

Doorkeeper: "Attention Members of the House of Representatives, the House will convene in 15 minutes.... Attention Members of the House of Representatives, the House will convene in 5 minutes. All persons not entitled to the House floor, please retire to the gallery."

Speaker Redmond: "House will come to order. Members please be in their seats. Lead in prayer by the Reverend Krueger, the House Chaplain."

Reverend 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. Hear the words of Isaiah the Prophet, Chapter 28, verses 23 through 26. Give ye ear and hear my voice; harken and hear my speech. Doth the plowman plow all day to sow? Doth he open and break the clods of his ground? When he hath made plain the face thereof, doth he not cast off the fitches, and scattereth the cummith, and cast in the principal wheat and the appointed barley and the rile in their place? For his God doth instruct him to discretion, and doth teach him. Let us pray. Almighty God, we come to Thee as we begin another week in our duties in this House of Representatives for the State of Illinois. The days are few, O Lord, and the labor yet to be done is great. We ask Thy grace to guide us as we sift the legislation before us that we may avert any hinderance that could forestall our reach...our reaching the laws to be considered that are of paramount necessity for the good of those whom we do represent; through Jesus Christ our Lord. Amen."

Speaker Redmond: "Pledge of Allegiance."

Ackerman: "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. Have all...Clerk will take the record. Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolutions in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to wit: Senate Joint Resolutions #120 and 121 adopted by the Senate June 20, 1980, Kenneth Wright, Secretary."

Speaker Redmond: "Representative Simms."

Simms: "Mr. Speaker, knowing how interested and diligent you are about attendance, I thought you might like to recognize you forgot to hit your own switch."

Speaker Redmond: "I'm not here. Not all here...or all there. That bell means the electricians are checking Representative Neff's Switch. Other times it has different meanings, but...Death Resolutions. Read it in full, yeah."

Clerk O'Brien: "House Resolution 897. Representative VonBoeckman and all members of the House. Whereas this body has learned with sincere regret the tolling of the bells calling the spirit of our beloved friend and former colleague, Martin B. Lohmann to his eternal home, and Whereas he was born on a farm in Grovetown...Groveland Township, Tazewell County, Illinois, to John B. and Catherine Keith Lohmann on August 27, 1881, and moved from there to Pekin where he lived the remainder of his life and Whereas he was active all his life in social, civic and fraternal activities in Pekin where he served four years as city clerk and seven years as a member of the city council. He was a member of the Modern Woodman, Elks, Masons and Shriners, and Whereas Mr. Lohmann was elected to this House from the 13th District in 1922, and was a Member of

this body until 1932 when he was elected to the Senate where he served until his retirement in 1952, and whereas he displayed outstanding ability and natural leadership qualities in his multi-facet public and private careers which coupled with the warm and outgoing personality induced all those living he touched to say 'Thank God for this man', and whereas he leaves a proud heritage to mourn his loss in the persons of his daughter, Mrs. Joseph Nadine Bergdahl, a granddaughter, Mrs. Ken Julie Thomas, and two great grandchildren, therefore be it resolved by the House of Representatives, the 81st General Assembly, the State of Illinois, that we express our profound and sorrow at the passing of the Honorable Martin B. Lohmann and extend our heartfilled sympathy to his bereaved family and a suitable copy of this preamble and Resolution be presented to his daughter, Mrs. Joseph Bergdahl."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker I move the adoption of the Death Resolution."

Speaker Redmond: "Any discussion? Question's on the Gentleman's motion for the adoption of the Death Resolution. Those in favor say 'aye'. Aye. Opposed 'no'. The 'ayes' have it, the motion carried and the Resolution's adopted. Any further Resolutions, Mr. Clerk?"

Clerk O'Brien: "Senate Joint Resolution 120. Sponsored by Speaker Redmond."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, Senate Joint Resolution No. 120, sponsored by the Speaker, commends and laudes the American Association of University Women, League of Women Voters of Sangamon County, Retired State Employees Association of Springfield and Springfield Junior League for their diligence in manning the booths at Grants information to

all the visitors of the Capital. So I move for the adoption of the Agreed Resolution."

Speaker Redmond: "Any discussion? The question's on the Gentleman's motion for the adoption of the Resolution. Those in favor say 'aye'. Aye. Opposed 'no'. The 'ayes' have it. Motion carried. The Resolution's adopted. Any further Resolutions, Mr. Clerk?"

Clerk O'Brien: "No further Resolutions."

Speaker Redmond: "General Resolutions."

Clerk O'Brien: "House Resolution 910, Balanoff, Kelly."

Speaker Redmond: "Committee on Assignments. Request for change of votes."

Clerk O'Brien: "Representative Schoeberlein requests to vote 'aye' on Senate Bill 1710. Are there objections? Representative Winchester requests to vote 'aye' on Amendment 1 to Senate Bill 1710. Are there objections? Representative Preston requests to vote 'aye' on Amendment 5 to Senate Bill 1992. Are there objections? Representative Boucek requests to vote 'aye' on Senate Bill 1844. Are there objections? Representative Huskey requests to vote 'aye' on Amendment 1 to Senate Bill 1822. Are there objections? Representative Sandquist requests to vote 'aye' on the motion to discharge Senate Bill 1340. Are there objections? Representative Hanahan requests to vote 'aye' on Amendment 1 to Senate Bill 1710. Are there objections?"

Speaker Redmond: "Hearing no objections the change of votes will be recorded as read. And the new rules should provide to eliminate the change of votes. Senate Bills second reading. Senate Bills second reading 1443."

Clerk O'Brien: "Senate Bill 1443. A Bill for An Act making appropriation to the Comptroller. Second reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third reading. 1457."

Clerk O'Brien: "Senate Bill 1457. A Bill for An Act to exempt drugs, medical supplies and certain foods for human consumption from occupation and use taxes and to replace local revenues lost. Second reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any amendments from the floor? How about the fiscal note, has that been furnished?"

Clerk O'Brien: "The fiscal note in the House has not been furnished."

Speaker Redmond: "Out of the record. 1571."

Clerk O'Brien: "Senate Bill 1571. A Bill for An Act making appropriations to the Board of Higher Education. Second reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk O'Brien: "A motion to table Amendment No. 1 to Senate Bill 1571 by Representative Kane."

Speaker Redmond: "Is Representative Kane on the floor? Is there any objection to the motion to table? Representative Bradley, do you want to handle the motion to table? Representative Bradley."

Bradley: "Mr. Speaker and Ladies and Gentlemen of the House, the Sponsor is not here, but Representative Wikoff has, I think, the same motion on all of those higher education..."

Speaker Redmond: "Representative Wikoff has already communicated with the chair. He... Representative J. J. Wolf."

J. J. Wolf: "Yes, Mr. Speaker, the minority spokesman for Appropriations II is not on the floor and I would like to kind of look to his guidance on some of these. I wonder if we could...."

Speaker Redmond: "Have to take this one out of the record."

J. J. Wolf: "Thank you."

Speaker Redmond: "1579. One five seven nine."

Clerk O'Brien: "Senate Bill 1579. A Bill for An Act making appropriations for the retirement purposes of higher educational institutions and agencies. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "It won't be. Any amendments from the floor?"

Clerk O'Brien: "Amendment #1. Wikoff. Amends Senate Bill 1579 on page 3 line 7 by changing '1981' to '1980'."

