerned with amending the bankruptcy law to provide different exemptions under Illinois law would want to take a hard and close look at this Amendment which basically enacts federal law. I would suggest very careful review of this. There are other Amendments coming up that you can review piecemeal instead of adopting this one. So I solicit your 'no' vote."

Speaker Bradley: "Have all voted who wish? Mr. Bullock to explain his vote."

Bullock: "Thank you, Mr. Speaker. I rise in support of Representative Jaffe's Amendment. He is absolutely correct, and he is trying to clarify the obvious deficiencies in the legislation. We all know that bankruptcy in the State of Illinois has increased approximately 130%, and for that reason, we should allow individuals the option under the federal code, and I certainly would respectfully urge that all of you read the Amendment and give Representative Jaffe the kind of support that he deserves."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 67 'ayes', and 86 'nos'. The Gentleman's motion fails. Further Amendments?"

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

Speaker Bradley: "Mr. Jaffe, withdraw Amendment #3? Turn Mr. Jaffe on."

Jaffe: "Yeah, Mr. Speaker, I would like leave to withdraw Amendments #3 and #4, and we'll go to #5."

Speaker Bradley: "The Gentleman withdraws Amendment #3 and 4... Amendment #5."

Clerk O'Brien: "Floor Amendment #5, Jaffe, amends Senate Bill 1728..."



Speaker Bradley: "Mr. Jaffe on Amendment #5."

Jaffe: "Okay, now Amendment #5 is really a very simple Amendment. All it says is it allows the debtor as he presently can, to choose between the Illinois or federal exemptions unless a majority of the creditors petition within 30 days to limit Illinois...to limit him to Illinois exemptions. What we're saying is that the creditors really don't care, and if the majority of the creditors say, 'Okay, we don't care what exemptions you take, either the Illinois or federal', you can do that, but if they get together and a majority of them say, 'No, you can't do it', you know, then he is stuck with the Illinois exemption. I think if the creditors don't care, why should this House care, and we ought to adopt Amendment #5. It is quite simple."

Speaker Bradley: "Mr. Leinenweber."

Leinenweber: "Question of the Sponsor."

Speaker Bradley: "He indicates he will yield."

Leinenweber: "Representative Jaffe, you say a majority of the creditors or a majority of the debt? Is it the creditors number or like say if you have 20 debtors..."

Jaffe: "It goes to one vote per creditor, Harry."

Leinenweber: "Okay, Mr. Speaker, Members of the House, this... this...you adopt this Amendment we ought to probably reconsider and adopt the previous Amendment. This one is absolutely ridiculous. What this will do is actually make the federal exemptions the law in Illinois because any lawyer who knows anything at all would obviously opt for the federal exemptions which are so ludicrously high. Now, if you ever take a look at one of these bankruptcy petitions you'll find that and law requires that a creditor lists each and every debt...debtor that he has including those who he either knows where they are, may have a debt, or might owe him money. This can be, and usually is, a lengthy list, a lengthy list of maybe 75 or 100 names. However, usually you'll find



out that when somebody goes under because of the fact that they have one major debt. They have about 75 creditors listed, probably most of which you can't even find, so you've got the one big creditor who's stuck with the...with the choice of the not being able round up the other 35 or 40 creditors. This is ridiculous. This is an attempt to absolutely void the effect of Representative Watson's Bill, and I strongly insist and urge that you vote 'no' on it."

Speaker Bradley: "Mr. Johnson, the Gentleman from Champaign."

Johnson: "A couple of questions first to the Sponsor before I address the Amendment. Representative Jaffe, existing law, existing federal law right now allows the debtor to choose between Illinois and federal exemptions, doesn't it?"

Jaffe: "That is correct."

Johnson: "Pardon me."

Jaffe: "That is correct."

Johnson: "So the only real change to existing law in yours is the additional requirement that there be a majority of the creditors listed."

Jaffe: "That is correct. My point is that the creditors don't care, why should we?"

Johnson: "Right...speaking as one who has, like Representative Leinenweber, at least dabbled in the general area of bankruptcy practice...the average bankruptcy petition probably has 100 creditors listed on them. To show you how much the average creditor is able...or has the wherewithal to object, the average hearing has probably two or three of the creditors...two or three of the 100 creditors there. A good many times all you have to do is simply list them or amend it later, even if you don't know what their address is. It eliminates their debt in any event. The practical effect, and there is no question about this, of adopting this Amendment is that we would completely rewrite the federal law with all the



exemptions that a Majority of the Members of this House have indicated by their past votes... 'think' is excessive because there is no way... there is no possible way that you could get over two percent of the creditors to file an appropriate petition in this particular case. They need legal counsel. The average creditor, as Representative Leinenweber indicates, is a \$200 or \$300 creditor. The power company can't afford to pay their attorneys to go in and object, and the practical effect of the adoption of this Amendment would be to eliminate the state law and to reinact the federal law. Besides that, even if you could have a majority of the Members... creditor... the majority of the creditors sign this petition, in any event, you'd eliminate the rights of the minority. If forty-nine percent of the creditors had their rights eliminated because fifty-one percent didn't object, those forty-nine percent and whatever amount of debt they'd represent would completely have their right to at least get some amount of cents on the dollar of their debt restored. And for that reason, the reasons Representative Leinenweber has articulated, I would urge a 'no' vote on this Amendment, too."

Speaker Bradley: "The Gentleman from Bond, Mr. Watson."

Watson: "Thank you, Mr. Speaker. As I mentioned before, there are several Amendments that I will accept. This is not one of them. I oppose this Amendment as House Sponsor for many of the reasons that Representatives Johnson and Leinenweber have brought to our attention. It is unfair to ask the creditors and put another legal burden on them to have to file with this court 30 days... within 30 days of the bankruptcy. It is also unfair that a large creditor or small, whichever, would be put under the responsibility and the majority rule when his actual debt may be greater... much greater than the others. I oppose this Amendment, and I appreciate



another 'no' vote."

Speaker Bradley: "The Lady from Cook, Mrs. Braun...did you seek recognition? Alright...alright, Mr. Jaffe to close the debate on this."

Jaffe: "Yes, Mr. Speaker. I must say that the...prior speakers have come up with facts that never exist. The average bankruptcy doesn't have 100 or 200 creditors. Yes, maybe it does in a certain county, but certainly not in Cook County and the other counties that I practice in. Basically what you have is about 15 or 20 creditors. You know, there isn't one major debt in every bankruptcy. Usually it is a bunch of little debts that push somebody into bankruptcy. And one party said, 'Well nobody will no where those debt...those creditors are. That's baloney. On every bankruptcy schedule you list that creditor, you'll list his address, where he can be reached and so on and so forth. I...I think this is a very reasonable Amendment. Basically all that it does is say that you can do the federal law, or you can do the Illinois law which you can do at the present time. You know, unless a majority of the creditors, or the ones who are really interested in this thing petition within 30 days to limit you to Illinois exemptions. It is a reasonable Amendment. I think we ought to adopt it."

Speaker Bradley: "Questions on the Gentleman's motion. All in favor signify by voting 'aye', opposed by voting 'no'...'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 53 'ayes', and 90 'nos', and the Gentleman's motion fails. The Chair will recognize Mrs. Kent for the purpose of an introduction."

Kent: "Thank you, Mr. Speaker. Yesterday I told you of a great experience of attending Girls State in Jacksonville on Tuesday evening and speaking to girls from all over the state who have the opportunity to learn more about how



government works. Today, they are candidates just like we are, are here to see you. They have two Parties, the Nationalist Party and the Federalist Party. The Party Leader for the Nationalists is Becky 'Rivero'... Winthrop Harbor, Illinois is where she is from. They haven't got that down here. The Governor under the Nationalist Party is 'Stacia Denask' from Collinsville, Illinois. The Secretary of State is 'Sue Vandermere', and she is from Morrison, Illinois. On the Federalist Party, Judy Miller is the Party Leader. She is from St. Francis, Illinois. The Governor is 'Dawn Gronti' from River Grove, Illinois. Barb Reiners is the Lieutenant Governor candidate from Lincoln, Illinois. I forgot one Lieutenant Governor. That is Jackie 'Schlapie' on the Nationalist Party...from Mackinaw. The...Jennie 'Veltman' is running for Comptroller...Secretary of State on the Federalist Party, and she is from Chicago. And then we have the Speaker of the House, 'Marianne Mima... Mermon' from Alton, Illinois. These are our Leaders of tomorrow, and I know that we are pleased that they took time to visit us. Representative Balanoff would like to make a comment."

Balanoff: "I would like to welcome there beautiful Ladies, these future Leaders of Illinois, and I just want to remind them that many years ago women were not permitted to open schools. Women were not permitted to serve on juries, Women were not permitted to be lawyers. Women were not permitted to be elected to the General Assembly, but now we have 22 women sitting here, and we all welcome you and are so happy you are here."

Speaker Bradley: "Further Amendments?"

Clerk O'Brien: "Amendment #6, Balanoff, amends Senate Bill 1728 as amended by inserting after Section 1 the following."

Speaker Bradley: "The Lady from Cook, Mrs. Balanoff."



Balanoff: "I wish to withdraw Amendment #6."

Speaker Bradley: "Mrs. Balanoff on Amendment #6."

Balanoff: "I wish to withdraw."

Speaker Bradley: "You withdraw #6? Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, Balanoff, amends Senate Bill 1728 as amended by inserting immediately after Section 1 the following."

Speaker Bradley: "The Lady from Cook, Mrs. Balanoff."

Balanoff: "I wish to withdraw..."

Speaker Bradley: "She withdraws Amendment #7. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, Jaffe, ...1728..."

Speaker Bradley: "Mr. Jaffe on Amendment #8."

Jaffe: "Yes, Mr. Speaker and Members of the House, in discussing this Bill, one of the Members on the other side of the aisle who shall be nameless for this particular moment, he said to me, 'Well, you know, I do like to leave them with one drop of blood and just one drop'. Well, #8 is his one drop of blood. Basically what #8 does is exempts professionally prescribed health aids for the dependent...for the debtor and the dependent. In other words what we're saying is if the poor guy has a glass eye, let him keep his glass eye. If he has a hook for an arm, let him keep the hook. Let him keep... let him keep his wooden leg. I don't think anybody, even on the other side, would object to #8. And so I offer Amendment #8 and would urge an 'aye' vote. I don't... would go along with it, but I think the House is much more charitable."

Speaker Bradley: "The Gentleman from Bond, Mr. Watson, on the Amendment."

Watson: "I will accept Amendment #8."

Speaker Bradley: "Further discussion? If not, the question's on the Gentleman's motion. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"



Clerk O'Brien: "Floor Amendment #9, Jaffe, amends Senate Bill 1728..."

Speaker Bradley: "The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Yes, Mr. Speaker and Members of the House. Amendment #9 is really quite simple. What it does is exempt \$750 in debtors tools of trade. In other words, if this person is a carpenter, he will be able to keep his carpentry tools. If he is an auto mechanic he will be able to keep his auto mechanic tools. You don't want them to go on public aid. You want them to work. At least leave him with his tools of the trade, and I would urge an 'aye' vote on Amendment #9."

Speaker Bradley: "The Gentleman from Bond, Mr. Watson."

Watson: "Thank you, Mr. Speaker. I will accept Amendment #9."

Speaker Bradley: "The Gentleman...Mr. Jaffe moves the adoption of Amendment #9. All in favor signify by...the Gentleman from Champaign, Mr. Johnson, on the Amendment."

Johnson: "Representative Jaffe, is this \$750 in addition to other personal property?"

Jaffe: "What other personal property, Tim? Under this...under the Illinois exemption law at the present time, ^{YOU KNOW} 'Harry', it is \$300 if he..."

Johnson: "Well, under Amendment #1 we raised it to \$2,000. Right?"

Jaffe: "Under Amendment #1, but the present law isn't that. We haven't passed it yet."

Johnson: "Well, we adopted Amendment #1 to this Bill. So it still goes..."

Jaffe: "Well, is your question if Amendment #1 is adopted? Is that what your question is?"

Johnson: "Yeah, right. If Amendment #1 is adopted, as it has been already, would this \$750 be in addition to the \$2,000?"

Jaffe: "Absolutely, Tim. Absolutely."

Johnson: "That is all that I want to know. If Representative Watson doesn't object, I don't either."



Speaker Bradley: "Alright. Then on the...the question's on the adoption of the Amendment. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #10, Balanoff, amends Senate Bill 1728 as amended in Section 2 and Section 1 in Paragraph C by deleting \$2,000 and inserting in lieu thereof \$5,000."

Speaker Bradley: "Mrs. Balanoff."

Balanoff: "Yes, Members of the House. Amendment #10 would increase the exemption from \$2,000 to \$5,000. People who go through bankruptcy don't go through bankruptcy because they want to. They usually go through it because they have to. While they are doing it, they are miserable. The reason they do it is because they have been faced with huge insurmountable medical bills or they have been lured into buying things beyond their means. How many times have we heard a car salesman say, 'It is only \$123 a month', and the furniture salesman says, 'Buy the refrigerator. It is only \$50 a month', and 'Buy this house. The mortgage payment is only \$300 maybe five a month'. And of course they forget to tell them about the insurance and taxes. So people are lured into buying things beyond their means, and this is why people go through bankruptcy. These are people who are bolstering the economy. You know, credit is the American way of life. So, if they can't make it after... and have to go through bankruptcy, this particular Amendment would leave them not with zero, but with a little something to start out and continue life with. We know with the present value of things we can easily gather together \$2,000 worth of cars and furniture and what have you, and it certainly isn't enough to get started again, and to keep people off the public aid rolls. Therefore, this Amendment merely adds a few more dollars to the exemption."



Speaker Bradley: "The Gentleman from Bond, Mr. Watson."

Watson: "Thank you, Mr. Speaker. I oppose this Amendment. Well... she said we're currently zero. I heard that statement that you said that we leave the individual with zero. That is not true. Currently, in Illinois, we are under the Federal Exemption Act. We are trying to opt out of that, go back to the State Act which allows \$300 for an individual, and an additional \$700 for the head of the household for \$1,000. Okay, that is current Illinois law. I have amended this particular piece of legislation to increase that to \$2,000. I feel that's fair. I oppose your Amendment, and I would appreciate a 'no' vote."

Speaker Bradley: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I have been in the credit business most of my life. I have been involved with people who owed me who took bankruptcy. I can honestly say that under existing law, I never had one that lost his home, or lost his furniture, or lost very much of anything else. Certainly the Illinois... the Illinois law now is pretty liberal, and with the Amendments that have been put on, it is extremely liberal. So I think liberalizing it any further would be a terrible mistake."

Speaker Bradley: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Well, I would think maybe that most of it has been said, however, we're again talking about your usual bankruptcy as the husband and wife, so you're doubling everything here. So that is \$5,000 in a joint bank account, \$5,000 worth of bonds, \$5,000 worth of common stocks which is not an incon...not a very small amount. I think that this is much too liberal. You're making it much too easy to go through bankruptcy. Despite what the Lady says, many people attempt to...this is a common occurrence that they go through bankruptcy once because it could...becomes a little bit onerous to



make all of these payments. Not because they couldn't make them, but because it is a lot easier to get rid of them. If we give them this big 'grub steak', a lot more are going to take this route."

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

Johnson: "I think everybody should pay real close attention to what Representative Balanoff says about the reason people go bankrupt, because if you listen to her, everything that everybody...or most people have learned from the time they were young children till the time they reach whatever stage they are at now, is totally reversed. Because she says the reason people go bankrupt, and the reason you have greater debts than you do assets is because somehow it is not your fault. You didn't go and buy furniture in excess of what you can afford. You didn't buy a car in excess of what you could afford. You didn't get in an accident and injury somebody...but it is all the other person's fault. It is all the creditors fault because they were able to sell you, or willing to sell you a couch, willing to sell you a car, willing to extend credit to you. It is their fault. And so that everything we have ever learned about need...or the desirability of thrift, the idea of keeping debts balanced with assets, the idea of a little hard work, is all reversed. It is...it is the creditors fault. They are the evil people who come into your home every night and say, 'Here, I am going to loan you \$2,000 and please buy this item of furniture. Please buy this car'. Nobody ever does that. Representative Balanoff knows that just as well as we do. It is simple an...another...attempt to allow people to go through bankruptcy, get rid of their debts, and keep all of their property. It is a silly concept. She ought to realize it is a silly concept, and I vote...I would urge your vote 'no' on Amendment #10."

Speaker Bradley: "The Gentleman from Cook, Mr. Kornowicz."



Kornowicz: "Mr. Speaker, move to the previous question please."

Speaker Bradley: "The Gentleman moves the previous question.

All those in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. Thank you. In the opinion of the Chair, the 'ayes' have it...Mrs. Balanoff to close the debate."

Balanoff: "Yeah, in answer to the last speaker. I have filed a bankruptcy on a Wednesday. It has been published in the law bulletin on Thursday, and on Saturday morning, used car dealers will telephone the debtor and say, 'I want to sell you a car'. So this particular Amendment will not discourage people from extending credit. It just gives them a little break so that they start out not with nothing, but with a little something to continue life. That's all."

Speaker Bradley: "On the Lady's motion. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 50 'ayes', 73 'nos', and the Lady's motion fails. Further Amendments?"

Clerk Leone: "Amendment #11, Balanoff, amends Senate Bill..."

Speaker Bradley: "The Lady from Cook, Mrs. Balanoff, on Amendment #11."

Balanoff: "Yes, Amendment #11 does not change any dollar amount in the law. It merely says...gives the individual the right to have a homestead exemption. At the present time only the head of the household who has dependents can take the exemption. This...Amendment would give the individual the right. Also, he does not have to own the property, the real estate, in his own name. He could hold it...if he has a land trust of which has been deemed to be personal property, or if he has a mobile home which is deemed personal property. This could be exempt also as long as this is his residence and is owned by him."



Speaker Bradley: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Will the Lady yield for a question?"

Speaker Bradley: "She indicates she will."

Leinenweber: "I understand you've added language in addition from changing from individual...from household or to individual, you also put down regardless of title. I take it that means you're trying to give every individual has some interest no matter what in the residential property...the exemption. Is that correct?"

Balanoff: "Well, he has to own and present the property as a resident. You may have 17 people in the land trust. However, I...I'm sure all of them don't all own, and possess, and live in, or have the homestead right."