Speaker Redmond: "Representative Wikoff."

Wikoff: "Thank you, Mr. Speaker, this amendment changes...it's a technical change. They had the wrong date in the...as far as the effective date. And it should be 1980 instead of 1981."

Speaker Redmond: "Yeah. Any objection or any discussion on the Gentleman's motion for the adoption of Amendment 1? On the question of the motion to adopt those in favor say 'aye'. 'Aye'. Opposed 'no'. The 'ayes' have it. Motion carried. Amendment's adopted. Any further amendments?"

Clerk O'Brien: "No further amendments."

Speaker Redmond: "Third reading. 1589."

Clerk O'Brien: "Senate Bill 1589. A Bill for An Act making appropriation for the ordinary and contingent expenses of state universities civil service merit board. Second reading of the Bill. No Committee Amendment."

Speaker Redmond: "Any amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third reading. 1630."

Clerk O'Brien: "Senate Bill 1630. A Bill for An Act to provide for the ordinary and contingent expenses of the office of Lieutenant Governor. Second reading of the Bill. No Committee Amendment."

Speaker Redmond: "Any amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third reading. 1632."

Clerk O'Brien: "Senate Bill 1632. A Bill for An Act to provide for the ordinary and contingent expenses of the department of Mines and Minerals. Second reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendments 1 and 2."

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any amendment from the floor?"

Clerk O'Brien: "No floor amendments."

Speaker Redmond: "Third reading. 1635."

Clerk O'Brien: "Senate Bill 1635. A Bill for An Act to provide for the ordinary and contingent expenses of the Department of Agriculture. Second Reading of the Bill. Amendments #1, 4, 5, 6, 7 and 9 were adopted in Committee."

Speaker Redmond: "Representative Getty."

Getty: "Wonder if we could hold this, Mr. Speaker?"

Speaker Redmond: "What'd you say?"

Getty: "Could we hold this please, Mr. Speaker?"

Speaker Redmond: "Out of the Record. 1638."

Clerk O'Brien: "Senate Bill 1638. A Bill for An Act making appropriations for the ordinary and contingent expenses for the Health Finance Authority. Second reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment 1."

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any amendment from the floor?"

Clerk O'Brien: "No floor amendments."

Speaker Redmond: "Third reading. 1662. Wait a minute. Any amendments from the floor?"

Clerk O'Brien: "There were no motions on Senate Amendments #1 and

2.

Speaker Redmond: "Any amendment from the floor?"

Clerk O'Brien: "No floor amendments."

Speaker Redmond: "Third reading. That's 1638, is that right?"

Clerk O'Brien: "Yes, Sir."

Speaker Redmond: "1642, did we move that?"

Clerk O'Brien: "No, 38 is the last one we moved."

Speaker Redmond: "1642."

Clerk O'Brien: "Senate Bill 1642. A Bill for An Act making appropriations for the ordinary and contingent expenses of the Illinois Law Enforcement Commission and various state agencies which participate in law enforcement assistant...assistance in administration statewide plans program. Second reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment 1."

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any amendment from the floor?"

Clerk O'Brien: "No floor amendments."

Speaker Redmond: "Third reading. 1662."

Clerk O'Brien: "Senate Bill 1662. A Bill for An Act making appropriations for the ordinary and contingent expenses of the Department of Rehabilitation Services. Second reading of the Bill. Amendments #1, 2, 3, 4, 5 and 6 were adopted in Committee."

Speaker Redmond: "Any motion with respect to the Committee Amendments?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third reading. 1663."

Clerk O'Brien: "Senate Bill 1663. A Bill for An Act making appropriations for the ordinary and contingent expenses of

the Capital Development Board. Second reading of the Bill.
Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any amendment from the floor?"

Clerk O'Brien: "Floor amendment #2."

Speaker Redmond: "Third Reading."

Clerk O'Brien: "No, 2. I got a floor amendment."

Speaker Redmond: "Oh, you got a floor a...Any amendments from the
floor?"

Clerk O'Brien: "Floor Amendment #2. Taylor. Amends Senate Bill
1663, as amended, by striking everything after the enacting
clause."

Speaker Redmond: "Who's the sponsor of the amendment?"

Clerk O'Brien: "Representative Taylor."

Speaker Redmond: "I think we'd better take this one out of the
record. Take 1663 out of the record. 1739.
Representative Ewing."

Ewing: "Did you move Senate Bill 1640 to third?"

Speaker Redmond: "No."

Ewing: "No?"

Speaker Redmond: "No."

Ewing: "I just wondered. Thank you."

Speaker Redmond: "No, we didn't..."

Ewing: "I wanted to hold it on Second. Thank you."

Speaker Redmond: "Somebody told me that. It wasn't you, but it
was your alter-ego."

Ewing: "Was that George Ryan, or someone?"

Speaker Redmond: "I don't recall who it was, but..."

Ewing: "All right."

Speaker Redmond: "1739."

Clerk O'Brien: "Senate Bill 1739. A Bill for An Act in relation
to the compensation of workers for job related injuries and

diseases. Second reading of the Bill. Amendments #1, 2..."

Speaker Redmond: "Representative Getty...Out of the record. 1773."

Clerk O'Brien: "Senate Bill 17..."

Speaker Redmond: "I guess you'd better take that one out...2019, out of the record. 2020."

Clerk O'Brien: "Senate Bill 2020. A Bill for An Act to amend Sections of the Local Mass Transit District Act. Second reading of the Bill. Amendments #4 and 6 were adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment 4 and 6?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any amendment from the floor?"

Clerk O'Brien: "Amendment #7. Watson. Amends Senate Bill 2020."

Speaker Redmond: "Representative Flinn on the floor? It is? Better take this one out of the record. Doesn't meet our...Senate Bills second reading short debate on page 5. 1799. Has he been taking this thing out?"

Clerk O'Brien: "Senate Bill 1799. A Bill for An Act to amend Sections of the State Employees' Group Insurance Act. Second reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any amendment from the floor?"

Clerk O'Brien: "Floor amendment #1. Vinson."

Speaker Redmond: "Out of the record. Senate Bills third reading, short debate. Roll call for attendance. Be sure only your own switch, now. 1569."

Clerk O'Brien: "Senate Bill 1579."

Speaker Redmond: "Representative Younger?"

Younger: "Thank you Mr. Speaker, Senate Bill 1569 is the Bill in reference to the state community college of East St. Louis, and at the request of the Auditor General of Illinois this Bill establishes a local clearing account at this community

college. And amendment #1 merely says that the funds are to be gotten out of this account into the State Treasurer without delay or within 10 days. And then the other part of the Bill places the employees at State Community College in the statutes so far as the retirement system civil service system and travel systems are concerned. And I move for the passage of this Bill."

Speaker Redmond: "Representative Vinson in opposition."

Vinson: "Well, Mr. Speaker, I don't arise in opposition. I arise to question what Bill we're on. The Clerk read 1579 and the board showed 1569."

Speaker Redmond: "1569."

Vinson: "Well, he should reread 1579 then to meet the procedural requirements, shouldn't he, Sir?"

Speaker Redmond: "What'd you say?"

Vinson: "Doesn't he have to reread it, then, as 1569 to meet the procedural requirements?"

Speaker Redmond: "He hasn't read it he tells me. Read..."

Vinson: "But how can we pass the Bill?"

Speaker Redmond: "Read...Read 1569 and make Representative Vinson happy."

Clerk O'Brien: "Senate Bill 1569. A Bill for An Act to amend certain Acts herein named relating to State Community College of East St. Louis. Third reading of the Bill."

Speaker Redmond: "Is there anyone in opposition? Question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Representative J. J. Wolf? It's a short debate. Senate Bills third reading, short debate, page 2. Top of the page. Have all voted who wish? What in the world? Turn me...my light doesn't work here. That's the problem. My light doesn't go. Nothing works. I want to vote 'yes'. I did that once before. Have all voted who wish? The Clerk will take the record. On this

question there's 120 'aye' and no 'nay' and the Bill having received the Constitutional Majority hereby declared passed. Representative Slape, where are you? Turn the podium over to Representative Slape."

Slape: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, it's a privilege for me today to introduce to the General Assembly the triple A baseball champions of the state of Illinois from the city of Collinsville, and we want to give them a great welcome here. The city of Collinsville of course is in the 55th district, Represented by Representative Friedrich, Watson and myself. Mr. ...We have one pitcher here, Carl Campbell...Mark Campbell...Mike...Mark, who hasn't lost a ballgame in two years? Twenty two straight winners as a pitcher.

Coach: The doorman...the doorman mentioned basketball earlier, and I guess basketball and Collinsville are synonymous, but we won the state championship in baseball, so I think...or we're hoping now that when people think of Collinsville, they start thinking of baseball and...and basketball also. I'd like to introduce the players that we have hear. First of all, assistant coach, Lou Etherton. I know he's there somewhere. There we go. Lou Etherton. And I hope I don't miss anyone when I go around here. We got Robert Sinabrea. Hold your hand up Robert so they can see you. Okay, Jeff Lewis, Al Dunaway, Vince Plance, Randy McQuin, Keith Throme, Jeff McDaniel, Jeff Church, Alan Cooper, Kent Barker. Okay, the other side. Barry Wilson. I see you Dave. Dave Berg, Todd Miller, Scott Parson, Mark Campbell, and Mike Heplin. Did I miss anyone? You know winning the state championship was a big thrill, but I think this goes...this is pretty close to the same type of thrill that we had in the state championship game. I think it's pleasure to be here. I think we're all honored that

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we are here. Thank you."

Slape: "No, the Speaker's the backstop."

Coach: "Catcher's the good looking red head over here."

Speaker Bradley: "Senate Bill 1668."

Clerk O'Brien: "Senate Bill 1668."

Speaker Bradley: "Mr. VonBoeckman? Go ahead, read it a third time."

Clerk O'Brien: "A Bill for An Act to amend Sections of the Illinois Vehicle Code. Third reading of the Bill."

Speaker Bradley: "Page 2 on short debate."

VonBoeckman: "Well, Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1668 solves one of the problems that the Secretary of State's been having with restricted driving permits. And what this Bill does, it allows the Law Enforcement Agency to not allow the individual who violates their restrictive driving permit to further drive until having a hearing at the Secretary of State. I ask for favorable support on the issue."

Speaker Bradley: "Is anyone standing in opposition? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Mr. Speaker, is this on short debate?"

Speaker Bradley: "Yes, on page 2."

Cullerton: "I believe I made a request that it be taken off of short debate."

Speaker Bradley: "It was on consent calendar at one time. There's no way that that can be taken off, but if you make a motion that it be removed from the short debate and you're supported by...by 10 members..."

Cullerton: "So moved."

Speaker Bradley: "including yourself..."

Cullerton: "So moved."

Speaker Bradley: "All right are there 10 members...9 members. One, two, ...All right, it has been now removed from short

debate, Mr. VonBoeckman. Do you wish to proceed, then."

VonBoeckman: "Yes. Yes."

Speaker Bradley: "All right, now, Mr. VonBoeckman has made his presentation. Discussion. The Chair recognizes the Gentleman from Champaign, Mr. Johnson."

Johnson: "Well, I realize that this is the time now and difficulties here, and so forth...Representative VonBoeckman can you...I'm still looking for the analysis, but can you tell me again, this allows...allows law enforcement agencies to do what?"

VonBoeckman: "Well, if you recall sometime ago, an individual in East St. Louis had a restricted driving permit to drive back and forth to work. He no longer then was employed by this company, but he still held the right to drive back and forth to work for this company. And in the mean time he was involved in a tragic deaths of three innocent people, and he was allowed to drive away from the...from the police station simply because he had a restricted driving permit."

Johnson: "Now wait a minute. Wait a minute. You're telling me that somebody was involved in an accident where he was culpable, and he was allowed to drive away just because he had a restricted driver's permit?"

VonBoeckman: "Well, the law enforcement had to give him a ticket. They gave him a ticket for DWI..."

Johnson: "Well, then he really wasn't allowed to drive away, was he?"

VonBoeckman: "Yeah, he was allowed to drive on the ticket. And what the Bill does, simply says that the law enforcement shall not give these individuals ticket to drive on. That their privileges shall be revoked at that time. And we're only talking about DWI's or accidents involving homicide or otherwise."

Johnson: "Well, what does the Bill say? What cases are...are

ones...are people not allowed to drive away? I've never known of a DWI case where a DWI defender has been allowed to drive away in a drunken condition anyway."

VonBoeckman: "Well, he might be involved...he might stay in a...in a jailhouse for a few hours, but after that he can automatically drive away on...on the ticket he received for DWI. Anybody can until they're convicted of...of the issue. And we're only talking about restricted driving permits. The ones that are issued by the Secretary of State for the purpose of going to and from work."

Johnson: "Well, what, specifically, what kind of cases is the law enforcement agency permitted to..."

VonBoeckman: "Could I read what this synopsis says to you so you'll understand?"

Johnson: "Yeah, I wonder if you could just take the Bill out of the record for a couple of minutes until we have a chance to look at the Bill and the analysis. I don't even have the analysis here in my...in my catalog."

VonBoeckman: "Well, I know you're an attorney, Tim, but this...I'm sure that all good attorneys will go along with this measure because..."

Johnson: "Well, I'm not saying I won't. I just think when you give unbridled discretion as this apparently does, to law enforcement agencies would have some kind of judicial determination. We ought to at least look and see what the Bill does and see what category of driving offenses are included. You know, that's all I care about. I may be 100% in support of it. I just don't have the Bill. I wasn't on the Committee, and I don't have the analysis."

VonBoeckman: "Well, again, Mr. Speaker, I think if we continue to hold up on legislation that is good legislation the...there was no opposition in the Committee hearing on this Bill whatsoever, and it's a Senate Bill, passed the Senate with

no problems, and its now before this House to determine whether we want to leave those who kill innocent people on the highways to continue to drive on a restricted driving permit. That's all it does. And, I think, I think what it does it gives the Secretary of State time to have another hearing to whether the guy is...should have a further continue to drive on a restricted driving."

Speaker Bradley: "But...Just...Just a minute. Maybe we can do this. Mr. VonBoeckman, there's only four other Bills on short debate, if you want to persist and go ahead if not we'll go through the other ones on short debate. That will give those members like Mr. Johnson time to think back and move back to it."

VonBoeckman: "I'd like to get back to it today, okay?"

Speaker Bradley: "Pardon."