Leinenweber: "Let me ask you...give me a fact situation. You tell me how much we would be entitled to. Assume I have two children that are 18 years of age or older that reside with me in my house when ^{they're} home from school, and I am having a little difficulty paying my bills, but I have a nice expensive house. So I issue a declaration of trust to them adding them as joint owners of the house for some period of time then give it to them or my wife to hold for them so that all four of us, my wife and I as joint tenants, and the kids as beneficial interest by declaration of trust, that is four of us, we all four reside there even though it is my name and my wife's name, they have an interest. Would the four of us, if we went through bankruptcy together, be entitled to a \$40,000 exemption?"

Balanoff: "You mean, you put all four of you would go through bankruptcy?"

Leinenweber: "Yeah."

Balanoff: "This is a rare case. 'You don't understand that'."

Leinenweber: "Well, what I am suggesting, would they be entitled to a \$40,000 exemption?"

Balanoff: "Yeah...and all four of them own the property?"

Leinenweber: "Two of them by title, and two of them by an



issuance of the declaration of trust executed by my wife and myself."

Balanoff: "I believe that bankruptcy laws require that you divulge any transfers you have made in the recent period. So if you made this for the purpose of avoiding the bankruptcy laws, that would be illegal..."

Leinenweber: "Well, except it's not to a third party. It's the bankrupt himself."

Balanoff: "I'm not saying to a third party. I said in any kind of transfer for the purpose of voiding the bankruptcy exemption."

Leinenweber: "Well, we're not avoiding bankruptcy. What we're doing is creating a...an exemption. Would you point to me any provision of the Bankruptcy Code that would prevent that?"

Balanoff: "Well, if you made the transfer in order to perpetrate a fraud against the creditors, I think that would not be allowed."

Leinenweber: "Why would that be a fraud? I want to give them an interest in my house."

Balanoff: "Because the laws do not permit you to make transfers in order to avoid your creditors, Harry."

Leinenweber: "Well, Mr. Speaker, Members of the House, even if that fact situation can't occur, and I suggest that it can, and if we do pass this particular Amendment, it will. You're at least going to give the husband and wife, which almost every house is joint tenancy, a \$20,000 exemption. Now, you add \$100,000/^{name} and a \$75,000/^{mortgage} there is not going to be much left for the creditors who are actually out the money. It is a bad Amendment and it ought to be defeated."

Speaker Bradley: "If Mr. Ronan is within the range of my voice would he please come to the podium? Representative Ronan. Mr. Leverenz, the Gentleman from Cook, on the Amendment."

Leverenz: "If that is...on the Amendment. Question, Mr."



Speaker."

Speaker Bradley: "She is...question of the Sponsor?"

Leverenz: "Yes."

Speaker Bradley: "She indicates she'll yield."

Leverenz: "What would you use for collateral?"

Balanoff: "Collateral for what?"

Leverenz: "In a bankruptcy. Thank you."

Speaker Bradley: "Alright, the Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, as an aside to this argument's been going on for an hour among the attorneys. I was wondering if Tim Johnson would tell me if he'll take a bankruptcy court...bankruptcy case without the fee in advance. I wonder if Tim Johnson, the erstwhile attorney from Champaign County will tell me if he'll take a bankruptcy case without the fee in advance. If the poor guy is bleeding in his office will be allowed to leave his office unless he comes up with the cash first."

Unknown: "What do you use as collateral?"

Giorgi: "Still be...or he'll allow him to bleed to death in his office."

Speaker Bradley: "The Gentleman from Adams, Mr. McClain."

McClain: "Mr. Speaker, I think that is sort of an inappropriate question. Anyway, it is Mrs. Balanoff's Amendment. That is out of order."

Speaker Bradley: "I think...I think your point is well taken. The Gentleman from Bond, Mr. Watson, on the Amendment."

Watson: "I would like to ask the Sponsor a question. I would like to clarify one thing."

Speaker Bradley: "She indicates she'll yield."

Watson: "Okay. When...when you said individual, you are talking about a husband and a wife both going bankrupt. They would have a \$10,000 exemption."

Balanoff: "I was thinking of an individual who is not married and does not have a...dependent. That's what I was



thinking of."

Watson: "But that is not what it says though. Is that right?"

Balanoff: "It says individual."

Watson: "Individual, and that could be..."

Balanoff: "Under present law, an individual could not take this exemption if he...if he's not married or doesn't have dependents."

Watson: "But...if they were married and they both took individual bankruptcy, then they would have that \$20,000 exemption on their home. Is this correct?"

Balanoff: "Yeah. Yes, they would."

Watson: "So we are significantly changing Illinois law when you said originally in your initial presentation that we were not changing Illinois law. We are really making quite a bit of a change."

Balanoff: "No, I said each individual would be permitted the exemption."

Watson: "I op...would like to make a remark and speak to the Amendment."

Balanoff: "You wouldn't want to penalize people for getting married. We have a public policy on this, don't we?"

Watson: "Are you through?"

Balanoff: "You're asking me. Are you through?"

Watson: "I want to speak against the Amendment, if I could."

Speaker Bradley: "Proceed."

Watson: "As House Sponsor I am opposed. We are making drastic changes in Illinois law. The Lady originally said that there was not much of a change. We are talking about \$20,000 exemption on a home now for a husband and wife who declare bankruptcy. I think this is ludicrous. I would again urge more red votes, and I would appreciate it very much. Thank you."

Speaker Bradley: "The Gentleman from Cook, Mr. Jaffe, on the Amendment."

Jaffe: "Yes, Mr. Speaker and Members of the House, I think this is really a most reasonable exemption, and I think



you ought to listen because under...under Illinois law, if you're single you don't get an exemption. If your property is in trusts, you don't get an exemption. If you live in a mobile home, you don't get an exemption. So what this Amendment does while it does raise it a small amount also says 'Covers now single people, property and trusts, and mobile homes'. Now if you think it is fair that only people who live in brick houses who are married get exemptions, then, you know, you want to vote 'no'. But if you think that people who are single ought to get an exemption, think of people who have their property in trust ought to get an exemption, if you think that people who live in mobile homes who are not exactly living high on the hog ought to have an exemption on their mobile home, then you'll vote yes on this particular Amendment. This is an excellent Amendment, and I would urge an 'aye' vote."

Speaker Bradley: "The Gentleman from Cook, Mr. Piel."

Piel: "I move the previous question."

Speaker Bradley: "The Gentleman moves the previous question."

All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Lady from Cook, Mrs. Balanoff, to close the debate."

Balanoff: "I believe enough has been said, and the summary was done very well by Mr. Jaffe. I ask for a favorable Roll Call."

Speaker Bradley: "The question's on the Lady's motion. All in favor signify by saying 'aye'. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 60 'ayes', 80 'nos', and the Lady's motion fails." Further Amendments?"

Clerk Leone: "Amendment #12, John Dunn, amends Senate Bill 1728 as amended."

Speaker Bradley: "The Gentleman from Macon, Mr. Dunn."



Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #12 is an Amendment which would allow a debtor in the State of Illinois to offset any unused portion of the real estate homestead exemption against his other property. If we go all the way back to what the Illinois law currently is, the real estate homestead exemption can be used for real estate exemption purposes only, and there can be no offset. This Amendment, if attached to the Bill and the Bill becomes law, would at least provide some relief to those who do not own ^Asubstantial equity in real property. Those who are tenants, those who live in mobile homes, those who are young couples who cannot afford a down payment to buy a home, and ever increasing larger group. These people would be able to use any portion of the existing Illinois homestead exemption to be offset against personal property, and I urge a favorable vote on this Amendment."

Speaker Bradley: "The Gentleman from Bond, Mr. Watson."

Watson: "May I ask the Sponsor a question?"

Speaker Bradley: "He indicates he'll yield. Mr. Dunn. question."

Watson: "He...am I...am I correct to assume that we are talking about a \$10,000 personal property exemption if someone does not elect to take their homeowners exemption, or if they're a renter, or if they...would that be \$10,000 personal property exemption?"

Dunn: "The current Illinois law provides a \$10,000 exemption in homestead property. This Amendment would allow any portion of that which is not used for real estate homestead exemption purposes to be offset against personal property to enable someone to take advantage of \$10,000 worth of exemption for personal property purposes. They would have to, number one, either not own real estate, or not...or elect to give the real estate up which is not a very likely thing to happen, and number two, they would have to own as much as \$10,000 in personal property. people likely to take bankruptcy



bankruptcy first of all, are not likely to own \$10,000 worth of personal property, and if they have real estate, they are most likely to want to protect their home and use up the homestead exemption for the real estate equity. This does, however, provide them an option, but I don't think it is the great liberalizing thing that I anticipate following remarks to indicate. In many cases, in most cases, and probably in all but few cases, very little of...very little benefit will come to bankrupts from this Amendment."

Watson: "Well, let me ask you one other thing. So in other words, under the current legislation that we're talking about today, that would be...an individual would have \$12,000 available to them. We have increased the personal property from former levels to \$2,000. So now we're talking about \$12,000 in personal property tax ...and personal property."

Dunn: "No, that is not...that is not so. The...the Illinois law provides for a \$10,000 exemption for real estate purposes and a pre...and a prior Amendment to this Bill to increase the personal property exemptions to \$2,000.. So there is \$10,000 for real estate and \$2,000 for personal property. And as I have indicated, the... the likelihood that all...that both of those exemptions would be combined into and used in their entirety for personal property tax purposes is probably not one in a thousand."

Watson: "So we're talking about a potential \$12,000. We are talking about a potential \$12,000 if your Amendment is enacted."

Dunn: "As I indicated earlier, I anticipate..."

Watson: "No,..."

Dunn: "...That you will be talking about \$10,000...\$12,000. But as I am saying now, I am not. I am saying that the great majority of people who take bankruptcy will include a substantial number of people who own equity



in real estate, and when they do they will take advantage of the Illinois homestead exemption law for that purpose, and they will not use that for personal property purposes. And of those who do not own real estate, the likelihood of having \$10,000 in personal property which is exempt when you take bankruptcy is just not very likely. Because most people who take bankruptcy in the State of Illinois in one form or another have their personal property pledged to a creditor. If they don't have it pledged with a purchase money loan, then they go in to consolidate or to refinance, and at that time the creditor takes...the financing statement interest in all of their household goods and possessions. And I say that nine out of every ten people who take bankruptcy find themselves in that position. Of course, the federal law that has been passed would...would liberalize that in some regard, but if your Bill becomes law, of course, that won't be available. So we'll be back to the Illinois law. You'll find that...that very few creditors, very few bankrupts will have \$10,000 in personal property which is not pledged to some creditor."

Speaker Bradley: "The Gentleman from...Mr. Watson, are you through?"

Watson: "One quick thing here. I would like to just explain the federal exemption as it is now. They can take \$ 7,500 plus \$400 wild card with a total maximum value of \$11,500..."

Dunn: "Mr. Speaker...Mr. Speaker, we're talking about Amendment #12 to Senate Bill 1728. He's talking about the federal exemptions, and that is not in order."

Watson: "What I...I am talking on Amendment #12..."

Speaker Bradley: "I called..."

Watson: "I oppose Amendment #12 for obvious reasons. The Speaker admitted that anyone who does not have personal property or does not have a homestead, that this could be taken for personal property, added on to the



current \$2,000 exemption. That would be \$12,000. I urge a 'no' vote on this particular Amendment."

Speaker Bradley: "The Gentleman from Will, Mr. Leinenweber, on the Amendment."

Leinenweber: "Mr. Speaker, Members of the House, once the... May I ask the Gentleman a question."

Speaker Bradley: "He indicates he'll yield."

Leinenweber: "Do you change the term from householder to individual in the Amendment? I don't have a copy of it."

Dunn: "We do...this Amendment does not affect that provision."

Leinenweber: "In other words the...the \$10,000 exemption is only available to the householder...the head of the house...only available to the head of the house. Is that correct?"

Dunn: "The thrust of this Amendment is to make the offset available only to those to whom the real estate homestead exemption is available."

Leinenweber: "In other words, it is not your intention to provide, as several of the Members on your side of the aisle have done previously, to make this exemption available to other than a house...householder or family head of the house with a family.."

Dunn: "You have to repeat that question."

Leinenweber: "It is not your intention to increase the number of people who are entitled to the homestead exemption. Currently, the way the Bill reads, it is available only to the head of the household with a family. Several of the previous Amendments have sought to extend that to individuals who reside on a residence. You don't make that attempt. Is that correct?"

Dunn: "This Amendment does not change the existing Illinois law insofar as it describes and determines who is eligible for the Illinois homestead exemption."

Leinenweber: "Alright, Mr. Speaker, Members of the House, what this Amendment would do is make sure that no one's bank account, checking account, savings account, stocks and



bonds could be touched in the bankruptcy proceeding. All of his liquid assets would be frozen. It is not a good idea. This will make it much much easier for a person, certainly deciding whether or not to pay his bill or put it in his bank account if he thinks he might down the road have a problem of paying...of paying his bills. So I would join the Sponsor in urging a 'no'."

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

Johnson: "Mr. Speaker, Members of the House, we just defeated Amendment #10 which would increase the personal property exemption to \$5,000. Now we're talking about an exemption that in effect would increase it not only to \$5,000 but to \$12,000. We've talked about the philosophy of this Amendment. This is con...contrary to the whole purpose, the whole history, and every state in the Union of homestead exemptions and their applicability to real estate, and the uniqueness of real estate and the homestead to a debtor family or any other family. This Amendment is ludicrously high, higher than it is under the Federal Act, and I urge a 'no' vote."

Speaker Bradley: "Mr. Friedrich...Mr. Jaffe, the Gentleman from Cook."

Jaffe: "Yes, Mr. Speaker, Members of the House. I rise in support of this Amendment. Contrary to what the prior speaker has said, this is not contrary to other state's laws. As a matter of fact, many of the other states do have that law. Federal law has this type of Amendment. It is a good concept. Illinois should have adopted this type of Amendment many many years ago. All that it does is allows the debtor to apply the unused portion of his real estate exemption toward his personal property. It is a very reasonable Amendment. I really can see no reason to vote against it. I would urge an 'aye' vote on it."

Speaker Bradley: "The Gentleman from Marion, Mr. Friedrich, you wish recognition? Alright. The Gentleman from



Macon, Mr. Dunn, to close."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The House Judiciary I Committee as has been said earlier with regard to the debate on this Bill, is a very responsible Committee which has treated all those who come before it fairly. This legislation had a thorough and fair hearing in the House Judiciary I Committee and was defeated there. And yet, the Sponsor saw fit to come and ask this Body to discharge that Committee which had done its job so well. It is because of that that I rise in support of these motions which seek to at least restore some measure, some modicum of equity into this piece of legislation in the event it should become law. This Amendment...this Amendment #12 would simply provide that those who are not sophisticated enough to own real estate with substantial equity in it at the time they take bankruptcy, may take advantage of existing Illinois homestead exemption laws and offset that...offset that exemption against the personal property that they own. I don't think this will jeopardize any banker.. I don't think it will jeopardize any lender. I don't think it will jeopardize any short loan company. I don't think it will jeopardize anyone who makes a consolidation loan which makes the payments so big that it pushes someone into bankruptcy. Those people are all well-protected no matter how this Bill turns out, and I would urge a favorable vote on this Amendment."

Speaker Bradley: "The question's on the Gentleman's motion. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Mr. Epton to explain his vote."

Epton: "Thank you, Mr. Speaker, Ladies and Gentlemen. I have a conflict of interest in this matter, but as always, I'll vote my conscience."

Speaker Bradley: "Have all voted who wish? The Clerk will



take the record. On this question there are 69 'no',
...yes...'ayes', 75 'nos'. Mr. Jones." J. David Jones,
'no'. Mr. Leverenz, 'aye'. Gis Stiehl, 'no'. 70 'ayes',
77 'nos'. Mr. Dunn."

Dunn: "Mr. Speaker, I don't usually take the time of the House,
but this is close. Let's Poll the Absentees. There
are a lot of absentees up there."

Speaker Bradley: "The Gentleman requests a Poll of the Absen-
tees. The Clerk will call...or call the poll...call
the Poll of the Absentees please."

Clerk Leone: "Poll of the Absentees. Abramson, Casey, Catania..."

Speaker Bradley: "What purpose does Mr. Watson arise?"

Watson: "If need be, I would like to verify the affirmative."

Speaker Bradley: "Alright."

Clerk Leone: "Continuing with a Poll of the Absentees. Dawson,
DiPrima, Donovan, Doyle, Ralph Dunn, Flinn..."

Speaker Bradley: "Abramson wishes to be recorded 'aye', and
Flinn wishes to be recorded as voting 'aye'. And Wolf
wishes to be recorded...Sam Wolf, 'no'. Continue with
the call."

Clerk Leone: "Gaines, Hanahan, Keane, Kosinski, Kulas, Laurino,
McGrew, Oblinger, Reed, Ronan, Ropp, Shoerberlein, Schuneman,
Slape, Willer, Williams, Younge, and Mr. Speaker."

Speaker Bradley: "Completes the Poll of the Absentees. What's
the count? Mr. Schuneman...alright, Mr. Schuneman wishes
to be recorded 'no'. That's 80 'nos', and Mrs. Reed, 'no'.
Is 81s'nos',...71 'ayes', 81 'nos'. And the Gentleman's
motion fails. Further Amendments?"

Clerk Leone: "Amendment #13, John Dunn, amends Senate Bill 1728
as amended."

Speaker Bradley: "The Gentleman from Macon, Mr. Dunn."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House,
Amendment #13 would exempt any interest the bankrupt
debtor may have in an unmatured life insurance contract
owned by the debtor other than a credit life insurance
contract, and the debtors aggregate interest that really



is like the cash renter value not to exceed \$4,000.

I urge a favorable vote on Amendment #13."

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

Johnson: "Representative Dunn, are you aware of the provisions
...existing provisions under Illinois law of Chapter
73 Section 850?"

Dunn: "I...I don't know. I don't have the statutes
memorized by Chapter and Section, and you..."

Johnson: "Well, Chapter 73..."

Dunn: "...Might refresh my memory."

Johnson: "Chapter 73 Section 850 already deals with insurance
benefits. How does this...how does this vary that
provision?"

Dunn: "I think to answer that question we'll have to put the
Amendment together with a specific Section of the
statute which I do not have before me. Do you have
them both? It would be nice if you'd comment."

Johnson: "Would it be possible...would it be possible under
this...under this Act to go out and to use all of one's
spare cash, even borrow the money, and buy up to the
maximum extent in life insurance interest that you can
buy and exempt part of it out under your Amendment?"