VonBoeckman: "I'd like to get back to the Bill today, because it..."

Speaker Bradley: "We'll get back to it...We'll go down through short debate and we'll come back to it, Mr. VonBoeckman. I assure you."

VonBoeckman: "Fine. I agree."

Speaker Bradley: "Senate Bill 1713. Mr. Conti, how are you?"

Clerk O'Brien: "Senate Bill 1713. A Bill for An Act to amend Sections of the Fish Code. Third reading of the Bill."

Speaker Bradley: "The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, this is a similar Bill to what we passed over to the Senate. It reduces the retail fishing license, retail merchants license from 50 to 10 dollars, and then there was an amendment put on by Representative Anderson allowing the...a license to be issued for dip net on some restricted members of the fish family and I would move the adoption of Senate Bill 1713."

Speaker Bradley: "Anybody in opposition? If not the question is

'Shall this Bill pass?'. All in favor signify by voting 'aye', opposed by voting 'no'. John Dunn. Have all voted who wish? Ropp, 'aye'. Would somebody push Mr. Ropp's switch there, please. Have all voted who wish? Clerk will take the record. On this question there are 100...136 'ayes', no 'nays', and the Bill having received the constitutional majority is hereby declared passed. The Gentleman from Macon, Mr. Borchers. For what purpose do you rise."

Borchers: "Mr. Speaker and fellow Members of the House, I arise from a point of personal privilege..."

Speaker Bradley: "State your point."

Borchers: "I feel that the members of the House might be interested in it because I am because of this House and what happened the other day and catching hell and I mean I been catching hell. And I...that's why I want to report to you, because I hope you catch the same kind of hell, maybe. Anyway, since, we've had this ERA vote, I have received 1 telephone call from New York, 5 from Indiana, 1 from Iowa, 1 from Ohio, and a countless number of letters. At the moment, I am losing California and carrying Florida, losing New York, I am carrying Connecticut, and I'm sure as the devil losing Indiana. And I would like to tell you just a story of one of the typical types. Now fortunately, I don't have to pay for this and neither do the State. Now, I argued a few times with the first couple of members that called me from elsewhere in the other states, but on the last one, the one from New York, she ate me up one side and she ate me down the other, and so I listened to it all. And at the end of the tirade she says 'And what have you got to say for yourself?'. I answered, and I think this is a wonderful answer. I said, 'Madame, I served with General Patton through the whole war. He had a

doctor's degree in swearing, and, I assure you, you equal him.' So I thought you'd just like to know a side issue. This thing went all over the United States, and I hope John Matijevich over there is having for his point of view just as much trouble."

Speaker Bradley: "The rumor was most of those calls were Cullerton. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Speaker, as long as he's giving a report, I've received a lot of calls, too, Webber. And I'm winning in all states."

Speaker Bradley: "Senate...The Gentleman from Lake, Mr. Deuster, did you receive calls also?"

Deuster: "I've been receiving calls for 8 years, but I do want to say that I'm glad that Representative Borchers spoke up because most of the people saw that picture of the legionnaire with the legion hat on the front page of the Tribune. They just naturally assumed it was Representative DiPrima."

Speaker Bradley: "The Gentleman from Marion, Mr. Friedrich, for what purpose do you rise?"

Friedrich: "Well, I feel kind of left out. The mayor didn't call me, the President didn't call me. Nobody offered me any money, and I just wondered if there's something strange about my position."

Speaker Bradley: "We'll get Cullerton to call you. Senate Bills third reading, short debate appears 1760. Read the Bill."

Clerk O'Brien: "Senate Bill 1760. A Bill for An Act to amend Sections of the Illinois Highway Code. Third reading of the Bill."

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

J. Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Senate Bill 1760, which will enable township road districts in downstate Illinois to

have greater access to funds which are available for bridge construction purposes. At the present time they only have one year to capture those funds. This Bill will extend that time period to 24 months, and it will also increase the State match from 3 dollars to 1 to 4 dollars to 1. It will not, however, result in an increased appropriation, and I ask for a favorable vote on this Bill."

Speaker Bradley: "Is there anybody in opposition? If not, the question is 'Shall this Bill pass?'. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Clerk will take the record. On this question there are 136 'ayes', 1 'no', the Bill having received the constitutional majority is hereby declared passed. Senate Bill 2007."

Clerk O'Brien: "Senate Bill 2007. A Bill for An Act to release highway easements and to restore access rights to certain described lands. Third reading of the Bill."

Speaker Bradley: "Mr. Woodyard, the Gentleman from Edgar."

Woodyard: "Thank you, Mr. Speaker, Members of the House, this is a composite highway easement Bill for this session. Contains over 70 easements which will restore access rights on about 102 acres. And the road fund will get about \$124,800 from the restoration of those rights. I ask a favorable vote."

Speaker Bradley: "Is there anybody standing in opposition? Hearing none, the question is 'Shall this Bill pass?'. All in...The Gentleman from Cook, Mr. Getty."

Getty: "Mr. Speaker, as long as there's nobody standing in opposition, I'd like to ask a sincere question about this."

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

Getty: "Has there been an appraisal upon which the value has been determined in each case?"

Woodyard: "That's right. All appraisals are on file. All 70 of

them."

Getty: "Thank you."

Speaker Bradley: "This is short debate with one...Is it urgent Mr. Bowman?"

Bowman: "If you'll turn my microphone on, I'll tell you."

Speaker Bradley: "All right. All right."

Bowman: "I was curious as there was a very large variation in the price per acre for some of the highway easements, and I was just curious if the Sponsor could explain some of that perhaps in his concluding remarks. There seems to be a very large variation among some of the projects."

Speaker Bradley: "You wish to reply? Could you hear to question? Turn Mr. Woodyard on."

Woodyard: "Yes, the department itself makes those appraisals and then negotiate with the person getting the easement back, and so it is an agreed upon appraisal. The reason there's a variation in the price is because some of the land or access is worth more than others."

Speaker Bradley: "Question is 'Shall this Bill pass?'. 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 record. On this question there are 125 'ayes', 1 'no', 6 voting 'present', and the Bill having received the constitutional majority is hereby declared passed. Bradley, 'aye'. While we're waiting for Mr. VonBoeckman, we'll go to motions, SJR112. Mrs. Chapman, on that...on your motion on page 11."

Chapman: "Yes."

Speaker Bradley: "While we're waiting for Mr. VonBoeckman."

Chapman: "Thank you, Mr. Speaker, it's Representative Pullen's motion and she's on the phone right now. I think she's getting off. We would....being in...I think having checked with a variety of people and having an agreement would move

to place SJR 112 on the Speaker's Table for immediate consideration."

Speaker Bradley: "The lady from Cook, Mrs. Pullen, did you wish to...Are you making the motion to 'do adopt'?"

Pullen: "Yes, Mr. Speaker, we need to suspend the rules so we're moving to suspend the rules to put this up for immediate consideration."

Speaker Bradley: "All right, you're making that motion?"

Pullen: "Yes, I am."

Speaker Bradley: "All right, the lady moves to suspend the rules for immediate consideration. Mr. Kane, what purpose do you rise?"

Kane: "Would the sponsor yield for question?"

Speaker Bradley: "On the motion?"

Kane: "Yeah, or if she would give some indication what this Resolution does."