Dunn: "I don't have a devious mind, and haven't tried to think
that through. The Amendment does say that if the...if the
debtor has a cash render value in the amount of \$4,000
at the time of bankruptcy, it would be exempt. I would
point out that there are darn few insurance policies you
can buy that have an immediate cash^{sur-}render value of
\$4,000."

Johnson: "I oppose the Amendment."

Speaker Bradley: "Mr. Leinenweber on the Amendment."

Leinenweber: "Yes, what is an unmatured life insurance contract?"

Dunn: "Yeah, I understand that to mean a life insur-
ance policy. For example, I would...I would consider that
to include a term life insurance contract which has no
cash render value."



Leinenweber: "Well, what is a matured life insurance contract?"

Dunn: "Well, obviously one would mature at the death of the insured."

Leinenweber: "Aren't you really talking about...policy that is not endowed?"

Dunn: "I don't..."

Leinenweber: "If it is a matured life insurance contract, then the debtor is dead. Isn't that correct?"

Dunn: "Well, not necessarily. I think we had a...they had a twenty year policy of..."

Leinenweber: "Well, that was an endowment policy."

Dunn: "...Think that would mature, but that would have a 20 year...policy which has an endowment to it also has a cash render value which would be included in the next phrase of the Amendment. I think..."

Leinenweber: "Okay...term insurance is probably what..."

Dunn: "I understand what you're directed to."

Leinenweber: "Well, I understand. Well, term insurance, of course, there is no value to the debtor, and therefore there is nothing that the creditor could ever attach. Let me ask you this. If you...why would a person, let's say, who has an endowment policy...a \$4,000 policy that is endowed, so it has a value to him...a cash ^{sur}surrender value of \$4,000...Now under this term, if what you say is correct, he would not be able...be entitled to an exemption, but a person who has a \$10,000 policy that has a cash ^{surre}surrender value of \$4,000 but hasn't endowed would be able to. Isn't that the effect of your Amendment?"

Dunn: "I...I lost your train of thought."

Leinenweber: "Well, an endowed policy is a policy that, as I understand it, that has a cash value that is sufficient to generate enough proceeds annually to pay what the premium would be, so the insured no longer has to make a payment of a premium. An unendowed policy or, this is what you mean by unmatured, I'm not sure, an unendowed



policy is where the cash value is not sufficient to... to make the payments so that the insured has annual premium payments. Now, if that is what you mean, I'm not sure because I don't know what the term unmaturred means, I don't see why you would distinguish between the person that has the endowed policy and one who has an unendowed policy. Is there a reason for that?"

Dunn: "I don't know."

Leinenweber: "Also, I have looked at 850 of Chapter 73, and it would appear that if we do adopt your Amendment instead of being able to have an exemption of your entire cash value, you would limit it to \$4,000. So, were you intending to do that, or do you think that would be the practical effect?"

Dunn: "If you're asking why didn't we 'attract' the federal law exactly and make it \$5,000, I think the sentiment of this Body seemed to be the other day on a discharge motion not to go all the way to the federal exemption. This would be somewhat restrictive."

Leinenweber: "Well, the State of Illinois, as I understand it, exempts the entire cash value of any policy that has the cash value. By your Amendment, you would limit that to \$4,000, and I take it you may not have intended that result. Is that correct?"

Dunn: "I do not...I do not intend to restrict the current existing...the currently existing Illinois law."

Leinenweber: "Well, the creditors might like your Amendment."

Dunn: "Then maybe they'll vote for it."

Speaker Bradley: "Further discussion? Mr. Dunn to close the debate. Oh, pardon...Mr. Wat...No, Mr. Dunn."

Dunn: "I request a favorable vote on Amendment #13."

Speaker Bradley: "The question's on the Gentleman's motion. All in favor signify by voting 'aye', opposed by voting 'no'. Mr. Watson to explain his vote."

Watson: "Thank you, Mr. Speaker. I would like a 'no' vote on this. I would appreciate not having this Amendment



attached to my Bill."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 61 'ayes', and 75 'nays'. The Gentleman's motion fails. Further Amendments?"

Clerk Leone: "Amendment #14, John Dunn, amends Senate Bill 1728 as amended."

Speaker Bradley: "The Gentleman from Macon, Mr. Dunn."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, this Amendment would exempt...from bankruptcy creditors the debtors right to receive or the property itself that is traceable to five different categories of items. First awards under the Crime Victims Compensation Act, secondly wrongful death payments to the extent they are reasonably necessary for the support of the debtor and any dependent of the debtor, three, payments under life insurance contracts with the same proviso that they be reasonably necessary for the support of the debtor and any dependent, four, the personal injury awards, in the...not to exceed \$7,500, and lastly, payments in compensation of loss of future earnings of the debtor or an individual whom the debtor is or was dependent to the extent they are reasonably necessary for...for the support of the debtor and any dependent of the debtor. I would ask for a favorable vote on Amendment #14."

Speaker Bradley: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Does this verbatim from the federal exemptions?"

Speaker Bradley: "Mr. Dunn...turn Mr. Dunn on."

Dunn: "It is pretty close. I think there are a couple of minor wording changes."

Leinenweber: "Do you know which ones they were?"

Dunn: "I really don't right now."

Leinenweber: "Again, in Paragraph Four, a payment not to exceed \$7,500 on account of personally...personal bodily injury not including payments, suffering, or compensation for actual pecuniary loss, comma, of the



debtor or an individual of whom the debtor is a dependent. Was that drafted by Washington, or by downstairs?"

Dunn: "I think that's...that's supposed to be straight out of the federal law."

Leinenweber: "Well, it sounds like it. What is meant by 'the extent reasonably necessary for the support of the debtor'. That was asked...previous Sponsor of another Amendment. I would just ask you what you interpret that to mean."

Dunn: "It was noisy in here. I didn't hear the debate, but it...I would presume that this is like a...like...a proximate cause, and reasonable man, and other terms that we see quite often appearing in our statutes in common law. We have a standard and a guideline which has to be interpreted on a case by case basis. What is reasonably... necessary for support will depend upon the circumstances of each case."

Leinenweber: "What if you have...what if you have...well, what if a person resides in say a penthouse suite. Would this be reasonably necessary do you think, or would this mean someone...person would have to move to a senior citizen low rise...or low income housing or what?"

Dunn: "I think you could ask...the person to ask about that is Mrs. Wrigley."

Leinenweber: "Well, would Mrs. Wrigley qualify? Let's put it that way?"

Dunn: "Apparently not, she has been asked to leave her penthouse suite."

Leinenweber: "Mr. Speaker and Members of the House, this...this Amendment sounds alright, but whoever drafted this must have been either a federal bureaucrat or a Member of Congress himself because it hardly makes any sense at all. It is confusing. The best I can figure out is that you're going to exclude just about every insurance contract because if anybody has ever been in these



bankruptcy courts to see how they operate, it is pretty liberal as far as the debtor is concerned. Everything pretty well is 'resolved' in the debtor's favor and against the creditors, and most of the creditors then throw up their hands and write it off, and of course, pass the cost of the bad debt onto the rest of us who don't go bankrupt. So I would urge a 'no' vote and reject #14."

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

Johnson: "A couple of...three maybe questions of the Sponsor.

Representative Dunn, let's assume this hypothetical. Individual in an automobile accident is injured in the accident, goes to Decatur Memorial Hospital where he has \$10,000 in medical bills from emergency treatment, ambulance treatment, and so forth. Then at some later point he declares bankruptcy and...let's also assume prior to that that he files a law suit and obtains a judgment against the person with whom he was in the car accident. Under your Bill, would it be possible to first eliminate all of the right of Decatur Memorial Hospital to recover those medical bills from them and at the same time allow him to keep the say \$7,500 recompensation he gets from the other driver for medical expenses. Would it be possible for him to do that under your Amendment?"

Dunn: "It...It is quite likely that under the circumstances you have indicated the hospital would, upon payment, be 'subrogated' and would be able to recover from the judgement award, and I think the Amendment does indicate that the \$7,500 is...is the ceiling placed on actual pecuniary loss."

Johnson: "How...now wait a minute, Representative Dunn. How does a hospital subrogate itself after...after services have already been rendered? I don't know of any provision that would allow them to do that."

Dunn: "Well, if you were setting forth an example where



there had been a judgment and an award and in the case of an award, there is usually a check written, as you know, with both the...the...the injured party's name and the subrogated party's, and I would presume that the hospital would be paid."

Johnson: "Well, okay, let's assume it is a personal injury either award...or let's assume it's just a cause of action..."

Dunn: "I really..."

Johnson: "The fact of the matter is that a hospital can render \$7,500 worth of emergency medical treatment to save an injured person's life, or to pay an ambulance to get them to the hospital, and the debtor can then eliminate all of that debt and keep the \$7,500 that he or she is allowed to recover or settle as a personal injury claim for it..."

Dunn: "I would..."

Johnson: "...That's the way this is set up."

Dunn: "I would just respond to that by saying the hospitals are not in here arguing against this Bill. It is the bankers, not the hospitals. They are providing treatment on a daily basis to everybody that comes in their door, and they treat them whether they get paid or not, so it's not..."

Johnson: "Well, Re...Representative..."

Dunn: "...The hospitals you're taking care of, it is the bankers. And..."

Johnson: "Well, Representative Balanoff indicates..."

Dunn: "...We're taking up the time of the House. We might as well proceed to a vote on this Amendment."

Johnson: "Representative Balanoff indicates that the reason that people go bankrupt is because they have excessive medical bills over and above what they are able to pay. She's on your side of the issue, and that's what she told us about four Amendments ago. What about a...what about a situation where an individual is paying insurance pre-



miums. Let's say life insurance premiums, falls behind on the premiums, the life insurance company extends them as they normally do for a short period of time, then a death intervenes, they are entitled to life insurance proceeds, and they owe for back premiums a couple of thousand dollars. Would they be able to discharge that \$2,000 and still keep the life insurance matured proceeds?"

Dunn: "You...you've posed a complicated example. I'm not sure who died. Did the bankrupt die?"

Johnson: "No...if the bankrupt died, this wouldn't even be relevant. I'm talking about when a bankrupt is entitled to receive from a...from someone else's estate X amount in life insurance proceeds, and that individual decedent had incurred several thousand dollars or whatever figure you want to make it in back premiums, and the policy hadn't been cancelled. The person then died. The beneficiary of the life insurance policy is entitled to take X amount pursuant to the terms of that policy, and...and then they go bankrupt. I'm just asking you if everyone is entitled to wipe out the \$2,000 debt, and ..."

Dunn: "It would be...it would be a debt of the deceased, not a debt of the bankrupt in the example you pose. It would be a loan against the policy by the...by the insurer. In a death, the insurance company would pay off the face value less the amount of the loan."

Johnson: "What about a situation where two people are in a car accident and as happens, at least where the liability is questionable, say one person is uninsured, and the other...incurs a debt either through settlement or judgment, and then that judgment...person later goes bankrupt, obtains a personal injury judgment against the person with whom he was in the car accident...A mutual sort of thing where liability is questionable. It would be possible, wouldn't it, under the provisions



of this Act, to wipe out the...wipe out the debt...the uninsured debt that you re...have and yet be able to keep the...either settlement or judgment against the other party with whom you're in the accident?"

Dunn: "As I am sure the Gentleman is well aware, it happens quite often in present day where...where there's a divorce and a husband and wife are separated by means of divorce, and they are both jointly obligated on some debts. One of the spouses takes bankruptcy. That always leaves the other spouse high and dry with the bill to pay. That is the example you're posing. This wouldn't change anything like that."

Johnson: "No, I'm just...I'm saying specifically X and Y... get in a car accident with one another. Particularly this would be true in a state where you had comparative negligence, but even now where you have one party who is...in other words you have basically both...one party either settling with or obtaining a judgment against the other party and vice-versa. I'm just saying you could eliminate one and keep the other, couldn't you?"

Dunn: "Mr. Speaker...really enough dialogue. I move the previous question."

Johnson: "..."

Speaker Bradley: "The Gentleman moves the previous question. All in favor of...Mr. Giorgi, what purpose do you rise?"

Giorgi: "I thought it was time to ask Tim Johnson another question."

Speaker Bradley: "Well, the Gentleman moves the previous question."

Giorgi: "I thought he might tell us how much the fee is in the event the guy comes in and files bankruptcy then on the other he is hired by the hospital to collect a bad debt... what the percentage is. I thought he might want to tell...enlighten the House on that aspect of it." You know, the bloodsucker's aspect of it."



Speaker Bradley: "Alright...the question...the main question ...Mr. Dunn has...moves the previous question. All in favor of the Gentleman's motion signify by vo...saying 'aye', opposed 'no'. The 'ayes' have it. And...Mr. Dunn to close the debate."

Dunn: "Take the roll, Mr. Speaker."

Speaker Bradley: "Alright, on this...on this...all in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. The Gentleman from Bond, Mr. Watson, to explain his vote."

Watson: "I would encourage a 'no' vote on this. Representative..."

Speaker Bradley: "Have all voted who wish?"

Watson: "The Representative referred to bankers. Bankers are not the only ones that are concerned about this. Anyone dealing in credit. I'm talking about the small businessman...anyone dealing in credit is concerned about this particular issue, and I would appreciate very much a 'no' vote."

Speaker Bradley: "Have all voted who wish? The Clerk will take the record. On this question there are 53 'ayes', and 77 'nos', and the Gentleman's motion fails. Further Amendments?"

Clerk Leone: "Amendment #15, John Dunn, amends Senate Bill 1728 as amended."

Speaker Bradley: "The Gentleman from Macon, Mr. Dunn."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, I tried my very best with these Amendments to get my picture on the front page of the Chicago newspapers, but I guess I'm not going to make it. So I'll ask leave to table Amendment #15."

Speaker Bradley: "The Gentleman withdraws Amendment #15. Further Amendments?"

Clerk Leone: "Amendment #17...16, Jaffe, amends Senate Bill 1728 as amended."

Speaker Bradley: "The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Yes, Mr. Speaker, Amendment #16 is really a rather



simple Amendment. All that it exempts is the debtors interest not to exceed \$1,200 in value and one motor vehicle. You know, most people have to drive to work. If a guy goes through bankruptcy, then at least let him keep his junk car and go to and from work. I don't think this is unreasonable, and I would urge an 'aye' vote on Amendment #16."

Speaker Bradley: "The Gentleman from Bond, Mr. Watson."

Watson: "Again, I will not concur with this Amendment. We have options in the existing law and in the proposed law to allow for a \$2,000 personal property exemption. The individual is allowed to exempt an automobile up to that value if they so wish. I would appreciate a 'no' vote."

Speaker Bradley: "The Gentleman from Will, Mr. VanDuyne."

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

Speaker Bradley: "The Gentleman moves the previous question. All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The 'ayes' have it. The previous question has been moved. Mr. Jaffe to close the debate."

Jaffe: "Yes, Mr. Speaker, that \$2,000 Amendment that Representative Watson talks about is really absolutely nothing. What you're saying is that if he keeps his...if he keeps his interest in the junker, he is not going to have any furniture. He is not going to have a television set. He's not going to have any place to sit. He's not going to have any place to do anything. You know, I think we have to be reasonable. You want somebody to go to and from work, well leave him his junk car. Give him an exemption of \$1,200 and one motor vehicle and let him go to and from work. I might say to the people who come from the farming community, you know, if a farmer goes bankrupt, you know, he's going to have to worry about a lot of things, and one of them is whether he is going to have an automobile



or anything else. And for those of you who come from southern Illinois, who come from the farm area, I would certainly vote an 'aye' for Amendment #16 which just gives them a right and their automobile up to \$1,200."

Speaker Bradley: "The question's on the Gentleman's motion. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question we have 57 'ayes', 77 'nos', and the Gentleman's motion fails. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Bradley: "Third Reading. 1729."

Clerk Leone: "Senate Bill 1729, a Bill for an Act to amend the School Code Section of private special education facilities..."

Speaker Bradley: "Out of the record. 1759."

Clerk Leone: "Senate Bill 1759, a Bill for an Act to amend the Juvenile Court Act, Second Reading of the Bill. No Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Peters-Simms, amends Senate Bill 1759 by deleting the title and inserting in lieu thereof the following."

Speaker Bradley: "The Gentleman from Cook, Mr. Peters, on the Amendment."

Peters: "Thank you, Mr. Speaker. Mr. Speaker, by your leave I would ask first that Representative Chapman, Representative Bradley, Representative McMaster, and Representative McClain be added as Cosponsors of this Amendment."

Speaker Bradley: "Are there any objections? If not, we will... they will so be listed."

Peters: "Thank...thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the Assembly, Senate Bill 1759 relates to a county reimbursement program for the care of children. What this Amendment does is set a limit on the expenditure. It eliminates something that many people were interested



in and are interested in, and that is to...and that is payments for delinquents in detention. It provides for payment of shelter services for...for children. It provides that all of these placements must be in programs where the child care facilities are licensed. It prohibits the placing of children in out of state facilities, and it basically sets into the law those parts of the federal legislation which guarantee care for foster children and the proper inspections and so forth of institutions. Mr. Speaker, let me say that this Amendment has been put together by a lot of individuals, a lot of groups who are extremely concerned about child welfare.. The Lutheran Service people, the Catholic Conference, Judge 'White' in Cook County, Director 'Koehler', Members of our House Committee on both sides of the aisle, Members of the Governor's office. All have had an impact in putting this Amendment together. It is a reasonable Amendment. It is one that brings together the public, the private, the county facilities into an agreement and goes a long way towards doing what we want to do, and that is to provide the best possible kind of service for the children that are placed in our care. I would ask, Mr. Speaker, the approval of the Assembly in...on this Amendment, and also publicly extend my thanks to the director of the department, Director 'Koehler', and especially to the Gentlemen from the Catholic Conference and the Luthern Services for all the work that they have done in putting this Amendment together and in sponsoring this legislation. Thank you, Mr. Speaker, and I ask for the approval of the Assembly."

Speaker Bradley: "The Gentleman from Macon, Mr. Borchers, on the Amendment."

Borchers: "May I ask a question on the Amendment?"

Speaker Bradley: "He indicates he'll yield."

Borchers: "Mr....Representative Peters, does this correct the



Bill that was put in and continue that Bill that was put in that went into effect last January 1 in relation to the...I believe it is \$185 maximum...no, it was \$185 minimum for the care of dependent children...foster children in foster homes in those 47 counties where the circuit judges still take care and decisions as to where the children will be..."

Peters: "Representative...Webber, it does continue that program."

Borchers: "And then we do not...as I recollect, my Bill which was unfortunately not supported by Representative Chapman that...that stops the...we have \$35 a month from 1962 until January 1. Now this corrects that, and we do not fall back as we would have except for this Bill now to the \$35 a month. Does that correct that?"

Peters: "That is my understanding..."

Borchers: "It does correct that."

Peters: "That is my understanding."

Borchers: "I can't understand then...why...I would certainly support it and urge everyone to support this Bill, but I cannot understand, and I am surprised considering the practice of the Children and Family Services that very strongly objected to my Bill and wanted the...wanted to fall back to the \$35 so they could control all...all counties where the children were placed by the circuit judges in these 47 counties. I'm surprised they turned around and now are helping pass such a Bill. Perhaps they've seen the light, but nevertheless, this is a Bill that we should support. Otherwise there will be 47 counties including Cook County for one...where that as of July 1 the monæes involved to these counties will fall back to \$35 a month per child which is absolutely impossible to take care of them properly at that amount of money. So I would urge the passage of this matter."

Speaker Bradley: "The Gentleman from Rock Island, Mr. Darrow."

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



Speaker Bradley: "He indicates he will."

Darrow: "In Rock Island, Illinois we place children...the court places children in a drug rehabilitation center in Davenport, Iowa. If this legislation passes, they will no longer be able to do so. Is that correct?"

Peters: "Representative Darrow, if you would...if you place what?"

Darrow: "We place court wards, or children for whom the probation office takes guardianship in a drug rehabilitation center in Davenport, Iowa right across the river. And if...I am looking on page ten...number 93...there are no placement by a probation officer."

Peters: "Representative Darrow, frankly we are a little bit unclear in terms of giving you a precise kind of answer. Part of what we would think is that it would preclude out of state placements, but one of the things we're talking...one of the problems we have in giving you a straight answer is when we're talking about whether these are kids that fall under corrections which would be detention and do not fall under...under DCFS. So..."

Darrow: "These would be children, for example, who are otherwise in need of supervision where...made wards of the court...or they could be delinquents."

Peters: "According to the Amendment we have here, they could not be placed out of state unless the county on their end would pick up the tab on it."

Darrow: "Thank you."

Speaker Bradley: "Further discussion? Hearing none, Mr. Peters to close."

Peters: "No, Mr. Speaker. Just to ask for the favorable vote of the Assembly."

Speaker Bradley: "Alright...all in favor of the Gentleman's motion say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."



Speaker Bradley: "For what purpose does the Gentleman from Knox, Mr. McMaster, arise?" Well, anyway, let's move.

Mr. McMaster: "No further Amendments, Third Reading. Mr. McMaster..."

McMaster: "Thank you, Mr. Speaker, am I on? Thank you, Mr. Speaker. In the course of the Committee hearing on this Bill, I asked for a fiscal note to be filed. After the adoption of this Amendment I would like to remove that request for a fiscal note."

Speaker Bradley: "Thank you. Senate Bill 17." (Continued on next page)



Speaker Bradley: "Senate Bill 1812. Jane Barnes?"

Clerk O'Brien: "Senate Bill 1812, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Goodwin-Williamson-Henry, amends Senate Bill 1812 by deleting the title and inserting in lieu thereof, 'An Act relating to the transportation and reassignment of...'"

Speaker Bradley: "The Gentleman from Cook, Mr. Goodwin."

Goodwin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill (sic) amends Bill 1812 and is purely permissible. This permits public School Districts to help desegregation programs. The provisions are optional. The School Districts are required to obtain state desegregation funds and to submit a desegregation proposal which includes a description of the previous student reassignment efforts..."

Speaker Bradley: "The Parliamentarian... Pardon me, Mr. Goodwin. If the Parliamentarian is within the sound of my voice, would he please come to the podium? Proceed, Mr. Goodwin."

Goodwin: "... the number of students by attendance in the centers which are to be reassigned to , provisions for educational programs, staff training, and the community involvement proposed to benefit the reassigned students, In addition, the Amendment requires a minimum of 50% of the funds appropriated for such desegregation programs must be allocated to districts having developed successful desegregation programs prior to July 1st, 1980. This is a Bill .. an Amendment whose time has come, Ladies and Gentlemen. We see what is coming to pass by other states where the courts have put a gun to the states' heads and make them do what they're supposed to do. This



Bill simply allows School Districts to have the flexibility to be able to maneuver where they can sit down and agree with each other to do what is mandated that they do. And I think the time has come that we need this Amendment so that School Boards and Districts will have the flexibility to sit down and work out agreements. This is purely voluntary. And we need this Bill now and I would hope for your favorable consideration of this Amendment."

Speaker Bradley: "The Gentleman from Cook, Mr. Collins."

Collins : "Thank you, Mr. Speaker. I don't have the Amendment before me. Would you ask the Parliamentarian to check the germaneness of this Amendment?"

Speaker Bradley: "Chair's going to rule that it's germane.

It amends the School Code and deals with the subject of transportation so the Amendment is germane. Discussion? Question's on the Gentleman's motion. All in favor signify by saying 'aye', Opposed? All in favor signify by voting 'aye'; opposed by voting 'no'. The Gentleman from Cook, Mr. Ewell, to explain his vote."

Ewell: "Mr. Speaker, Ladies and Gentlemen, this is simply the bottom line. This is a moral issue. All the Gentleman is seeking to do in the most modest, moral terms possible is to make an effort to comply with some of the things that have been put upon us by the Supreme Court, by the State Board... by the State Board. We're attempting to enable the School Districts through a voluntary, nothing coerced, nothing pushed, and if no one agrees, fine. But if you won't let reasonable people sit down and attempt to work out something, attempt to make some modest agreements, then we really have problems. If you really want to try to be people of good will and think of things in terms of moderation, surely you will allow this type of event or this modest step. It's a very simple Amendment. It's a straightforward Amendment. And



surely it deserves the support of the Body."

Speaker Bradley: "The Lady from Cook, Mrs. Braun, to explain her vote."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Without this Amendment, Ladies and Gentlemen of the House, we will be sending a message loud and clear across this state that it's all right to bus so long as it's not for racial integration. I want to share with you a personal experience. I was bussed as a school child in the city of Chicago, bussed out of my neighborhood so that I could go to a school that was totally black. Passed by two white high schools in my own edu. in my own neighborhood so I could go halfway across town to maintain racial segregation. That, Ladies and Gentlemen, is the situation that we still have in the State of Illinois, in the city of Chicago. This Amendment if adopted would only allow... would allow voluntary compliance with the law. It seems to me that it is the obligation of this Legislature to make a statement in favor of compliance with law that has been on the books at least since 1954. To do otherwise and to pass bussing legislation without some kind of support for voluntary integration, it seems to me to be wrong and it seems to me that there ought to be 64, 65 'yes' votes on that Board at this time. Thank you."

Speaker Bradley: "The Gentleman from Cook, Mr. Bullock, to explain his vote."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. My remarks are intended for the conservative Members of this Body, on the Republican or Democratic side of the aisle. This Amendment will allow the city of Chicago to get in excess of 35 million dollars which it presently is forfeiting because of inadequate school desegregation. School desegregation in the State of Illinois is a very costly delay tactic. Ninety percent of



the cost that will ultimately be spent to integrate our schools of Illinois will go for litigation fees and only ten percent of that cost will go to implement a plan. I think it's time that those of you who are strict constructionists and strict believers in the Constitution and fiscal conservatives understand that your procrastination, your inability to move forcefully into the 20th century and into school desegregation is going to cost the people that you represent, the property tax owners, a large amount of money. I urge you to stand up, conservatives. Stand up as statesmen and stop being nickel and dime politicians hiding behind a red switch for some innocuous reason that you know and I know the citizens of your district don't appreciate and you should be ashamed to call yourselves conservatives."

Speaker Bradley : "Have all voted? Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Mr. Gaines, to explain his vote."

Gaines: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. A few years ago the Committee on Urban Education had a hearing and we heard about the program they have in Milwaukee in Wisconsin. And this is patterned after that. So it's not something that we just dreamed up. It's working today in Wisconsin. And they did not have the problems that we have in Illinois because they have confidence that one School District bargaining straight up with another School District will do the right thing. And therefore, they did not have to wait until the U.S. courts, which most of you say you don't want to have to deal with, come and tell you that you have to do this. So, all we're asking is that you authorize the School Districts that may be adjacent to one another, one is overcrowded, other has low enrollment, declining enrollment, to help one another so that each may receive their fair share of educational funds and



have students receive a top flight education. And that's all this is all about. There's nothing forced here. Nothing forced at all. You always complain about something being forced. This is voluntary. So we're asking all persons of good will to get on this Amendment. Thank you."

Speaker Bradley: "The Gentleman from Cook, Mr. Williamson, to explain his vote."

Williamson: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this legislation for the reason, it doesn't cost the state any money. And the Board of Education will receive at least 35 million dollars for their problems of money in Chicago. This does not affect anyone else but Cook County. We need this type of Bill because they have failed the requirements of the Federal Government. And I urge all of my colleagues to please support it. Thank you."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 60 'ayes', and 80 'nos'. And the motion... the Gentleman's motion... The Gentleman's motion fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Donovan, amends Senate Bill 1812...."

Speaker Bradley: "The Gentleman from Macon, Mr. Donovan."

Donovan: "Yes, Mr. Speaker, I ask leave of the House to withdraw..."

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

Clerk O'Brien: "Amendment #3, Mahar, amends Senate Bill 1812 on page two by inserting between lines five and six the following, '...'"

Speaker Bradley: "Mr. Mahar, the Gentleman from Cook."

Mahar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3 simply says that no such trans-



portation shall be provided for students attending non-public schools unless such school is providing instruction on the effective date of the amendatory Act. Now, during the debate we've had over the last couple of years, it seems to me that we have been trying to help the private schools. One of the ways we can do it is by transportation support. And I've supported that. And I still support it and will continue to support it. One of the other problems that I see is the proliferation of this type of schools, the private schools. It just seems to me that we ought to clearly define at this particular point that we're talking about the schools and the people who go to private schools right now who have a problem with paying taxes and also a problem of sending their kids to school and paying transportation costs. But we are not at any time trying to get some other system than the regular public system that we have. The public system is important; We need it. The private system is important; We need it. It's part of our society and I think this clearly delineates what we're trying to do and I would ask for its adoption."

Speaker Bradley: "Discussion? The Gentleman from Lake, Mr. Deuster."

Deuster: "Well, Mr. Speaker, Ladies and Gentlemen of the House, our colleague, Representative Mahar, is well intentioned, but what this Amendment would do is to say that this law only applies to schools existing on the date of the law. His idea is well intentioned but I think it's unconstitutional. It would be very much like saying the statutes of Illinois respecting education only apply to children who are alive on the day that the law becomes effective. I think that we've got to defeat this. His purpose is to void this law being any kind of encouragement for private schools to develop, but I think it's just something that can't be put into law."



We have to pass the laws and these are laws that apply to children, to schools, as they exist in the future and we can't make any cut-off on a specific date and I would urge 'no' votes on this Amendment. Thank you."

Speaker Bradley: "Further discussion? The Gentleman from Cook, Mr. Mahar, to close the debate. Mr. Hoffman, the Gentleman from DuPage, on the Amendment."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment. As most of you know, I am opposed to this entire program under any circumstances so I want you to know where I'm coming from before I make any comments. But if in fact, at some point in time, something such as this does become law we certainly are not.. we certainly do not want to be part of a program which encourages any kind of peripheral operations from developing in the school business. And this in fact is certainly what will happen unless we set and prescribed these limitations. And I think these limitations are very reasonable. All this says is this doesn't apply to anybody who isn't in business at the effective date of this Act. That's reasonable. When we talk about costs, we know what we're talking about to a certain degree because these schools are now in operation or they are not. And for that reason, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of Amendment #3."

Speaker Bradley: "Further discussion? Mr. Mahar to close. The Lady from Cook, Mrs. Willer."

Willer: "Yes, thank you, Mr. Speaker. I, too, rise in support of this Amendment. One of the things that worried me about this Bill until this Amendment came along was that the very thing that Representative Mahar is speaking about, that there would be groups who would establish schools and not for religious purposes, but for reasons of



racial segregation, of elitest parents who want certain types of education for their children, I think this is a very good Amendment and I think that it will safeguard us from that type of school being constructed. I don't believe, ~~there's any~~ ^{there's away}, ~~certainly~~, Catholic Church, that's going to be building a school for now on, or Lutheran Church, or Jewish Synagogue, the very people we want to help will continue to be helped. But it will lock out people building schools for racial reasons, for racial segregation reasons and I, for one, think this is an excellent Amendment. I hope the supporters of this Bill will in good faith support this Amendment."

Speaker Bradley: "All right. Now, there's no other lights flashing. Mr. Ma...Going to have to start turning those lights on. Mr. Keane, the Gentleman from Cook."

Keane: "Thank you, Mr. Speaker. I just want to point out that this Bill.. or this Amendment if it is adopted will be unconstitutional. We will be denying equal rights under law. One year. .if there is a private school that's established a year after this law's enacted, we can go right to the constitutionality of the Bill to the exclusion of the school on its!.. is definitely going to be unconstitutional and for that reason, I would ask those.. everyone to vote against it."

Speaker Bradley: "Mr. Mahar to close."

Mahar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Well, I'm not a lawyer and even though we have lawyers here I think the interpretations of the courts will be left finally to the Supreme Court. We oftentimes hear people say that Bill's unconstitutional. But we really don't know. In many cases, it's just an attempt I think to place a red herring in our way and cause us to change our minds. If, in fact, this Amendment is not a correct Amendment, then the principle is still there and I say that if we don't adopt this Amendment



somewhere down the road, we're going to have to make a decision as to how much we can expand private schools and how much we can support them in the State of Illinois. I still say, and I reiterate, what I said initially, is the primary thrust here as far as I'm concerned is not to oppose this Bill in such a manner that will be defeated, but to strengthen it so that we know exactly where we're coming from. I support the concept of transportation payments for private school children. I think it's a good idea. But I think that there must be some limitations on this type of legislation and this is a good place to start." And I urge its adoption."

Speaker Bradley: "The question's on the Gentleman's motion. All in favor signify by voting 'aye'; opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 70 'ayes', and 55 'nays'. And the motion...Mr. Deuster?"

Deuster: "I would request a call of the absentees, on this, Mr. Speaker."

Speaker Bradley: "The Gentleman requests a ver.. call of the absentees. Mr. Johnson? Wishes to be recorded as 'aye'. Mr. Bower, 'aye'. Poll the absentees."

Clerk O'Brien: "Poll of the absentees; Ackerman. Balanoff. Bianco. Bradley. Campbell. Capparelli. Casey. Catania. Chapman...."

Speaker Bradley: "Chapman 'no'."

Clerk O'Brien: "Daniels. Darrow. Dawson. Domico. Donovan. Doyle. Ralph Dunn. Ebbesen. Ewing. Virginia Frederick. Dwight Friedrich. Hanahan. Harris. Karpziel. Kelly..."

Speaker Bradley: "Kelly, 'no'. Proceed."

Clerk O'Brien: "Kosinski.."

Speaker Bradley: "Kosinski, 'no'."

Clerk O'Brien: "Krska..."

Speaker Bradley: "Krska, 'no'."



Clerk O'Brien: "Kucharski..."

Speaker Bradley: "Terzich, 'no'. Capparelli, 'no'. Murphy, 'no'. Doyle, 'no'. Darrow, 'no'. Harris, 'no'. Daniels, 'aye'. Polk, 'aye'. Winchester, 'aye'. Wolf, Jake Wolf, 'no'. Winchester wanted 'aye'. Let's try one more time. Everybody get on the Roll Call. Everybody... Dump this one. Everybody in favor of the motion signify by voting 'aye'; opposed by voting 'no'. Have all voted who wish? Mr. Walsh, to explain his vote."

Walsh: "Yes, Mr. Speaker, and Ladies and Gentlemen of the House, I'm afraid what is being done with this Amendment and not deliberately by the Sponsor, but he is killing it with kindness. He's killing the Bill with kindness. This Amendment clearly is unconstitutional as Representative Kane pointed out. You can't restrict bussing of private school children to schools that are just in existence now. You must provide for schools that may come into existence. I suggest to you that it is... sounds good, but it is ill-advised and I urge you to vote 'no' on this Amendment."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 72 'ayes', and 68 'nos'. Mr. Deuster?"

Deuster: "I would request a poll of the absentees and then reserve the right to ask for a verification of the affirmative votes."

Speaker Bradley: "All right. We'll poll the absentees; again. If you want to change your vote, or you want to be recorded when the Clerk calls your name, I'll recognize you and we'll put you on then. Mr. Deuster, Mr. Jones wants to be verified if we get to that point. Is that all right with you? All right. Call the absentees."

Clerk O'Brien: "Poll of the absentees; Balanoff. Bianco.



Campbell. Casey. Catania. Chapman. Dawson. Domico.
Donovan. Ewing. Dwight Friedrich...."

Speaker Bradley: "Friedrich, 'aye'. Friedrich 'aye'."

Clerk O'Brien: "Goodwin. Hanahan. Karpiel. Laurino.

Lechowicz. Leverenz. Margulus...."

Speaker Bradley: "Margulas, 'aye'."

Clerk O'Brien: "Mautino. McGrew. O'Brien. Pechous.."

Speaker Bradley: "Pechous, 'no'."

Clerk O'Brien: "Reilly..."

Speaker Bradley: "Reilly, 'aye'."

Clerk O'Brien: "Richmond."

Speaker Bradley: "Richmond, 'aye'."

Clerk O'Brien: "Ropp..."

Speaker Bradley: "Ropp, 'no'."

Clerk O'Brien: "Schoeberlein. Stuffle. Telcser. Vinson.

VonBoeckman. Williams. Williamson. Sam Wolf..."

Speaker Bradley: "Wolf, 'no'."

Clerk O'Brien: "Woodyard. And, Yourell."

Speaker Bradley: "Mr. Epton?"

Epton: "Mr... Thank you, Mr. Speaker. Ladies and Gentlemen
of the House, I know this is certainly out of order.