Pullen: "If some people would stop bugging me, I'll be happy to answer the question. The Joint Resolution comes from a recommendation of the Joint Committee on nursing care reimbursement, and it is to direct the Auditor General to conduct a program audit of the nursing home reimbursement system of the Department of Public Aid. It's something that we need to do on an immediate basis to consider this because the reporting has to be on December 15 and in order for the Auditor General to have time to do any kind of a decent program audit, we have to take care of this in a timely fashion."

Kane: "This is requested by the Auditor General?"

Pullen: "Yes, it is."

Speaker Bradley: "Douglas, it's on your desk, I think. All right, the lady moves to suspend the rule. Take 107 votes. All those in favor of the lady's motion to suspend the rule for the immediate consideration of SJR 112 vote 'aye',

opposed vote 'no'. Have all voted who wish? Clerk will take the record. On this question there are 128 'ayes', no 'nays'. Lady's motion prevails. And now we will proceed to the Resolution in the immediate consideration. Miss Pullen or? Miss Pullen, on the Resolution.

Pullen: "Mr. Speaker, as I indicated a moment ago, Senate Joint Resolution 112 is a recommendation of the Joint Committee on nursing care reimbursement which was created by this house and by the Senate. And has been meeting throughout the winter and spring concerning nursing home reimbursement problems. The Joint Committee has learned a great deal, but one of the things that we have learned is that we need to get some expert information from an objective source. The Auditor General was requested to look into this and informed us that he would need a Resolution of the House and Senate directing him to conduct a program audit of the nursing home reimbursement system, which has been described by some federal sources as a system which defies understanding because of it being so complicated. This program audit would consider whether the Illinois plan complies with our own requirements and federal requirements for cross related reimbursement systems and whether the Illinois plan is comparable to the several surrounding states and would look into the full range of information concerning the nursing home reimbursement systems so that some changes could be made if necessary and so that this house and the Senate could determine whether indeed changes are necessary in the nursing home reimbursement system which seems to be the gist of the testimony that has been received by the Joint Committee. The Resolution is necessary for the program audit to be conducted, and it contains reporting date of December 15, 1980, so that we would be able to use the Auditor General's information.

And I move for the favorable consideration of Senate Joint Resolution 112."

Speaker Bradley: "Discussion. Hearing none, the question's on the lady's Resolution. All in favor signifying by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Yes, the Gentleman from Livingston, Mr. Ewing."

Ewing: "I didn't get a chance to ask, this has been railroaded through so fast, what the cost is. Wonder if anybody could tell us."

Speaker Bradley: "Would the Sponsor indicate the cost to Mr. Ewing."

Pullen: "I have seen an estimate that the cost of the program audit itself would be somewhere in the neighborhood of \$100,000 with the hope that it would save a considerable amount of money with the results."

Ewing: "Mr. Speaker..."

Speaker Bradley: "Mr. Ewing."

Ewing: "Can I explain my vote? I'm shocked and chagrined that this Sponsor would pass a Resolution without telling us the cost. And I'm going to have to vote 'present'."

Speaker Bradley: "Have all voted who wish? Clerk will take the record. On this question there are 135 'ayes', no 'nays', and the motion is adopted. Mr. VonBoeckman on...are you prepared...Are you ready on Senate Bill 1668, Sir."

VonBoeckman: "Yes, Mr. Speaker."

Clerk O'Brien: "Senate Bill 1668. This Bill has been read a third time previously."

VonBoeckman: "Mr. Speaker and Ladies and Gentlemen of the House, what House Bill 1668 does if a recipient of a restricted driving permit is cited for the follow...four following citations, reckless homicide resulting from the operation of a motor vehicle, driving while under...driving while

under the influence of alcoholic drugs...alcohol or drugs, leaving the scene of a personal injury or fatal accident or drag racing. And this is what the Bill does. Now the motor Vehicles Law Commission studied this and recommends very strongly the Secretary of State concurred the restricted driving permit be immediately confiscated by the officer issuing the citation. Thereby invalidating the permit. And forward to the court of adjudication. The permit...the permittee is entitled to a hearing within the Secretary of days (sic) within 20 days. This should fill...fulfill the due process legislation. We have to remember that the right to drive in Illinois is one of...individual loses that right and then he has a restricted permit, it's only a privilege. And when they violate that privilege a second time, I think it is justification that they have a rehearing by the Secretary of State in the adjudication process. I urge a favorable support on this issue."

Seaker Bradley: "Discussion. The Gentleman from Champaign, Mr. Johnson."

Johnson: "Representative VonBoeckman, just a couple of real quick questions, before I address the Bill. First of all, I want to make sure I understand your language correctly. You're indicating that at the holder of an BDP is cited for the subsequent offenses, then the Act applies. It doesn't require conviction. Is that right?"

VonBoeckman: "Right."

Johnson: "Right, right, okay. Secondly, are you aware that...that a whole line of decisions in every state in the union have indicated that your drivers license is a privilege in any event, whether you're driving because of a hardship or whether you're driving because you're 16 and just got your permit. Driving is a privilege and not a

right in any event."

VonBoeckman: "I agree. It's a right."

Johnson: "Okay, well, addressing the Bill, Mr. Speaker, Members of the House, I think what Representative VonBoeckman and Senator Chew in the Senate were trying to do is really a laudatory purpose, but they're not doing it the right way. What this says is if you have a third speeding ticket and your license is suspended, then you go through a judicial or a quasi judicial proceeding before the Secretary of State and they give you a restricted driving permit because of your general driving ability, because of the fact that you needed to get to and from work and so forth. Then you're driving like anyone else on your restricted driving permit and then you're later simply given a ticket for one of these things, not convicted, but simply given a ticket. You're allowed then, or the state is allowed then simply based on the fact that you get a ticket to suspend your driving permit. There's nothing in the statute to authorize a subsequent hearing. There's nothing in the statute that provides any guidelines other than the fact that you're given a ticket. Representative VonBoeckman alluded earlier to the fact that someone can get out on his drivers license. None of these offenses would allow you to do that. All these offenses would allow you to go before...or require you to go before a magistrate and to bond out and go through the regular judicial proceedings. If this weren't...if this were simply to allow an automatic revocation of your driving privileges if you were convicted of drag racing or if you were convicted of leaving the scene of an accident, I think that's a good idea. I think that's something we probably ought to act into law. But it's certainly not when we simply allow it to be done based on a ticket. It violates every notion that our

ango-American system of law has about the presumption of innocence. So that if your 17 year old son or daughter gets a third ticket and then later because some neighbor called and accused...alleged that he was drag racing...he or she was drag racing, automatically with no proceeding, with no requirement of a hearing, the fact that there is not even a provision for a hearing, that restricted drivers permit that he or she received after the third offense would be revoked. I don't think it's a good way of going about accomplishing a worthy objective. I think it's unconstitutional, but even if it weren't, it's a bad policy. This came through the Motor Vehicles Committee, and quite frankly, I don't know how it got out with that...with the vote that it did, but I urge a 'no' vote on this Bill."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentleman of the House, I also agree with Representative Johnson that the Motor Vehicles Laws Commission in the Secretary of States offices as a laudable goal. However, there are some problems with this particular Bill. As indicated by Representative Johnson, it would provide that if someone who is driving on a restricted driving permit, say your son or daughter who happened to get three moving violations, but had a restricted permit to go to school. Let's say some neighbor had a vendetta against your son or daughter, called the police as the car was passing by their house and claimed that they were drag racing. Well, police officer would be called to the scene. It wouldn't be the police officer's word. It would be some neighbor, and the police officer, if he decided to issue a citation, in other words just issue a ticket for drag racing, according to this law, would immediately have the authority to take away the

driving privileges on the scene, right on the site without any hearing at all. And that's really what the problem is. The argument that if he's on a restricted permit and he does something wrong; therefore, he should not be allowed to drive, is a good one. But the question is who's to determine whether or not he's done something wrong. It certainly...in this...in many cases wouldn't even be a police officer. It would just be some other citizen. For that reason, I really feel that this Bill should be amended in some form to take out the poor provisions, and I would ask that you vote against this Bill."