I think it's important enough to correct the impression
that may have been erroneously given. If this provision
of the Bill that we're referring to is unconstitutional,
that does not necessarily kill the Bill in its entirety
and those of you who are voting under that misapprehension
should be so advised. I'm not suggesting how you should
vote, but I think it should be clear on that point. The
fact that this provision may or may not be unconstitu-
tional does not affect the validity of the Bill in its
entirety. "

Speaker Bradley: "Mr. Dawson wishes to be recorded as voting
'no'. That's 76 'ayes' and 72 'nos'. And, Telcser 'no'.

73 nos. 76-73. Mr. Deuster wishes verification, Sir?"

Deuster : "Yes, Sir." A verification of the affirmative vote



please."

Speaker Bradley: "Call the Affirmative Roll."

Clerk O'Brien: "Ackerman. Alexander. Anderson. Birkinbine.."

Deuster: "Mr. Speaker, I think he's going a little bit fast.

Otherwise, we'll have to ^{ask to} verify every vote, every name, as long as we have just a slight pause to see if they're here or have them raise their hand. Please. Thank you."

Clerk O'Brien: "Bluthardt. Bower. Bowman. Braun. Breslin. Bullock."

Speaker Bradley: "Mr. Williamson wishes to be recorded as voting 'aye'. Donovan wishes to be recorded as voting 'no'."

Clerk O'Brien: "Continuing the poll of the affirmative;
Burnidge. Currie. Daniels. Davis. Ralph Dunn.
Dyer. Ebbesen. Epton. Ewell. Virginia Frederick.
Dwight Friedrich. Gaines. Greiman. Griesheimer.
Hallstrom. Henry. Hoffman. Hudson. Huff. Huskey.
Jaffe. Johnson. Dave Jones. Emil Jones. Kane.
Katz. Kent. Klosak. Macdonald. Mahar. Margalus.
Marovitz. McMaster. McPike. Mugalian. Neff. Oblinger.
Patrick. Pierce. Polk. Pouncey. Pullen. Rea.
Reed. Reilly. Richmond. Rigney. Robbins. Sandquist.
Satterthwaite. Schneider. Schuneman. Sharp. Skinner.
Steczo. E.G. Steele..."

Speaker Bradley: "Domico wishes to be recorded as voting 'no'.
Vinson, 'no'. Continue with the call."

Clerk O'Brien: "C.M. Stiehl. Sumner. Taylor. Totten.
White. Wikoff. Willer. Williamson. Winchester.
Younge. And, Yourell."

Speaker Bradley: "Questions of the Affirmative."

Deuster: "Alexander."

Speaker Bradley: "Alexander is in her chair."

Deuster: "Birkinbine."

Speaker Bradley: "Is in the aisle."



Deuster: "I see him. Ralph Dunn."

Speaker Bradley: "Is in his chair."

Deuster: "Ray Ewell."

Speaker Bradley: "Ray Ewell is not in his chair. But he's
in the chamber."

Deuster: "Mr. Henry."

Speaker Bradley: "Henry? Is not in his seat. Is he in the
chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Deuster: "Johnson."

Speaker Bradley: "Mr. Bianco wishes to be recorded as voting
'no'. Mr. who? Johnson?"

Deuster: "Johnson. Oh, there he is, right in front."

Speaker Bradley: "He's right here."

Deuster: "Mr. Klosak."

Speaker Bradley: "Mr. Klosak. I can't see if he's in that
chair or not. How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Deuster: "Mr. Neff."

Speaker Bradley: "Mr. Neff. How is he recorded?"

Clerk O'Brien: "The Gentleman's recorded..."

Speaker Bradley: "He's in the center aisle."

Deuster: "All right. Mr. Pierce."

Speaker Bradley: "He's..."

Deuster: "Oh, there he is. Mr. Richmond."

Speaker Bradley: "Mr. Richmond? "

Deuster: "Oh, I see him. Mr. Shapp."

Speaker Bradley: "Mr. Sharp? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll. He's back. Put
him back on. Here's Mr. Sharp."

Deuster: "No further questions, Mr. Speaker."

Speaker Bradley: "What's the count? On this question there are



75 'ayes' and 77 'nos'. Mr. Mahar, for what purpose do you arise?"

Mahar: "Yes, I think the count is sufficiently close to verify the Negative Roll Call please."

Speaker Bradley: "The Clerk will call the negative vote."

Clerk O'Brien: "Abramson. Barnes. Beatty. Bell. Bianco. Birchler. Borchers. Boucek. Bradley. Brummer. Capparelli. Capuzi. Christensen. Collins. Conti. Cullerton. Darrow. Dawson. Deuster."

Speaker Bradley: "Mr. Mahar, can Mr. Kosinski be verified?"

Clerk O'Brien: "DiPrima. Domico. Donovan. Doyle. John Dunn."

Speaker Bradley: "Mr. Leon would like to be verified. Is that all right, Mahar? Proceed."

Clerk O'Brien: "Farley. Flinn. Garmisa. Getty. Giorgi. Grossi. Hallock. Hannig. Harris. Keane. Kelly..."

Speaker Bradley: "Mr. Piel, do you want to be verified? Mr. Mahar? Piel. All right. Schoeberlein wishes to be recorded as voting 'no'. Record Mr. Schoeberlein as voting 'no'. Proceed."

Clerk O'Brien: "Continuing the poll of the negative vote;"
Kornowicz. Kosinski. Krska. Kucharski. Kulas.
Leinenweber. Leon. Madigan. Matijevich. Matula.
McAuliffe. McBroom. McClain. McCourt. Meyer. Molloy.
Mulcahey. Murphy. Pechous. Peters. Piel. Preston.
Ronan. Ropp. Ryan. Schisler. Schlickman. Schoeberlein.
Schraeder. Simms. Slape. Stanley. Stearney. Swanstrom.
Telcser. Terzich. Tuerk. Vinson. Vitek. Walsh.
Watson. J.J. Wolf. And, Sam Wolf."

Speaker Bradley: "Questions? Mr. Mahar, questions?"

Mahar: "What's the count we're starting with, Sir?"

Speaker Bradley: "75 'ayes', 78 'nos'. Mr. Simms?"

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

Speaker Bradley: "Leave? All right. Poll...."

Mahar: "Beatty."



Speaker Bradley: "Well, now just a minute. Mr. Polk? Were you recorded before? Oh, yes, you'll stay 'no'. Fine. 'Aye' to 'no'? From 'aye' to 'no', Mr. Polk? From 'aye' to 'no'? From 'aye' to 'no'. All right. Questions, Mr. Mahar."

Mahar: "Beatty."

Speaker Bradley: "Beatty?"

Mahar: "Yes."

Speaker Bradley: "He was... He's in the center aisle."

Mahar: "Boucek."

Speaker Bradley: "Boucek? Is he in the chambers? How is he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Speaker Bradley: "Take him off."

Mahar: "Cullerton."

Speaker Bradley: "Cullerton? He's not in his seat. Is he in the chambers? How is he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Speaker Bradley: "Take him off. Just a minute. Mr. Preston wants to be verified. Mr. Garmisa. All right. All right. Mr. Mautino wishes to be recorded as voting 'aye'. Jack Williams wishes to be recorded as 'no'. And, Dawson.. And Dawson wishes to be recorded as 'no'."

Clerk O'Brien: "He's already recorded as 'no'."

Speaker Bradley: "Goodwin wishes to be recorded 'aye'. Goodwin 'aye'. Okay. Questions."

Mahar: "Mr. Doyle."

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

Mahar: "Mr. John Dunn?"

Speaker Bradley: "John Dunn? I don't see him in his seat. How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Bradley: "Take him off of the Roll."

Mahar: "Mr. Farley?"

Speaker Bradley: "Farley? I don't see him in the rear of the



chamber. Put Mr. Dunn back on here. Here he is. How is Mr. Farley recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Speaker Bradley: "Take him off."

Mahar: "Mr. Matula? Matula."

Speaker Bradley: "Matula, how is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Bradley: "I don't see him back there. Take him off the record."

Mahar: "Mr. Mulcahey."

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

Mahar: "Mr. Ronan."

Speaker Bradley: "Ronan is in the chambers, over here."

Mahar: "Mr. Schisler."

Speaker Bradley: "Schisler is in his seat."

Mahar: "No further questions."

Speaker Bradley: "Mr. Campbell, for what purpose do you arise?"

You wish to be recorded as voting 'no'? On this question there are 76 'ayes' and 77 'nos'. Any other changes?

If not, then, on this question there's 76 'ayes', 77 'nos'. Mr. Schisler? For what purpose do you arise?"

Schisler: "Mr. Speaker? Please record me as voting 'aye'."

Speaker Bradley: "Mr. Schisler wishes to be recorded from 'no'

to 'aye'. Now, Mr. Anderson? You're recorded as 'aye'.

'Aye' to 'no'. Vote from 'aye' to 'no'? All right.

All right. Mr. VonBoeckman, 'no'. Totten."

Totten: "Mr. Speaker, if Mr. Casey was here he'd like to vote

'aye', so could you vote him 'aye' please?"

Speaker Bradley: "Leverenz wishes to be recorded as voting

'aye'. Now what's the count? No more changes. On this question there are 77 'ayes' and 78 'nos' and the motion fails. Further Amendments?"

Clerk O'Brien: "Amendment #4, Emil Jones, amends Senate Bill 1812 on page one, line one..."

Speaker Bradley: "The Gentleman from Cook, Mr. Jones."



Jones: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a very noncontroversial Amendment and I'm quite sure that the supporters of the bussing for private schools will be in favor of. One that deals with the public schools and if you have read the news quite recently the State Board of Education passed a Resolution recommending that we have a minimum competency exams in Chi... in the public school system. And all this Amendment does is open up the testing in the public schools wherein the parents or guardians of children will know what the exam is about and what the questions and answers to the exams were. It's called 'truth in testing legislation.' I solicit an 'aye' vote."

Speaker Bradley: "The Gentleman from Cook, Mr. Schlickman, for what purpose do you arise?"

Schlickman: "Mr. Speaker, I raise the question of germaneness. House (sic) Bill 1812 preceded this Bill...."

Speaker Bradley: "If the Parliamentarian is within the sound of my voice, please come to the podium."

Schlickman: "House (sic) Bill 1812 deals with the subject of transportation of students, students attending non-public schools. This Amendment deals with the subject of testing of public school students. There can't be any relationship and I respectfully suggest that the Amendment is out of order, not being germane."

Speaker Bradley: "The Amendment is amending the School Code and it's germane. School Code Bill and it's amending the School Code and the Amendment addresses itself to it, so it's germane. The Gentleman from LaSalle, Mr. Anderson."

Anderson: "Yes, I arise in support of Representative.. Representative Jones's Amendment. Both Representative Jones and myself had similar Bills before the Rules Committee that we couldn't get out. And since Representative Jones decided to try and amend this Bill I want to support him."



What this is really is a 'truth in testing' Bill. There are 26 states that are considering Bills such as this one. There are two Bills being considered before the Congress. California and New York have already enacted legislation along this line. It requires the testing agents to file with the local School District 30 days before the test, is given a copy of the test to be administered along with the corrected answer sheet and rules for determining the scores. This is something where the ACT, the SAT and tests similar to this, the students and the teachers and faculty and parents will have a chance to look at these and make sure that all who take the tests get a fair shake. And I think this is what Representative Jones and myself would like. Thank you."

Speaker Bradley: "Further discussion? If not... Mr. Deuster? Mr. Deuster."

Deuster: "Mr. Speaker, I.. Ladies and Gentlemen of the House, I rise in opposition to this. Of course, it is a separate subject. The Bill, as we all know, deals with transportation of students and this goes into a new area that is a controversial area. Most of the schools in my district test the students and most of the schools around the state test students. There is a great controversy over whether we ought to mandate a standard test for the whole state or whether at great expense to the districts or whether we ought to allow our districts to continue utilizing the variety of tests that they presently employ. I respect Representative Anderson and other Members who have introduced Bills that have not made it through the legislative process on the subject of testing, but I think that because the State Board has been studying this subject and our many schools have been studying it, we have not really reached an intelligent consensus on whether we need standardization and uniformity throughout the whole State of Illinois. Our schools



differ so much. The neighborhoods differ; the quality of teachers, the kind of subjects and interests differ, that I think the subject of testing is something that so far most of us have not agreed can be done uniformly from one end of the state, from Cairo to Chicago, from Rockford to Centralia, and because of that, because educators have not agreed, I would think that we best deal with this subject in a separate legislation and I would urge a 'no' vote on this Amendment."

Speaker Bradley: "The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker. Would the Sponsor yield to a question? He can answer it in Representative Deuster's ~~make~~ if you wish. Oh, he's back."

Speaker Bradley: "I think it is Jones' Amendment. Question, Mr. Jones."

Stuffle: "Emil, what... I read your Amendment twice and I listened to people talk about it. It seems to me that some people here are being led to believe that this is a mandated testing program. Is that the case?"

Jones: "No, it isn't, Representative, and I'm glad you asked that question. The previous speaker indicated that we will be mandating that all children take the same examination. That is not the case. A standardized test is a test that all children automatically take now in the public schools, Representative Deuster. So we're not changing anything whatsoever. All we are saying is that the parents and the legal guardians of our children in these schools should know what is on those tests and the purpose of the examination."

Stuffle: "To the Amendment, Mr. Speaker and Members. Representative Jones appears to be entirely correct if you read through the three pages of the Amendment. I had some concern that this would force some standardized tests upon School Districts to be taken by students which I oppose. As I read the Amendment, it merely de-



finer what tests are in terms of those standardized tests. As he said, there already exists a test educational aptitude, achievement, intelligence and so forth. I see no mandate to pass a test to do anything. Only some specific definitions to point out who authorized people are who can review test results and what tests are and I think that the type of language in this Amendment ought to be acceptable to the School Districts and even those that oppose a mandate, I see none. I urge adoption of the Amendment."

Speaker Bradley: "Further discussion? The Gentleman from Cook, Mr. Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, whether or not this is a good Bill I honestly don't know and I don't know really what my position is on competency testing. But I don't think that I should be asked to have an opinion on it if we are considering a Bill that is equally controversial to competency testing and that is, bussing of private school children. I think that the most we can be expected to do is vote on that issue and not mix it up with something else. Now, furthermore, Mr. Speaker and Ladies and Gentlemen of the House, it's a violation of the system for a person to amend a Bill that has gotten out of the Rules Committee with a Bill that has failed to get out of the Rules Committee. There wouldn't seem to be much point for the Members of the Rules Committee to sit there hour after hour and for Sponsors to wait hour after hour for their Bills to be heard by that Committee if it was this easy, if you could simply amend a Bill that had passed Rules, or gone to a substantive Committee and then heard there and then to be heard on First... on Second and Third Readings. It just simply isn't fair, Mr. Speaker. This is.. This competency testing thing is a question that ought to be given a thorough airing in Committee before



there is a vote on it and I would urge you to vote 'no' on this Amendment."

Speaker Bradley: "All right. The Gentleman from Cook, Mr. Katz."

Katz: "Mr. Speaker, adding to what the last Gentleman said, it would seem to me that while the Gentleman from the Danville area indicated that he thinks what the School Board's position might be or might not be on this Bill, they're entitled to appear before a Committee here and state their position. They should not be required to have to let some Gentleman state what their position is and it seems to me that the School Board, the school teachers and the unions and everybody else of interest on this Bill should have an opportunity to come before the Elementary and Secondary Education Committee and state their views. And I think it's a great mistake to try to add this kind of thing on the House floor, circumventing the Committee system and depriving us of that specialized knowledge that the House Education Secondary Elementary Committee has. And so that's an additional reason I want to urge in opposition to this Bill. Let the Gentleman file it again next Session, go to the right Committee and let the witnesses come in and state their views and get a recommendation of the Committee before we act on this kind of legislation."

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

Yourell: "Yes, thank you, Mr. Speaker. I'm seeking a point of information if I can. I'm curious to know who the Sponsor of Senate Bill 1812 is. Can the Chair advise me of that?"

Speaker Bradley: "Who's the Sponsor of the Senate Bill?"

Yourell: "Yes."

Speaker Bradley: "1812?"

Yourell: "Yes." The House Sponsor."

Speaker Bradley: "The House Sponsor. I think Mrs. Jane Barnes



is the Sponsor of 1812. Right?"

Yourell: "Thank you. That's strange. Because I haven't heard the Sponsor address herself to any of these Amendments and I don't know whether she's for them or against them or the reasons why. And if we're going to vote on these Amendments in the correct way, I think we ought to really know how the Sponsor feels."

Speaker Bradley: "The Gentleman from Cook, Mr. Ewell, on the Amendment."

Ewell: "Mr. Speaker, Ladies and Gentlemen, I think it's a very reasonable Amendment and I'm sort of appalled and astounded to hear some of the senior Members here talking about the Committee system, etc. I mean, we're talking about people who are masters of what we call the 'Conference Committee', and I assure you and every Member of this Body by the time we get to the first of July, we're going to see a lot of things in Conference Committee that have not been through the Rules Committee, have not been heard, have not had an opportunity to be heard by any Committee or anyone. And they're simple products of a certain number of Members of the Conference Committee. And I'm appalled at these Gentlemen who would sit and attack the system that's been so timely and honored. This is a good Amendment. There's nothing wrong with it. It's not even controversial, an attempt to drag red herrings about and simply say because the Rules Committee have possibly haven't heard it, if I raise this objection on the 30th, I'll probably be overruled about 50 times."

Speaker Bradley: "The Gentleman from Rock Island, Mr. Darrow."

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

Speaker Bradley: "The Gentleman moves the previous question. All in favor of the Gentleman's motion say 'aye'; opposed 'no'. The 'ayes' have it. And the previous question prevails. The Gentleman from Cook, Mr. Jones, to close the



debate."

Jones: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Let me clarify one thing for the Membership. This is not a competency Bill (sic). This is a 'truth in testing' Bill (sic). It does not change what is already going on in these public school systems. All this Amendment does is open up the examination for scrutiny. Right now our local School Boards enter into contracts with testing companies and when parents, guardians go in to ask what was on the tests, why did my child fail, the School Board cannot give them the answers because the testing companies will not furnish them with the answers, nor the questions. So, this is a 'truth in testing' piece of legislation. And as my colleague, Representative Ewell, pointed out, between now and the end of the month there will be many Members presenting their Bills that have had no hearing whatsoever. Now I tried to get this Bill out of the Rules Committee and my distinguished, learned colleague, from Glencoe, Representative Katz, knows very well because he will be voting for many of the Amendments that have not had a hearing in Committee. So it is not a controversial piece of legislation. All it does is open up the testing for public scrutiny and I solicit an 'aye' vote."

Speaker Bradley: "Question's on the Gentleman's motion. All in favor will signify by voting 'aye'; opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk will take the Roll. On this question there are 59 'ayes', and 75 'nos'. The Gentleman's motion fails. Further Amendments?"

Clerk O'Brien: "Amendment #5, Jane Barnes, amends Senate Bill 1812 on page one..."

Speaker Bradley: "The Lady from Cook, Mrs. Barnes."



Barnes: "I'd like to table that Amendment."

Speaker Bradley: "She withdraws Amendment #5. Further Amendments?"

Clerk O'Brien: "Amendment #6, Bowman, amends Senate Bill 1812."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's a very short Amendment. Let me simply read it to you. I think it virtually speaks for itself. It says, 'The new School District shall provide transportation to a public or nonpublic school located within the territorial boundaries of another School District unless the State Board of Education certifies to the School Board of the District providing transportation that the public or nonpublic schools to which transportation is to be furnished has a Minority enrollment within 15 percentage points of the average Minority enrollment for all grades in the School District in which such public or nonpublic school is located.' In other words, Ladies and Gentlemen of the House, what this does is to provide an assurance that public monies will not be spent to further aggravate a.. the situation that we have with respect to racial segregation in the school system, specifically the public school system. A lot of School Districts around this state have gone to considerable effort to provide integrated school systems. There are some which have not of course, but a number of them have. And I think it is only fitting that the taxpayers of the School Districts which have gone to the trouble of providing integrated education for their pupils that those taxpayers be assured that their tax dollars will be spent in a manner which does conform with the State Office of Education's guidelines with respect to racial integration. All this does is to assure that our tax money will be spent in a way which is Constitutional on the subject of desegregation. I urge



its adoption."

Speaker Bradley: "Mr. Skinner?"

Skinner: "I'm afraid the Gentleman has awakened me. The desegregation guidelines that have promulgated by the State Office of Education have absolutely no basis in state law in my opinion. Even if they did, they are the flakiest set of guidelines I have ever heard of. To suggest that every School District should have schools, for example Elgin or Rockford, within 15 percentage points of the norm is to suggest the percentage points mean something. Now if you wanted to say percent, rather than percentage points, then I might be able to say that .. or agree that you're talking about some guideline that would make some sense mathematically. But to suggest percentage points just... There is absolutely no logic to the guideline and to pass this Amendment would be giving some color of law to the Office of Education's absurd guidelines. And for that reason, I do not think the Amendment should be passed."

Speaker Bradley: "The Gentleman from Cook, Mr. Schlickman, on the Amendment."

Schlickman: "Mr. Speaker, Members of the House, it is absolutely clear that the transportation of nonpublic school students by public schools is Constitutional. That has been determined many, many times. But the Supreme Court has said with respect to forms of aid to nonpublic schools there shall not be entanglement. An entanglement is clearly provided in this Amendment by conditioning transportation upon a certain level of Minority representation. That is entanglement, clearly unconstitutional. I would also add, Mr. Speaker and Members of the House, it's a matter of fact that non public schools have done more to bring about registration of nonpub... of Minority students than public schools. This Amendment is unconstitutional and it is not needed. And I would urge a



'nay' vote."

Speaker Bradley: "The Gentleman from Rock Island, Mr. Darrow."

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

Speaker Bradley: "The Gentleman moves the previous question."

All in favor of the Gentleman's motion say 'aye'. Opposed 'no'. The 'ayes' have it. Mr. Bowman, to close the debate."

Bowman: "Thank you, Mr. Speaker. In closing the debate, I would like to address my remarks to the last speaker. We have the situation in the city of Chicago which I think bears some simple reflection. We have a minority enrollment in the public school systems of about 80%. However, the population of the city itself is approximately 50, certainly no greater than 60%. Why the discrepancy one may wonder. The answer is that one out of every three students who are enrolled in elementary, secondary education in the city of Chicago are enrolled in private schools. These students are predominantly white. The ... I therefore take issue with the statement made by the last speaker. I think that in response to the first speaker that we have to aware that many, many communities around this state, virtually all over the state, from far north, all the way down to the southern end of the state, have gone to considerable trouble to provide for a desegregated educational experience for their public school pupils. I think we owe it to the taxpayers of those districts, regardless of what your attitudes may be about the State Office of Education and its guidelines, we owe it to those taxpayers that.. to provide them with assurance that their tax dollars will be spent on providing transportation to students to private schools that meet the same kind of tests that their own public schools meet. We can do... We should do no less. I urge the adoption."

Speaker Bradley: "Questions... All in favor of the Gentleman's



motion signify by voting 'aye'; opposed by voting 'no'.
Have all voted who wish? Mr. Katz, to explain his vote."

Katz: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I have been voting against the spending of public funds for private schools. It is, for me, a very difficult issue. But I want to say to the Members of this House that I salute the Catholic schools in Chicago for what they have done with regard to making educational opportunities available for black students. I think they render a great public service in doing so. I believe that if we were to render such funds and make them available that we ought to have a minimum of interference in the expenditure. Accordingly, while, I understand the excellent motivation of the Sponsor. I would have to oppose this kind of Amendment. Thank you."

Speaker Bradley: "Have all voted who wish? The Clerk will take the record. On this question there are 35 'ayes', 92 'nos'. The motion fails. Further Amendments?"

Clerk O'Brien: "Amendment #7, Jane Barnes, amends Senate Bill 1812 on page one..."

Speaker Bradley: "The Lady from Cook, Mrs. Barnes."

Barnes: "Amendment #7 is exactly what House Bill 3580 was. It requires that the state pay for the transportation and I would ask for a favorable Roll Call."

Speaker Bradley: "Discussion? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Would the Sponsor yield for a few questions?"

Speaker Bradley: "She indicates she will."

Hoffman: "Does this Amendment delete the requirement that non-public schools have enrollment of at least 75 pupils?"

Barnes: "Yes, it does."

Hoffman: "Does it delete the Section that ... there's a waiver for districts from transporting nonpublic pupils on days when the public school is not in session?"

Barnes: "Yes, it does."



Hoffman: "Does it waive the mandate of 100% reimbursement not received from the state? In other words, if the state does not reimburse the School District 100%, they are waived from the requirement."

Barnes: "It deletes that."

Hoffman: "Pardon me? I'm sorry."

Barnes: "It deletes that."

Hoffman: "It deletes that Section? Does it delete the Section where there is other means of public transportation available?"

Barnes: "Yes."

Hoffman: "Does it delete the January 2nd, effective date?"

Barnes: "Yes."

Hoffman: "Thank you very much. Mr. Speaker, Ladies and Gentlemen of the House, Amendment #7 does exactly as the Sponsor of the Amendment indicated and that was that it puts this Bill in the original condition that we found House Bill 3580. This... 3580... Thank you very much. What I would suggest then to you, Ladies and Gentlemen of the House, is that this is an attempt by the Sponsor of the Bill to overcome the Amendments that were proposed in the House on a Bill which did not pass this House as well as to take the Bill in its present condition and override the Amendments that were placed on by the opposite Members in the Senate. And therefore, Mr. Speaker, Ladies and Gentlemen, I would rise in opposition to this Amendment and would ask you to oppose it also."

Speaker Bradley: "Further discussion? If not, the question is. The Gentleman from Cook, Mr. Ewell."

Ewell: "Yes, Mr. Speaker, Ladies and Gentlemen, we get down to a certain part of the Session where it always becomes the Sponsor's Bill, but our law. Now I think the Body has the right to make changes, they have a right to put their input in and efforts like this to by-pass or to say that



no one has a right whatsoever to affect the Bill, but simply must take it the way the Sponsor wants it, simply doesn't understand the realities of life. The realities of life are that once the Bill gets out, it's not the Sponsor's. The law is mine. It's every other Member of this Body and it is only reasonable and fair that we have an opportunity and a chance to have our input. And efforts of this type to totally wipe out any input that we might have within the Bill surely are not reasonable and it's not rational. And I think that people ought to be aware that it's very nice to be courteous and kind and say you want the Sponsor to have everything they want, but remember it's not a Sponsor's law, it's your law. It's my law and it's the law of all the rest of the people of the State of Illinois. And this is, indeed, a bad Amendment."

Speaker Bradley: "The Gentleman from Cook, Mr. Keane, who has a very dim light up here and I apologize for that."

Keane: "Thank you, Mr. Speaker. I think that if the Gentleman who discussed the Sponsor's actions on this Amendment had read the next Amendment he would see that many of his concerns are being answered. I believe it is well within the rights of Senate... of its House Sponsor to put the Bill in the shape that he or she wants it in and to amend it in the order that they want to amend it. When we get to the next Amendment, many of the concerns and many of the accusations of deleting provisions that were put on by the Senate will be answered and if.. I would ask the Members if they are concerned about Amendment #7 not fulfilling all of the requirements that they are interested in that they would also look at Amendment #8 which is coming up next. Thank you."

Speaker Bradley: "The Gentleman from Sangamon, Mr. Kane."

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

Speaker Bradley: "She indicates she will."



Kane: "If this Amendment is adopted what portion of the additional costs imposed on local School Districts will be borne by the state?"

Barnes: "All of the cost."

Kane: "Doesn't this Amendment limit the repayment by the state solely to the transportation of students outside of the School District and would not include transportation of students within a School District?"

Barnes: "That's true."

Kane: "We're waiting for an answer, Mr. Speaker."

Barnes: "I have answered. The trans... Any additional costs will be picked up."

Kane: "If you look at..."

Barnes: "... Changed to line 47 and line 48."

Kane: "Will that include all transportation within a School District as well as outside of a School District?"

Barnes: "Yes."

Kane: "What would be the total cost if this Amendment is adopted?"

Barnes: "The total cost? The fiscal note for the Bill?"

Kane: "Yes."

Barnes: "I think that was about five point nine million."

Kane: "What was the basis for that calculation?"

Barnes: "The Illinois Office of Education is the one that filed the fiscal note."

Kane: "Was that fiscal note applicable to this particular Amendment or to the Bill as it was introduced?"

Barnes: "That's the... The figures that I just gave you is the fiscal impact for House Bill 3580."

Kane: "With this particular Amendment?"

Barnes: "Yes."

Kane: "Who signed the fiscal note?"

Barnes: "Robert 'Leinenger' from the Illinois Office of Education."

Speaker Bradley : "All right. The Gentleman from Effingham,



Mr. Brummer."

Brummer: "Yes, there are a number of Amendments filed by the Sponsor. I know number eight is filed by the Sponsor. Number ten is filed by Representative Barnes. I wonder if she could indicate whether she intends to continue to pursue and offer those subsequent Amendments? I think they are all relevant with regard to this Amendment."

Barnes: "Could you repeat that, Representative Brummer?"

Brummer: "Do you intend to pursue Amendments #8 and 10 specifically?"

Barnes: "No. I would say if this particular Amendment passes I would table #8 because it is already included in Amendment 7."

Brummer: "What about Amendment #10?"

Barnes: "No."

Brummer: "No, what?"

Barnes: "No, I would table #10 if this Amendment passes."

Brummer: "Okay. Then the comments of Representative Keane are not exactly correct when he indicated that the concerns would taken care of in the next Amendment. You're indicating, as the Sponsor of the next Amendment, that if this Amendment is adopted, you're going to withdraw the next Amendment and likewise withdraw Amendment #10 as I understand it."

Barnes: "Well, Representative Brummer, my staff over here told me that Amendment #8 is included in Amendment #7 so it would be redundant."

Brummer: "Okay. And could you differentiate for me the difference between the Bill as it is unamended and the provisions of Amendment #7 that we are considering?"

Barnes: "Number one..."

Brummer: "Specifically... Excuse me. Only with regard to one issue and this is with regard to the issue of reimbursement of the additional costs by the State of Illinois or providing this transportation out of the dis-



trict?"

Barnes: "Senate Bill 1812 calls for 75 students to call for bussing. House Bill 3580 calls for six students to require bussing. That's the one difference there. House Bill 3580 which is Amendment 7 requires 100% reimbursement by the state."

Brummer: "And what occurs if the state doesn't make the reimbursement? Does the School District still have to continue to provide the transportation?"

Barnes: "Yes."

Brummer: "And, so, it is possible, despite this language, that the School District would not even be getting reimbursed."

Barnes: "Well, that's one opinion."

Brummer: "Well that is a specific difference between the original language of Senate Bill 1812 which said, if in fact, the School District is not getting reimbursed by the state then it does not have to continue to provide that transportation service in the following year? ..."

Barnes: "Well..."

Brummer: "Now with Amendment #7 you're saying that the state shall provide the reimbursement, but you deleted the provision that said they don't have to continue to do so if, in fact, the state doesn't make the payment which it's obligated to. Now, we have had statutory requirements for reimbursement of transportation at 80% in the State of Illinois for some time and we have not met that statutory obligation on behalf of the State of Illinois many years, if ever. And, would we not likely be faced with the same situation here possibly, the State of Illinois despite the language would not meet its statutory funding obligation and now you are removing the right of the School District not to provide that in the event the state does not meet its reimbursement obligation?"

Barnes: "Well, Representative, the danger of that would be if you would remove a local School District, the problem



of getting them back in in the next year to participate in the program again."

Speaker Bradley: "The Gentleman from Rock Island, Mr. Darrow."

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

Speaker Bradley: "Pardon me? Mr. Schneider?"

Schneider: "Thank you. I'm glad to see I'm still alive and well...."

Speaker Bradley: "Well, your light was on and then you turned it off and.. on and off..."

Schneider: "I know. Okay. The various points made by Representatives Brummer and Kane dealing with the question of full mandated provisions of funding, would certainly put the responsibility back on the local taxpayers in terms of the transportation tax which is presently in place. What we have from the Bureau of the Budget indicates what Representative Brummer indi... shows is true in that not only does the state fail to meet its funding obligations, but that we have by the Bureau of the Budget's estimate 377 School Districts that already are reporting deficits; and the Bureau estimates that 393 Districts will have FY '79 funding deficits. What I'm suggesting I guess is that with the deletion of that reference to the optional purposes of the program, when the Bill is not fully funded is going to place, in my mind, and I think I'm accurate, and will place on the local School Districts the burden for carrying the program. I think that this is grossly unfair. As you know, I'm opposed to.. for a variety of other reasons, but this is just another one of those issues that ought to be highlighted. Because it does mean that once again, we'll continue in the vein of not fully funding transportation and then requiring additional support from the local taxes. This Amendment should be defeated."

Speaker Bradley: "The Gentleman from Rock Island, Mr. Darrow."

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



Speaker Bradley: "The Gentleman moves the previous question. All in favor of the Gentleman's motion say 'aye'; opposed 'no'. The 'ayes' have it. Mrs. Barnes to close the debate."

Barnes: "Well, Mr. Speaker, I think everybody is fairly well acquainted with what is in this Bill (sic) because it's been so well debated and I would just urge an 'aye' vote."

Speaker Bradley: "The question is on the Lady's motion. All in favor signify by voting 'aye'; opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 65 'ayes' and 76 'nos'. Mrs. Barnes, for what purpose do you arise?"

Barnes: "I would like a poll of the absentees please and a verification of the negative."

Speaker Bradley: "The Lady calls for a poll of the absentees."

Clerk O'Brien: "Poll of the absentees; Balanoff. Breslin. Capparelli. Casey.."

Speaker Bradley: "Capparelli, 'aye'."

Clerk O'Brien: "Casey. Catania. Chapman. Cullerton. Donovan. John Dunn. Dwight Friedrich. Hanahan. Henry. Huff. Emil Jones. Kent. Klosak. Kosinski...."

Speaker Bradley: "Kosinski, 'aye'."

Clerk O'Brien: "Laurino. Mautino. McAuliffe..."

Speaker Bradley: "McAuliffe wishes to be recorded as voting 'aye'."

Clerk O'Brien: "McBroom. McGrew. Polk. Reilly.."

Speaker Bradley: "The Lady from DuPage, Mrs. Karpziel."

Karpziel: "I don't know who's playing with the buttons, but I just looked up to see that I'm recorded as voting 'aye'. I did not push the button."

Speaker Bradley: "How do you wish to be recorded?"

Karpziel: "In this case I'm going to vote 'no'."

Speaker Bradley: "Record the Lady as voting 'no'. Mr. McBroom, 'aye'. Mr. Schlickman?"



Schlickman: "Mr. Speaker, my finger slipped. I intended to vote 'no'. Would you please record me as 'no'?"

Speaker Bradley: "Record Mr. Schlickman as voting 'no'. "

Clerk O'Brien: "Continuing the poll of the absentees; McGrew. Polk. Reilly. Robbins. Schisler. Sumner...."

Speaker Bradley: "Sumner, 'no'."

Clerk O'Brien: "Telcser..."

Speaker Bradley: "Telcser 'aye'."

Clerk O'Brien: "Terzich. Van Duyne. Williams. Winchester. Woodyard..."

Speaker Bradley: "Woodyard, 'no'. Terzich, 'aye'. Van Duyne, 'aye'. Continue the call."

Clerk O'Brien: "Yourell. And, Mr. Speaker."

Speaker Bradley: "What's the count, Mr. Clerk? On this question there are 70 'ayes', and 80 'nos'. Mr. Deuster? I think Mr. Deuster requested verification of the negative. Did you th... 70 'ayes' and 80 'nos' at this point. Mr. Deuster: do you persist? For what purpose does the Gentleman from DuPage, Mr. Hoffman, arise? Mr. Hoffman?"

Hoffman: "If there's a verification of the negative and..."

Speaker Bradley: "All... Fine. The Lady from Adams, Mrs. Kent, wishes to be recorded as voting 'no'. That's 70 to 81 'nos'. 70 'ayes', 81 'nos'. And the motion fails. Further Amendments?"

Clerk O'Brien: "Amendment #8, Jane Barnes, amends Senate Bill 1812 on page three by inserting between lines 30 and 31 the following and so forth."

Speaker Bradley: "The Lady from Cook, Mrs. Barnes."

Barnes: "Table that Mr. Chairman. (sic). "

Speaker Bradley: "Withdraws Amendment #8. Further Amendments?"

Clerk O'Brien: "Amendment #9, Emil Jones, amends Senate Bill 1812...."

Speaker Bradley: "The Gentleman from Cook, Mr. Jones."