Speaker Bradley: "Gentleman from Cook, Mr. Huskey."

Huskey: "Well, thank you, Mr. Speaker. I certainly hate to stand up here and disagree with my learned colleagues. I guess that's the difference of a Bill going to the Motor Vehicle Department and the Judiciary. Well, let me point out one thing. There's only 15,000 of these restricted driver permits issued in the State of Illinois each year. Now, they have to be pretty damn bad drivers to loose their license to get a restricted drivers permit. Now, this bill...all this Bill does is if a person has a restricted drivers license permit, he's abused his privileges for the fourth or fifth time and he's involved in a manslaughter, he kills somebody, or he's driving under the influence of alcohol or drugs, or leaving the scene of an accident involving personal injury or death and then at the bottom drag racing. Well, gee, if a...if one of these people that are on...are given a special privilege just to operate to drive back and forth to work is caught drag racing, he certainly needs to, even though that's the least of the minor...of the major offenses. And one more thing, he does have a hearing. When the...when the license is taken in by the police officer, the permit would be immediately

validated. The permit then...the permittee is then entitled to a hearing in the Secretary's of States office. And he has 20 days to respond. So, it's not without proper procedure and a right for hearing. The same as he has now when he tries to get his first restricted drivers permit. And this is a good Bill. It's taken a lot of work, and it certainly needs to get some of these murderers that have...that have been in some serious offense for four difference time prior to this off of the streets. And I think it deserves a favorable consideration."

Speaker Bradley: "The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, Members of the House, what the previous speaker said is absolutely true. We now have pending in Peoria County a manslaughter charge against a young woman who was charged with drunken driving. Hers...child was killed in that accident. Now, who's to say that she won't end up with a privileged drivers license, and then have another one, another manslaughter case. It's quite obvious that when someone is given a restricted permit to drive to go back and forth to work or whatever the circumstances might be that that is a privilege. It's not a right. And if they aren't capable and trustworthy enough to drive in a manner that is safe for all the citizens of our particular communities, then I don't think they should have a drivers license, restricted or unrestricted. And it just seems to me this is a protection to all those who happen to be in the vicinity of a drunken driver. This is a good Bill, and I don't know why the members of the Bar are so concerned about the rights of people. Are you more concerned about a drunken driver, or are you more concerned about the kid who may be on a bicycle or a grandmother or a blind person walking accross the street? I say this legislation is needed. And when that pass...restricted permit is lifted

by the policeman on the site, that individual can get a hearing, and if it's unjustified, get his license back. This is good legislation. It's one of the best to come out of the House this year."

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

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, much has been said about driving being a privilege, but very little, some, has been said, but it...I want to emphasize again, a citation is a citation, only. Now, I was one of those who got a ticket in Sherman and paid a fine. That's not the only speedtrap in the whole State of Illinois. And luckily someone got a class action suit, and those convictions were voided if you went to court and had it voided. But there are speedtraps around the State of Illinois, and there are some people who are wrongfully being cited and convicted. I'm sure there are not a lot of those cases, but there are those cases. So it's not too difficult sometimes to get...even if you are a good driver, to get three moving violations in a year. And I think if you have a restricted permit and you need it to go to work, let's face it, I don't think anybody ought to have that restriction lifted only because because of a citation. A citation ought to be then proved that it is a conviction, and then I can stand for whatever you want to do to that person. Also, I think nothing's been said either that there is another provision of this law which allows the Secretary to set up a remedial program which is laudatory, too. But nobody's talked about the cost of that program. Nobody's talked about how that program is going to be implemented at all and to make sure that there's nothing political about it. So, I think that it is wise for this legislature to withhold their votes on this Bill. Let's hold it and look at it. It won't be the first time that

the Motor Vehicle Laws Commission made a mistake. Mr. Speaker, Ladies and Gentlemen, I urge either a 'no' or 'present' vote."

Speaker Bradley: "The Gentleman from Kane, Mr. Schoeberlein."

Schoeberlein: "Mr. Speaker, 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'. The 'ayes' have it. The Gentleman from Tazewell, Mr. VonBoeckman, to close the debate."

VonBoeckman: "Well, Mr. Speaker, those who are opposed to that, I think, they have said several things were not relatively true. I think we have to take into consideration that...that the news media has chastized us for not having stronger regulations regarding restricted driving permit. The Secretary of State urges support of this. The Motor Vehicle Law Commission had hearings all over the state. There were no objections to the Bill whatsoever. I feel that due to the fact that we have millions of drivers license...drivers in Illinois, and we have approximately 15,000 who are on a privilege restricted permit. I ask each and every one of you who do we want to protect? Do we want to protect the millions or do we want to protect those who have repeatedly violated the code of driving? And I urge a favorable vote for this issue."

Speaker Bradley: "The question is 'Shall this Bill pass?'. All in favor signify by voting 'aye', opposed by voting 'no'. The Gentleman from Lake, Mr. Griesheimer, to explain his vote."

Griesheimer: "Thank you, Mr. Speaker, I'd like to address my comments and explain my vote to Representative Schraeder. I know he's very sincere about this, and he should understand that if a person is merely given a citation while they're driving on a restricted drivers permit for

one of the four items indicated, he would lose his license, and he would not lose his license just for a few days, but it would practically be a couple of months. Now, at least two of these offenses on here are the type of offenses that the police officer could have no personal immediate knowledge of. For instance, leaving the scene of an accident involving personal injury or death. That would be on the report of a third party, and the police officer would then have to rely upon the third party who might be completely unreliable. I think if you really believe in the concept of being presumed innocent until convicted by a body, a jury, a judge, then you just absolutely have to vote against this. This is really a bad idea, and to the Sponsor, certainly don't depend upon your Sponsorship of the Bills because of the press. You of all people should know what the press does to people."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? The lady from Champaign, Mrs. Satterthwaite, to explain her vote."

Satterthwaite: "Mr. Speaker and Members of the House, I think people who are voting against this measure are overlooking the fact that in this case the drivers license has already been revoked for another charge, yes. But he has been given a special privilege of having a limited license specifically for the purpose of getting back and forth to work. It seems to me if he already has a very bad driving record and he has been given a special permit on a limited basis, then invalidating that limited permit is not really something that we should be so afraid of. His background, his record is already quite bad. Obviously, if a charge is made that cannot be substantiated, he can again have his limited permit back. But having someone on the highway who has already demonstrated poor driving habits and suggesting

that we cannot take it away while we are processing another charge, I think is foolhardy, and I suggest a 'yes' vote."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? Clerk...Mr. Huskey, you spoke in debate. Have all voted who wish. Clerk will take the record. Mr. VonBoeckman."