Jones: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. It's a very simple Amendment. I believe



the Sponsor of 1812 would be in agreement with the Amendment. This Amendment provides that the public schools can have an incentive program whereby School Districts can bus students to those districts and also be reimbursed for the expense of bussing these students. This is a similar piece of legislation that passed this Body last year and I'm quite sure that the Catholic Arch-Diocese in the city of Chicago will be in support of this type of legislation and I solicit an 'aye' vote."

Speaker Bradley: "Discussion? Hearing none, the question's on the Gentleman's motion. All in favor of the Gentleman's motion signify by saying 'aye'; opposed 'no'. All in favor of the Gentleman's motion signify by voting 'aye'; opposed by voting 'no'. Have all voted who wish? Mr. Jones, to explain his vote."

Jones: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. In explanation of my vote, you know yesterday we dealt with a very important human rights issue and this is a human rights issue right here. What this Amendment does is let every child have the right as mandated by our Constitution to equal educational opportunities and I'm very surprised to see, especially the colleagues on this side of the aisle, who are so feverishly for the rights of one group, but will deny the children their rights. And I will remember this. "

Speaker Bradley: "Have all voted who wish? Clerk will take the record. On this question there are 43 'ayes' and 68 'nos'. Mr. Jones."

Jones: "I'd like to have the absentees polled, Mr. Speaker."

Speaker Bradley: "We'll poll the absentees. Mr. Johnson? Johnson wishes to be recorded as voting 'aye'. "

Clerk O'Brien: "Poll of the absentees; Ackerman. Beatty. Bradley..."

Speaker Bradley: "Beatty, 'no'. "

Clerk O'Brien: "Breslin. Campbell. Capparelli. Casey."



Catania. Christensen. Conti. Daniels. Davis. Dawson.
 DiPrima. Domico. Donovan. Doyle. John Dunn. Ewing.
 Virginia Frederick. Dwight Friedrich. Greiman. Hanahan
 Henry. Hoffman. Hoxsey. Hudson. Huff. Huskey. Johnson.
 Katz..."

Speaker Bradley: "I think we recorded Mr. Johnson as voting
 'aye'."Proceed."

Clerk O'Brien: "Kos... Klosak. Krska. Kulas..."

Speaker Bradley: "Krska, 'no'. Capparelli, 'no'. Kelly, 'no'.
 Richmond, 'aye'. Pullen, 'no'. McCourt, 'aye'.
 Oblinger, 'aye'. Christensen, 'aye'. Continue the.."

Clerk O'Brien: "Continuing the poll of the absentees; Laurino.
 Lechowicz. Leverenz. Margalus. Mautino. McGrew.
 McPike. Polk. Preston. Reilly. Robbins. Ropp.
 Satterthwaite. Schisler. Schuneman. E.G. Steele.
 Sumner. .."

Speaker Bradley: "Sumner, 'no'."

Clerk O'Brien: "Tuerk. Vinson. Vitek. VonBoeckman. Watson.
 Wikoff. Williams. Winchester. Sam Wolf. Woodyard.
 And, Mr. Speaker."

Speaker Bradley : "Representative Polk wishes to be recorded
 as voting 'aye'. What's the count, Mr. Clerk? On this
 question there's 48 'ayes', 74 'nos'. And the Gentleman's
 motion... Mr. Jones?"

Jones: "Yeah, thank you, Mr. Speaker. I request that we recess
 for a half hour for the purpose of a Democratic con-
 ference."

Speaker Bradley: "Would you wait until we finish this Roll
 Call? Mr. Grieman, would you come to the podium? All
 right. On this question there's... What did you say?
 40 'ayes', 74 'nos', the Gentleman's motion fails.
 I'll get right back to you. Further Amendments?"



Clerk O'Brien: "Amendment #10, Barnes. Amends Senate Bill 1812 as amended by deleting the title and inserting in lieu thereof the following and so forth."

Speaker Bradley: "Jane Barnes. Lady from Cook, Mrs. Barnes. Mrs. Barnes."

Barnes: "I want to wait a minute."

Speaker Bradley: "Want to wait a minute? I'm through talking with Mr. Greiman, Mrs. Barnes. What's your druthers' with the Amendment? Mr. Collins, I've discussed everything with Mr. Greiman and I'm waiting for something. Mrs. Barnes. We're going with the Amendment. Alright. Have we read the Amendment Mr. Clerk? Mr. Jones. Mr. Jones. Turn Emil Jones on."

Jones: "Yes, thank you Mr. Speaker. You didn't act on my request."

Speaker Bradley: "Mr. Jones, we'd like to finish the Amendments on this Bill. At that time we will recognize you for your request."

Jones: "Mr. Speaker, what we have to discuss in the conference will pertain to this piece of legislation before we proceed any further. I think it's very important."

Speaker Bradley: "Mr. Greiman on the request of..."

Greiman: "Yeah, Mr. Speaker, firstly, the Democratic conference has not, this year, adopted rules. I did say on several occasions that I would honor requests. We have had previous rules that provided for 20 Members asking for a conference in writing. I had said previously that I would personally ~~feel~~ the responsibility that if there were Members who wanted a conference, I would ask for a conference. Obviously, a conference need not be granted by the Chair or at least a recess need not be granted by the Chair. If the Representative wishes a conference ^{if} and ~~the~~ Chair recesses for that purpose or recesses later on in that day for that purpose, as the elected



Chairman of the Conference, I will convene a conference at such time as the Chair calls... allows a recess in order to give the Representatives an opportunity to express themselves. So that I will... if there is a recess, I will convene a conference."

Speaker Bradley: "I'm going to... I'm going to... Mr. Jones, if you come up here, we'll discuss that. Alright. Go ahead with the Amendment. Amendment #10. Lady from Cook, Mrs. Barnes."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #10 is a clean-up Amendment of some of the language. The Senate Bill provides, number one, provision of transportation to non-public schools is restricted to those having an enrollment of at least 75 students. Number two, the Senate restores language that public school students are transported to schools to which they are assigned. Some Members of the Senate thought that this language was needed for clarification. The provision of transportation is phased in a positive manner. That is transportation shall be afforded rather than in a negative manner shall not be afforded unless language is added that clarifies that transportation shall be provided only on those days in which the public school is in session. Language is added that this Bill applies only if resident public school students and regular education receive transportation, not just those in special education. Language is added that if mass-transit is used to provide transportation for public school students, the same will be used for non-public school students. I am adding two provisions left out of the Senate Bill. I have added the provision clarifying the cost of transporting students out of district will be borne by the state, and I have used the House wording to clarify that all additional costs will be borne by the state. The first provision, actually included in the



more encompassing second provision, was submitted by a Member of this House who feels that such clarification was needed. The second part of my Amendment reverts to the House wording because the Senate wording is unsatisfactory and this it is unclear. It is discriminatory against non-public schools. It allows a public school to avoid their obligation, under the law, by neglecting to submit a bill for 100% of the cost. If they submit a bill for 99% and aren't reimbursed, they would then be free from observing the law and there would be no way of ever correcting the fault. My wording provides full funding and includes simple manner. Section 2 of the Senate Bill puts off for another year of the implementation of the Bill. This would mean that we would have to go again next year through the same long process as additional Bills would be introduced. Please, let's vote this Bill, this Amendment up now, and I would ask for an aye vote."

Speaker Bradley: "The Gentleman from DuPage, Mr. Schneider."

Schneider: "Thank you Mr. Speaker, Members of the House, on a matter of procedure, one ought to be aware of a couple of things. One is that 10, Amendment 10, I believe, strikes everything after the enacting clause which means any Amendments adopted are now deleted and that any succeeding Amendments will be probably out of order so that those of you who are interested in ideas that you want to advance are going to be placed in a position of not being able to advance them. Secondly, we've once again looked at the proposal that picks up the state fully funding this program. Okay, and we understand, as I mentioned before, that the State of Illinois has yet to meet that obligation of fully funding. If... The Amendment also deletes the provision which would, I think, have the proposal fall under the Mandates Act that was introduced and passed by Representative Yourell and so that



the program will go ahead even if it's not fully funded. So we've got, I think, a number of reasons to oppose the Bill. Mostly they center on money separate again from the question of the Constitution which we ought to discuss on Third Reading. So please defeat Amendment #10."

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

Leverenz: "Will the Sponsor yield for a couple of questions?"

Speaker Bradley: "She indicates she will."

Leverenz: "Representative, you indicated that it does include full reimbursement by the state."

Barnes: "Yes, Representative."

Leverenz: "How would that financing program work? When would they actually get reimbursed?"

Barnes: "The following year."

Leverenz: "The following year?"

Barnes: "Yes, Representative."

Leverenz: "Twelve months later after the actual bus service has been performed. Is that correct?"

Barnes: "Yes, Representative. Same as it is right now."

Leverenz: "No, no, no, no, no, no. It can't be the same because that is at 80% right now and that's for people within the school district, not for non-public. Okay? Now..."

Barnes: "Representative. Alright."

Leverenz: "Your reimbursement that is provided by the Bill would come 12 months after the actual service was performed. Correct?"

Barnes: "Correct."

Leverenz: "Who would then finance the program on the monthly basis for the 12 months?"

Barnes: "The local district."

Leverenz: "The local district. Would they be provided for the interest for the money that they would have to borrow to put forward that program by issuing a tax anticipation warrant of some sort?"



Barnes: "Representative, I think you asked me that same question when I had 3580 and the answer would be the same."

Leverenz: "What was the answer?"

Barnes: "Well."

Leverenz: "What is the answer?"

Barnes: "They would not be reimbursed till later."

Leverenz: "They would not be reimbursed."

Barnes: "No. Not..."

Leverenz: "For the... for any interest."

Barnes: "They would be reimbursed but delayed a year."

Leverenz: "They would not be reimbursed for any interest expense to provide the program on a monthly basis. Is that correct?"

Barnes: "That's true."

Leverenz: "I think... well okay. Now, what provision does the Amendment have for the additional risk involved in the liability of transporting of students outside of the school district? Are those costs reimbursed?"

Barnes: "Could you repeat that please?"

Leverenz: "You have incorporated the reimbursement after a year goes by for the actual bus service. I am talking about the fact that you are promoting the extension of the liability of a school district outside of the school districts' boundaries. Example: that would be like making a trip to Springfield. They provide insurance for that particular trip outside of the district which is an additional cost to the school district. Now are you reimbursing some way that cost because of the extension of the risk to the school district for a child that does not attend a school in the school district?"

Barnes: "No. We are not reimbursing them."

Leverenz: "Well, you put forth the hypothetical that you're doing this for the protection of the school child that they should be bused because it provides protection."



But you are not including the cost of that protection or any type of insurance program, simply the cost of the bus, and you are not providing anything for the financing of that program for a year until they get reimbursed. So it isn't really 100% reimbursement, is it?"

Barnes: "It is 100% reimbursement the following year."

Leverenz: "Alright. I will back up to my question number two. Since you are not giving reimbursement until 12 months later or a year later, isn't a fact that this is going to mandate the local school district increase the local property tax rate and it is a direct move to promote a local tax increase to finance the program?"

Barnes: "It could do that in some cases but not necessarily..."

Leverenz: "Yes or no?"

Barnes: "In some cases yes and some cases no."

Leverenz: "In a school district that is going to have a busing program, would it be a tax increase?"

Barnes: "In some cases yes and in some cases no."

Leverenz: "I will go with your 'in some cases yes' and I would not vote for anything that is going to put a local property tax increase even possibly there. I can't believe that you would do this."

Speaker Bradley: "The Gentleman from Lake, Mr. Deuster."

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to explain why Representative Barnes is offering this Amendment. We all remember the Senate Sponsor of this Bill, Senator Geo-Karis, who sat where Mr. Watson now sits and we all know that Adeline was a good-hearted person who was a very powerful personality and a very enthusiastic Legislator. Mrs. Geo-Karis, in her enthusiasm, wanted to make sure that we guaranteed that that 100% reimbursement never fell apart and that any school that didn't get that 100% would be able to opt out of the Illinois law. Unfortunately, Mrs. Geo-Karis drafted an Amendment



which is now part of Senate Bill 1812 which really allows an escape hatch because, unfortunately, although we don't suspect schools would want to deviate from or avoid the clear public policy that's in this law, some school might not, under Geo-Karis's Amendment, might not submit their claim or might not submit their full claim. And as the law is written, Adeline put it in here that if they have not received 100% reimbursement for their costs they are not required to obey the Illinois law. There's nothing in here about they have to submit their full costs. And this is, unfortunately, the reason that we have to amend this. If we adopt Representative Barnes' Amendment, it will still guarantee the 100% reimbursement but it will not have this big hole or this big escape hatch through which everybody could jump if they want to. So I would urge support for this Amendment. If we adopt the Amendment, the law will still be the same. There will be 100% reimbursement the way there is, and I think, in addition, that the practical effect of this is if this Bill goes to the Governor's desk and it's signed will now have the parents of private school students as well as the parents of public school students interested in encouraging us, as Legislators, to provide the appropriations to fund all the boys and girls in Illinois to their schools no matter where they go and we're going to see full funding. And we, as Legislators, can guarantee that full funding because it's in our hands and we're going to have public support, broader public support for doing that. So I would urge an aye vote on this good Amendment."

Speaker Bradley: "Gentleman from Cook, Mr. Beatty."

Beatty: "I move the previous question."

Speaker Bradley: "The Gentleman moves the previous question."

All in favor of the Gentleman's motion say 'aye'.

Oppose 'no'. The ayes have it. Mrs. Barnes to close the



debate."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, I think this has been fully debated, and I would just ask for an 'aye' vote."

Speaker Bradley: "The question's on the Lady's motion. All in favor signify by voting 'aye', opposed by voting 'no'. The Gentleman from Coles, Mr. Stuffle, to explain his vote."

Stuffle: "Yes, if you look closely at page four of this particular Amendment you will note that the requirement for reimbursement does not extend to additional cost, only to additional students. If a student is already being incidently transported, the additional costs of that student are not borne in this Amendment or required to be reimbursed. The only requirement for new reimbursement is to new students. Those costs are fully not covered in any case if you look at page four, the last paragraph of the Amendment. For that reason alone, and others, this should be defeated."

Speaker Bradley: "Have all voted who wish? The Gentleman from Cook, Mr. Keane, to explain his vote for one minute."

Keane: "Thank you, Mr. Speaker, I would like to clarify something that one of the previous speakers indicated about a tax increase. Unfortunately, I believe the Gentleman is aware of how the education financing takes place. The assumptions that he made that increased costs...educational costs will mean tax increases. If that were the true case we would never pass any educational Bills. There are other means of financing. At the present time there is intra-district busing for private schools. It is well within the ability of most county... or districts to maintain it, and I think it's a red herring this business on tax increase. I would ask for a favorable vote for..."

Speaker Bradley: "Have all voted who wish. The Lady from



Cook, Mrs. Hallstrom, to explain her vote."

Hallstrom: "Thank... Thank you Mr. Speaker and Ladies and Gentlemen of the House. I've really listened to all the arguments on both sides and I appreciate what the Sponsor has done in trying to get this Bill in the shape that she has. But the bottom line still is it's going to cost the school districts money. I explained to you when I asked for the Amendment to be put on that said that the cost should be borne by the state and I came back and the local school districts in my area said, 'We still can't afford it'. I ask you please to consider that there's so many programs out there that are not now fully funded that we have mandated the school districts to do. This is just one more program. We ought to make sure that those other programs are fully funded before we start adding another one to the burden of the school districts. Thank you."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? Gentleman from Cook, Mr. Yourell, to explain his vote."

Yourell: "Yes, thank you Mr. Speaker. Ladies and Gentlemen of the House, I'm not clear as to what the situation might be for a school district in the State of Illinois would not be at their statutory limit for the transportation levy. Now I believe that they can levy up to 12 cents without referendum and with a referendum up to 20 cents. Now it seems to me that if some school districts, and there are six in my district, that are not up to the 12 cent statutory limit. And if they're not, I can't see why the state would be obligated or responsible for funding this additional cost without first advising the school district that they have to go to their statutory levy of 12 cents. And if that's the case, then this would definitely be a tax increase for all school districts in the State of Illinois that are not



presently at the statutory levy for transportation.

And so I am not going..."

Speaker Bradley: "Have all voted who wish? The Clerk will take the record. On this question there's 69 ayes and 79 nays and the Lady's motion fails. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I've been asked to make an announcement. The First Annual House-Senate-Secretaries softball game will be held at Isles Park, 6 p.m. Donations 1,000... \$1.00 .. \$1.00. Proceeds will support; 1; the Heart Fund, 2; Big Sisters; Big Brothers of Sangamon County, 3; the Sangamon County Juvenile Center. Managers, Jesse Woodrow White and Bob Winchester. Also on Monday evening Governor Thompson, Senator Geo-Karis, Maragos and Nash invite you to the Greek cookout Monday evening 7:30 in the lawn of the Man... Executive Mansion. Thank you, Mr. Speaker."

Speaker Bradley: "Just so you don't get the wrong impression, we're not going to announcements. Epton, for what purpose do you arise?"

Epton: "Thank you, Mr. Speaker. I realize that this is not the appropriate time, but I hope in view of the fact that we have heard so often that these are going to be the terrible '80's. The '80's... This decade of the '80's is going to be a terrible one. At the appropriate time I would appreciate it if you would recognize me to make a motion that we adjourn until 1990. Thank you, Mr. Speaker."

Speaker Bradley: "All right. Further Amendments?"

Clerk Leone: "Amendment #11, Mulcahey, amends Senate Bill 1812 on page four, line ten and so forth."

Speaker Bradley: "Mr. Mulcahey on the Amendment."

Mulcahey: "Thank you, Mr. Speaker, Members of the House. It was in FY '78 that there was some 377 School Districts



throughout the State of Illinois that reported deficits in the transportation fund balance. In FY '79 there were 393 and there are 409 Districts in FY '80 who reported deficits in the transportation .. the transportation fund at the end of the year. Accordingly, Amendment #11. Amendment #11 simply provides that in the first school year or part of the school year to which this particular Bill applies if it should pass, these reimbursements shall be paid by the State Board of Education on a current basis in two equal payments. In other words, we will simply eliminate the problem that many were concerned about a while as far as waiting one year for these payments. If this Bill does become law and this Amendment is adopted, the School District will be paid in the same year. I move for the adoption."

Speaker Bradley: "The Gentleman from DuPage, Mr. Hoffman, on the Amendment."

Hoffman: "Yes. Question of the Sponsor."

Speaker Bradley: "He indicates he will yield."

Hoffman: "What do you estimate the additional costs for this will be if we go current on this part of it?"