VonBoeckman: "Poll the absentees. Poll the absentees, Mr. Speaker."

Speaker Bradley: "Gentleman wishes to poll the absentees. All right. Gentleman, Mr. Johnson."

Johnson: "In case this would reach 89, I'd ask for a verification of the Roll Call."

Speaker Bradley: "All right. Let's poll the absentee first."

Clerk O'Brien: "Poll of the Absentees. Breslin. Capuzi. Dawson. Domico. Donovan. John Dunn. Gaines. Hoffman. Emil Jones. Klosak. Kosinski. Kucharski. Laurino. Lechowicz. Marovitz. McAuliffe. McPike. Patrick. Peters. Pouncey. Preston. Richmond. Rigney. Sandquist. Schlickman. Stearney. Stuffle. Taylor. Telcser. Winchester. Yourell. Mr. Speaker."

Speaker Bradley: "Mr. Capuzi."

Capuzi: "Vote me 'aye', Mr. Speaker."

Speaker Bradley: "Record Mr. Capuzi as voting 'aye'. Stanley, 'aye'. Donovan, 'aye'. Pullen, from 'no' to 'aye'. Pullen, from 'no' to 'aye'. Mr. Henry."

Henry: "Yes, Sir, Mr. Speaker, change my 'no' to a 'yes'."

Speaker Bradley: "From 'no' to 'aye'. That's 89 'ayes'. Emil Jones, 'aye'. Marovitz, 'no'. Pouncey, 'aye'. Patrick, 'aye'. Alexander, 'aye'. J. J. Wolf, 'aye'. Woodyard, 'aye'. Stuffle, 'aye'. What's the count? 96 'ayes'. Mr. Johnson, do you persist? Johnson."

Johnson: "I realize that the time of the House is more valuable than this terrible Bill, so I'll withdraw my request."

Speaker Bradley: "All right, on this question there are 96 'ayes'."

and 40...42 'nos'. The Bill having received the Constitutional Majority is hereby declared passed. Senate Bills third reading appears Senate Bill 569. Mr. Hoffman. Out? Senate Bill 1378. Mrs. Pullen. You...out of the record. Fourt...Yes, I just announce...the chair will just remind the members that I think Wednesday is the final day to call Senate Bills as substantive Senate Bills. So, I don't know how many times we're going to get back to these. So, Senate Bill 1480. Mr. Hoffman."

Hoffman: "Read it a third time."

Clerk O'Brien: "Senate Bill 1480. A Bill for An Act in relation to the transfer and leasing of real estate for school purposes. Third reading of the Bill."

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

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House, the Bill is as is indicated in the digest, and we made a provision by amendment #1 to provide that the school districts can lease school buildings to certain kinds of related private enterprises. Amendment #...or second amendment adopted in the House deals with an issue related to special education which provides for the reimbursement on a \$3.50 basis rather than a \$2.00 basis. This does not change the appropriation, but provides for a reimbursement on a more equitable basis. And I'd be glad to respond to any questions that anyone may have in regard to the Bill."

Speaker Bradley: "Yeah, the Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, will the Sponsor yield to a question? Representative Hoffman, in Amendment #3 did you incorporate only the change in the rate in the...it's adult ed, right? The \$3 rate? You didn't put in the whole shot on the other deal?"

Hoffman: "No, Sir."

Stuffle: "Just the rate."

Hoffman: "Yes, Sir."

Stuffle: "Okay, to the Bill, Mr. Speaker and Members of the House, this is a very important piece of legislation that allows by way of the Amendment #3 access to the...to the rate reference by Representative Hoffman a moment ago. It's essential and important particularly downstate that this be adopted so that these people will be able to access the appropriation. There's been some misinformation particularly put out in the Senate that somehow this would affect the amount of the appropriation. That is entirely not the case. And for those reasons, I would urge an affirmative vote on this particular piece of legislation."

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

Leinenweber: "I had a couple of questions for the Sponsor. How many House amendments are there to this Bill?"

Hoffman: "Two."

Leinenweber: "And that's Amendments 1 and 2?"

Hoffman: "One and three."

Leinenweber: "All right. Was there another amendment? What was 2? Was that defeated or withdrawn or what?"

Hoffman: "Amendment 2 and 4 were withdrawn."

Leinenweber: "Okay. What..."

Hoffman: "You'll love it."

Leinenweber: "What is 3 do again? The Bill as I understand it has to do with eliminating restrictions on the terms of leases, is that correct?"

Hoffman: "The, yeah, the amendment that you have reference to and the one to which Representative Stuffle just spoke deals with the rate for adult ed reimbursement. Changed it from \$2 to 3.50 which provides for access to the appropriation. It does not increase the amount of the appropriation."

Leinenweber: "Does it increase the amount of

underfund...underfunding, then?"

Hoffman: "Pardon me?"

Leinenweber: "Does it increase the amount of underfunding?"

Hoffman: "Does it increase the amount of underfunding?"

Leinenweber: "Yes, of special ed."

Hoffman: "What does that mean?"

Leinenweber: "Well, I keep hearing..."

Hoffman: "This does not deal with special ed. This deals with adult ed."

Leinenweber: "Well, if you're talking about a reimbursement, you're increasing the amount that school districts are entitled to be reimbursed, is that correct?"

Hoffman: "It provides for the increase in the amount of reimbursement for adult education. It has nothing to do with special ed. It will reduce the amount of underfunding."

Leinenweber: "Without increasing the appropriation, reduce the amount of underfunding by Amendment 3."

Hoffman: "Correct."

Leinenweber: "Well that's sound wonderful, but I don't know how it works. I'll take your word for it."

Hoffman: "Oh, did I? Mr. Speaker, apparently I led to some of the confusion on this issue by referring to special education rather than adult ed. For that I apologize not only to the previous speaker, but to anyone else."

Leinenweber: "This time you're excused."

Speaker Bradley: "You wish to close?"

Hoffman: "I would appreciate an affirmative vote on this."

Speaker Bradley: "Question is...lady from Champaign, Mrs. Satterthwaite, on the issue."

Satterthwaite: "Will the Sponsor respond to a question, please? Gene is this the Bill that we had a question about the deletion of these particular governmental bodies that could

lease property."

Hoffman: "Yes."

Satterthwaite: "Did we adjust that in any way since the Committee?"

Hoffman: "No, that part of it is as it was in the Committee, but I'd hope that Mr. Watson would had a chance to discuss that with you. It provides..."

Satterthwaite: "Well, I'm sorry, he has not. You have not had any further word from him either?"

Hoffman: "I have not talked with him specifically, but the amendment as drawn does as I, and I checked with the people in the Reference Bureau, does as I have indicated, and that is that by eliminating that language it broadens the categories to which buildings can be leased."

Satterthwaite: "Well, I hope you're right. But I still have some skepticism, and I'm just going to vote 'present'."

Speaker Bradley: "All right, now the question is 'Shall this Bill pass?'. 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 record. On this question there are 135 'ayes', 2 'nos'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1497."

Clerk O'Erien: "Senate Bill 1497."

Speaker Bradley: "Is Pierce in the Chambers? All right Senate Bill 1500. Mr. Slape. Read it a third time."