Mulcahey: "See it's hard to estimate what those costs will be as a matter of fact."

Hoffman: "All right. This, Mr. Speaker, Ladies and Gentlemen of the House, this Amendment, of course, illustrates the basic problem we have with this entire program. And that is; that we're trying to wrestle with about an 800 pound marshmallow. We can't find out the size of the top or the bottom or the middle or anything is. It's so nebulous. And perhaps, if this Amendment does nothing else, it illustrates the basic problem with the particular.. the particular program. I plan to support this Amendment. However, I think it only illustrates the difficulty with the Bill as a whole."

Speaker Bradley: "The Gentleman from Cook, Mr. Walsh."



Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I rise to oppose this Amendment and I really do it for two reasons. The first is, the Amendment deals with a subject that is not really relevant to the Bill. The Amendment deals with reimbursements by the state to School Districts for transportation services as those services are rendered now. Well, we're not dealing with transportation services as rendered now. We are proposing transportation services for private school students. Now the other reason for opposing this, Mr. Speaker, is that if we adopt this Amendment, then we must send this Bill back to the Senate. The Senate will have.. probably not concur and we will want.. find ourselves in a Conference Committee where a Bill may come out embodying all of the 12 Amendments that we're considering here this afternoon. I suggest to you that that is ill-advised. Let's dispose of this Amendment and if Mr. Mulcahey wants to submit a Bill next January to accomplish this purpose, he may be my guest. But it's not a good idea to put this Amendment on this Bill at this time and I urge your opposition."

Speaker Bradley: "Mr. Mulcahey, to close the debate."

Mulcahey: "Well, thank you, Mr. Speaker and Members. As we have all heard from our Superintendents of our local School Districts, this is one of the primary concerns that these areas have, primary concern being, how are we going to fund such an extended program such as this if we're not going to have the funds for it. I think this would be, even though it probably could come in the form of a separate Bill sometime later on, I think it should be part of a package right now. I think it should be amended on to the Bill to eliminate some of the.. some of the serious problems that we're going to run up against as far as financing is concerned for local School Districts. And so I would urge an 'aye' vote and I think this is a



very workable Amendment."

Speaker Bradley: "The question's on the Gentleman's motion. All in favor signify by voting 'aye'; opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 71 'ayes' and 66 'nos'. Mr. Walsh."

Walsh: "Mr. Speaker, I request a poll of the absentees."

Speaker Bradley: "The Gentleman requests a poll of the absentees."

Poll the absentees."

Clerk Leone: "Poll of the absentees; Ackerman. Balanoff. Bluthardt. Boucek. Breslin..."

Speaker Bradley: "Boucek, 'aye'."

Clerk Leone: "Breslin. Casey. Catania. Chapman. Ebbesen. Ewell. Ewing. Virginia Frederick. Gaines. Hanahan. Henry. Hoxsey. Huff..."

Speaker Bradley: "Huff, 'aye'."

Clerk Leone: "Klosak. Laurino. McGrew. Neff. Oblinger. Pechous. Schisler. Schoeberlein. Schraeder. E.G. Steele. Telcser. Vitek. VonBoeckman. Watson. Willer. Williams. Winchester. Sam Wolf..."

Speaker Bradley: "Telcser votes 'no'."

Clerk Leone: "Woodyard. Younge. Yourell. And, Mr. Speaker."

Speaker Bradley: "There are 73 'aye' and 67 'no'. Mr. Walsh."

Walsh: "Mr. Speaker, I request a verification of the Affirmative Roll Call."

Speaker Bradley: "All right..."

Walsh: "Affirmative only.:"

Speaker Bradley: "All right. Mr. Preston wishes to be recorded as 'no'. Mr. Vitek, 'no'. Mr. Hoffman, for what purpose do you arise?"

Hoffman: "I would just like to inform the Chair and the Body that if the request for a verification is successful on the Affirmative, I will request a verification of the Negative."



Speaker Bradley: "All right. Clerk will call the Affirmative Roll."

Clerk Leone: "Poll of the Affirmative; Alexander. Birkinbine."

Speaker Bradley: "Balanoff wishes to be recorded as 'aye'. Balanoff. Yes, would those ... when your name is called, Members please be in your seat and raise your hands so that Mr. Walsh can see that you're here. Proceed."

Clerk Leone: "Boucek. Bowman. Braun. Brummer. Bullock. Burnidge. Christensen. Conti. Currie. Daniels. Darrow. Davis. Donovan. John Dunn. Ralph Dunn. Dyer. Dwight Friedrich. Goodwin. Greiman. Griesheimer. Hallstrom..."

Speaker Bradley: "Mrs. Frederick, for what purpose do you arise?" To be recorded as 'aye'. Please record Mrs. Frederick as voting 'aye'."

Clerk Leone: "Hannig. Harris. Hoffman. Hudson..."

Speaker Bradley: "Bower wishes to be recorded as 'aye'. Bower."

Clerk Leone: "Huff. Huskey. Jaffe. Johnson. Emil Jones. Kane. Karpziel. Katz. Kent. Leverenz. Macdonald. Marovitz. Matula. Mautino. McMaster. McPike. Mugalian. Mulcahey. Patrick. Pierce. Polk. Pouncey. Pullen. Rea. Reed. Richmond. Rigney. Robbins. Sandquist. Satterthwaite. Schneider. Schuneman. Sharp. Skinner. Steczo. C.M. Stiehl. Stuffle. Sumner. Swanstrom. Taylor. Totten. Van Duyne. White. Wikoff. And, Williamson."

Speaker Bradley: "Questions of the Affirmative." Turn on Mr. Walsh. Alexander?"

Walsh: "Yes, Sir."

Speaker Bradley: "I can't... She's there."

Walsh: "Bowman."

Speaker Bradley: "Bowman is here. Mr. Mulcahey, for what purpose do you arise? Turn Mr. Mulcahey on."

Mulcahey: "Mr. Speaker, what's the score going in?"



Speaker Bradley: "What's the count, Mr. Clerk? There's 75 'ayes', 68 'nos'. All right. Further questions?"

Walsh: "Christensen?"

Speaker Bradley: "Christensen? Is not in his chair. Is he in the chamber? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Walsh: "Cullerton."

Speaker Bradley: "He's in the center... He's in the aisle."

Walsh: "Darrow."

Speaker Bradley: "Darrow is in the chamber."

Walsh: "Donovan."

Speaker Bradley: "He's right there by his chair."

Walsh: "John Dunn and Ralph Dunn."

Speaker Bradley: "John Dunn... Ralph Dunn is here. John Dunn, I don't see him in his seat. Here he is. They're both here."

Walsh: "They're both here? Hannig?"

Speaker Bradley: "In his seat."

Walsh: "Kane."

Speaker Bradley: "Is not in his chair. How is he recorded?"

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

Speaker Bradley: "Take him off."

Walsh: "Huff."

Speaker Bradley: "Huff is in his chair."

Walsh: "Marovitz."

Speaker Bradley: "Marovitz? Yeah, he's there."

Walsh: "Mautino."

Speaker Bradley: "He's there."

Walsh: "Patrick."

Speaker Bradley: "Patrick, he's there."

Walsh: "Polk."

Speaker Bradley: "Polk? He's there."

Walsh: "Pouncey."

Speaker Bradley: "He's there."



Walsh: "Pullen."

Speaker Bradley: "She's there. Mr. Kelly wishes to be recorded on 'aye'. You're going from 'no' to 'aye'. Further questions?"

Walsh: "Richmond."

Speaker Bradley: "He's there."

Walsh: "Satterthwaite."

Speaker Bradley: "She's there."

Walsh: "Steczo."

Speaker Bradley: "He's up here in the gallery."

Walsh: "Stuffle."

Speaker Bradley: "He's here."

Walsh: "Sumner."

Speaker Bradley: "She's there."

Walsh: "White."

Speaker Bradley: "How's he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Walsh: "You've got a pretty good seat there, Mr. Speaker.

Have you got any suggestions?"

Speaker Bradley: "I suppose you could punt right now."

Walsh: "I have no further questions."

Speaker Bradley: "Mr. Yourell, for what purpose do you arise?"

Yourell: "How am I recorded?"

Speaker Bradley: "How is Mr. Yourell recorded?"

Clerk Leone: "The Gentleman is not recorded as voting."

Yourell: "Vote me 'aye' please."

Speaker Bradley: "Record Mr. Yourell as 'aye'. What's the count, Mr. Clerk? Mr. Kane back on, so it's 75 'ayes', 64 'nos', and the Gentleman's motion prevails and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Amendment #12, Donovan, amends Senate Bill 1812 on page two by deleting lines one through 17."

Speaker Bradley: "The Gentleman from Macon, Mr. Donovan."

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



House. Amendment #12 to Senate Bill 1812 leaves the present Bill in its exact form with the exception of the five mile requirement from the residence or outside the district. It strikes that. It makes it an intra-district Bill as opposed to an inter-district Bill."

Speaker Bradley: "Discussion? The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Would the Sponsor yield?"

Speaker Bradley: "Indicates he will."

Schlickman: "Isn't the effect of your proposed Amendment to repeal 1812 before it becomes passed and approved by the Governor?"

Donovan: "No, no. No."

Schlickman: "Why not? Where..."

Donovan: "State your question again so I get it clearly."

Schlickman: "Your Amendment would restrict the application of the Bill to within a district."

Donovan: "Right."

Schlickman: "Isn't that the law today?"

Donovan: "Isn't that what?"

Schlickman: "Isn't that the law today?"

Donovan: "No, it is not. The present law I understand is that you may bus nonpublic school children along existing routes. There is a provision where it's permissive that you may establish other routes to transport nonpublic. This would say that you would transport those as opposed to... all children within the district."

Schlickman: "The present law provides... gives statutory authority to public School Districts to transport nonpublic school students within a district. The thrust of this Bill (sic) is to give authority to public School Districts to transport nonpublic school students across district lines. The affect of your Bill (sic) practically speaking is to repeal this Bill even before it becomes the law. "



Donovan: "Yes, Representative, currently they do bus them today on established routes as I explained a minute ago. That doesn't... This would require them to bus all children within the district as opposed to just the established routes within a mile and a half..."

Schlickman: "Mr. Speaker, Members of the House, if there was an Amendment among the.... If there is an Amendment among the 12 that would completely undo this Bill, and negate the thrust of it it's Amendment #12. This Bill has been presented in the Senate, was presented in the House as a Bill to provide public transportation to students attending nonpublic schools within and without a district, without a district with certain limitations built in to provide for reasonableness and fiscal responsibility. This Bill (sic) practicall... This Amendment practically would simply establish or reestablish the existing law. And that's why I say, Mr. Speaker, Members of the House, that in a sense it's a repeal of the Bill even before it becomes law and I would urge a 'nay' vote."

Speaker Bradley: "The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. With the adoption of Amendment #12 we will do to this particular Bill a real service. We will provide that within districts as is indicated on page one, that bussing, the transporting would be mandatory. He merely clarifies by this Amendment the fact that district buses will not be required to go outside their boundries. Now what's wrong with this? Now what is wrong with this? The Sponsor of the Amendment assures me there is nothing wrong with this. And this will certainly clarify the meaning and the intent and the direction of this legislation. Now, it's up to all of you to make the decision right now. Because as one of our more eminent Members said earlier, it may be somebody's Bill and it may be somebody's Amendment, but it's our law."



And here's a chance to make it our law without any distinction."Thank you very much."

Speaker Bradley: "The Gentleman from Wayne, Mr. Robbins."

Robbins: "Under the current transportation formula you may bus students within... nonparochial students within the district. For everyone you bus, the district is penalized in cost sharing at the end of the year if you will check. This Bill (sic) will allow them to be transported and paid for the transportation. And I think this is a good Amendment and everyone should support it."

Speaker Bradley: "Mr. Donovan to close."

Donovan: "I request your favorable vote."

Speaker Bradley: "The question's on the Gentleman's motion. All in favor signify by voting 'aye'; opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the Roll. On this question there's 70 'ayes', 45 'nos'. And the Gentleman's motion prevails and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Bradley: "All right. Now, there was a request for a fiscal note and that, I understand, has been filed as amended. Mr. Clerk said... as amended. So we'll move it... Mr. Kane? Yes, Mr. Kane, for what purpose do you arise?"

Kane: "Mr. Speaker, I would question the fiscal note...."

Speaker Bradley: "I think you're right. The Amendment... Or the fiscal note was filed as amended, the first Amendment that went on, but not as this last Amendment. So we'd better leave it on Second Reading until we get a fiscal note on that Amendment also."

Kane: "Yes, thank you."

Speaker Bradley: "That all right? All right. On Supplemental Calendar #1 under concurrences appears House Bill 3041, Mr. Ryan."

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



the House. House Bill 3041 is the supplemental appropriation for the Department of Transportation for... \$28,311,000, and it transfers \$1,400,000 to personal services and the operations of automotive equipment. This is of an emergency nature and must be on the Governor's desk this evening or there will be several people out of work tomorrow. I would ask for a favorable Roll Call."

Speaker Bradley: "The Gentleman from..."

Ryan: "...Concur in the Senate Amendments."

Speaekr Bradley: "In Senate Amendment #1, 2, 3, 4, and 5. All five of them?"

Ryan: "Right...yes."

Speaker Bradley: "Alright. The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, it is a little noisy, and I didn't hear the entire explanation. I did hear it was \$28,000,000 and \$1,000,000 was a transfer. What's the other \$27,000,000?"

Ryan: "Well, there's...each Amendment is a separate... Representative, do you want me to read each one to you?"

Brummer: "Yes."

Ryan: "Would...would it be a little easier if I brought you the copy?"

Brummer: "Well, I think there may be other Members that want to know what the \$28,000,000..."

Ryan: "Alright. Amendment #1 is \$1,440,000 for a transfer for the...into the personnel fund, and it increases the transfer to operations of automotive equipment by \$22...or \$255,000, and is really no real dollar change in that first Amendment. The Second Amendment increases the FY '80 appropriation for the Bi-state Public Transportation Fund by \$800,000which makes that a total of \$8,600,000. The reason for that is that the Department underestimated the amount of revenue that was to be deposited in that fund for fiscal '80. Amendment #3 is a technical language change. Amendment #4 adds \$11,000



to the FY appropriation for the Division of Aeronautics for air travel for the General Assembly. The original appropriation of \$60,000 is increased to \$71,000. And Amendment #5 deletes \$285,000 supplemental of federal funds to the Division of Water Resources for water resources planning and management."

Bradley: "Alright, conclude, Mr. Brummer."

Brummer: "Yes, I was wondering if Mr. Ryan was taking a speech lesson from Representative Giorgi?"

Ryan: "Absolutely."

Speaker Bradley: "Alright, Mr. Bullock....question?"

Bullock: "Representative, could you indicate to us just how many people would be out of work if this Bill isn't passed? You indicated earlier that we'd have a significant impact on unemployment in Illinois if we don't pass this measure."

Ryan: "I don't have a number at this time. They tell me it is District 1 highway maintainers, 2, 8, and 9. And they are going to start the process on the papers tomorrow morning."

Bullock: "Well, I am certainly going to join with you, Representative Ryan. I wouldn't want to increase unemployment in the State of Illinois."

Ryan: "Absolutely. I appreciate your support, Representative."

Speaker Bradley: "The Gentleman moves that the House does concur in Senate Amendments #1, 2, 3, and 4...and 5 to House Bill 3041. All in favor signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted who wish? Alright. Have all voted who wish? The Clerk will take the record. On this question there are 124 'ayes', 15 'nos', and the House does concur in Senate Amendments #1, 2, 3, 4, and 5 to House Bill 3041. And the Bill having received the Constitutional Majority is hereby declared passed. Any other business before the House? Mr. Jones."

Jones: "Yes, thank you, Mr. Speaker. For the Democratic



Membership on this side of the aisle, as you know, I made a request for a Democratic Conference. Well, I am well aware of the fact that if we hold that Conference this evening there won't be too many Members there. But the...our Conference Chairman as well as the Speaker has indicated that we will have that Conference tomorrow morning immediately after the House convenes. So I withdraw the request at this time."

Speaker Bradley: "Thank you. Mr. Mahar."

Mahar: "Thank you, Mr. Speaker. There will be a House Republican Conference tomorrow morning after we convene in 118."

Speaker Bradley: "Alright, Mr. Daniels."

Daniels: "Mr. Conti said he would join Mr. Jones."

Speaker Bradley: "Mr. Conti...let the records so show. Mr. Vinson."

Vinson: "Yes, Mr. Speaker, on the Calendar on page two Senate Bills Third Reading there is a Bill, 1614, that I am the Sponsor of, and I have been requested to put an Amendment on there. I am not sure about the Amendment yet, but I would like to move that back to Second Reading so if we get the information on the Amendment I can do that."

Speaker Bradley: "Okay. It will be on the Calendar then on Second Reading. Does the Gentleman have leave to return that Bill to Second Reading? Hearing no objections, it will be returned to Second Reading. It will appear on the Calendar at that...any other messages? Mr. Madigan now moves that the House stands adjourned until nine o'clock tomorrow morning. We'll meet...after a five minute perfunct. And...you've heard the motion. All in favor signify by saying 'aye', opposed 'no'. And the House stands adjourned after five minutes of perfunct for the Clerk to read some messages."

Clerk Leone: "Committee Reports. Representative Chapman,



Chairman from the Committee on Appropriations II, to which the following Bills were referred, action taken on June 19, 1980 reported the same back with the following recommendations: 'do pass' Senate Bill 1589; 'do pass as amended' Senate Bill 1606, 1637, 1640, 1642. Messages from the Senate. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has refused to recede from their Amendments #2 and 3 to the Bill with the following title to wit: House Bill 1010, action taken by the Senate June 19, 1980. Kenneth Wright, Secretary. 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 recede from their Amendment #1 to a Bill of the following title to wit: House Bill 3019, action taken by the Senate June 19, 1980. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House of Representatives in the passage of a Bill the following titles to wit: House Bills 24, 1230, 1952, 2351, 2429, 2612, 2771 together with the attached amend^{ments} hereto which amend^{ments} have been printed by the Senate in the adoption of which I am instructed to ask concurrence of the House to wit, passed by the Senate as amended June 19, 1980. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of Bills, the following title to wit: House Bill 1800, passed by the Senate June 19, 1980, Kenneth Wright, Secretary. Being no further business, the House now stands adjourned until nine a.m. tomorrow morning."



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