Clerk O'Erien: "Senate...Senate Bill 1500. A Bill for An Act in relation to the sale of motor fuel at retail. Third reading of the Bill."

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

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 1500 originally when it came from the Senate dealt with gasohol and the use of credit cards."

Under the originally Bill which is still part of the Bill now, the Bill states that all companies cannot refuse to honor credit cards for the purchase of gasohol if they honor that credit card for the purchase of other motor fuels. And, also, there is a Senate amendment to the Bill which defines gasohol. And in the Transportation Committee we amended the Bill to make it a hold harmless Bill now for the motor fuel tax so that municipalities, townships and state government will receive money for the road programs and road projects that they have already planned under the old road plan. I'd ask for a favorable Roll Call."

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

Telcser: "Would the Gentleman yield, Mr. Speaker?"

Speaker Bradley: "He indicates he will."

Telcser: "Representative, could you tell us what impact on the State's General Revenue Fund the hold harmless provisions of the Senate amendment could have. The House amendment.

Slape: "Yeah, Art, I'd say about...I think it's between 30 and 35 million a year."

Telcser: "Well, Mr. Speaker, Members of the House, I think that as the Members consider Senate Bill 1500 and its amendments, you ought to take in mind the severe impact upon the General Revenue Fund that the House amendments would have on this particular Bill. This would be an unexpend...an unexpected expenditure, was not provided for in the Governor's budget, nor do I think that the Members of the House generally anticipated this type of expenditure."

Speaker Bradley: "Further discussion. If not...Gentleman from Cook, Mr. Garmisa."

Garmisa: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I arise in support of Senate Bill 1500 as amended by the House Transportation Committee. As most of you know, I

serve as chairman of the Illinois Transportation Study Commission, and on the basis of information presented to the Commission by units of local government and data developed by our own staff since the transportation financing package of last fall was adopted, I can tell you that the need for adequate funds for highway, street and road repair is very great. The Commission's original funding recommendation to you a year ago last March was a minimal recommendation, lower than many experts felt was acceptable on technical grounds. The compromise package as adopted last fall was lower still, particularly in regards to local units of government. Now, the updated financial projections indicate the actual revenues will drop still further, and this is going to be to levels which in my judgment are going to be totally unacceptable. At its last meeting the Transportation Study Commission reviewed the hold harmless concept upon which Senate Bill 1500 as amended is based, and then endorsed its enactment as a necessary remedial measure if we are to avoid excessive and costly deterioration of our state, county and municipal and township and road district highways. Street and road funds systems are also going to be effected very adversely. And it is important that these funds be made available now if we are not to lose a full construction season. Under this measure we can effect the necessary and temporary infusion of revenue to bring funding levels up to what was promised last fall while a longer term solution is being studied over the summer and next fall. I can think of no other use of the current budgetary surplus which is more worthy of your support. Therefore, I would ask each and every one of you for an 'aye' vote on this very important measure."

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

Leinenweber: "Yeah, will the Sponsor yield for a question?"

Speaker Bradley: "He indicates he will."

Leinenweber: "Representative, this seems to be an omnibus Bill.

Is that correct? How many different subjects does this Bill now cover, and how many different Bills that didn't make it through the process does it now contain?"

Slape: "It doesn't contain any Bills that didn't make it through the process, Representative. All it...It contains the original Senate Bill as it came from the Senate, and it contains one House amendment which is now the hold harmless."

Leinenweber: "All right, the Bill still requires motor fuel...or the gas companies to accept the credit card for the...when a motorist buys gasohol."

Slape: "Not exactly in that terms, but I think the question that you meant to answer, the answer's 'yes'."

Leinenweber: "Well, that was the original intent of the Bill. Is that correct?"

Slape: "Yes, Sir."

Leinenweber: "Now you have a House Bill that did the same thing, didn't you?"

Slape: "Yes, Sir."

Leinenweber: "What happened to that Bill?"

Slape: "It's in the Senate."

Leinenweber: "Is it alive or..."

Slape: "I don't believe it is."

Leinenweber: "Okay, so that Bill...if we wanted to do that this is the only chance to require that. Is that correct?"

Slape: "Yes, Sir."

Leinenweber: "All right, now, Senate Amendment #1 contains the definition of gasohol and then requires the Department of Agriculture to monitor and enforce the labeling. Is that correct?"

Slape: "Yes."

Leinenweber: "All right, so that's the second subject. What is Senate Amendment #2? Was that tabled or is that still on the Bill?"

Slape: "Yes, Senate Amendment 2 is on the Bill."

Leinenweber: "And what does that do?"

Slape: "Just a second, Harry. Okay, yeah, the exempts from def...from definition 'Alcohol obtained from agricultural products or byproducts'."

Leinenweber: "All right, now, House Amendment #1 is what you called a hold harmless provision, is that correct?"

Slape: "Yes, Sir."

Leinenweber: "Would you tell me briefly who's being held harmless."

Slape: "Yeah, all...all local governments, municipalities, townships, county governments will be guaranteed that they will receive the same tax...gasoline motor fuel tax this year as they did last year."

Leinenweber: "All right, now, suppose the General Assembly should want to spend more money in a specific area of the state, they would not be able to do so without increasing the overall appropriation. Is that correct?"

Slape: "I don't understand how that relates to this Bill."

Leinenweber: "Well, you were saying that one area of the state can't receive less than another area of the state can't receive more, then, without increasing..."

Slape: "All this Bill does is guarantee the transportation package that we passed last year."

Leinenweber: "All right, and was there a separate Bill that did this?"

Slape: "Not to my knowledge."

Leinenweber: "This is...somebody had the idea to put on House Amendment #1, is that correct?"

Slape: "Yes, Sir."

Leinenweber: "And that hadn't...no one had put that into legislation before?"

Slape: "If it has, it escaped me. I never seen it when it came through."

Leinenweber: "All right, well, Mr. Speaker, very briefly on Senate Bill 1500. This Bill...probably, it's a good thing it's on third reading because if it went back to second we'd probably find about half the other legislation that's been defeated or hasn't made it through the process added to this Bill. Apparently, it contains about 4 or 5 different Bills which for one reason or another have been stopped somewhere along the legislative process. This is the type of Bill that we ought to really look closely at in the waning hours of this session because we're liable to do a lot of different things we didn't know we did. You get home and people find out what we legislated here, and they'll ask you about it and you'll say you don't remember what it was, and you find out it was an obscure amendment added in second reading somewhere along the legislative process. I'm not entirely sure what House Amendment #1 does, but it sounds like if you have area of the state that's going to need more road funds, you probably won't be able to get them because we're going to be sending money back to an area of the state that perhaps has already been totally paved just because all of their projects were accomplished in 1979, they're going to be guaranteed in 1980 and 1981 the same amount of money they got in 1979. Your area may not have been paved completely in 1979, so it...we would not be able to use the flexibility to bring the road projects to your area. I'm not sure that the Bill even does that. That's what I think it does, but you have to remember this Bill apparently did not have...it certainly didn't have two readings...three readings in both

houses of the Legislature. This is a dangerous way to proceed, and I urge either a 'present' or a 'no' vote."

Speaker Bradley: "Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, this is a fairly simple Bill. It's a Bill that rips the General Fund off and gives the money to the Motor...to the Road Fund for the Distribution to the...for state roads and municipal roads and township roads and county roads. Now, I'm reading in the Tribune this morning an article that says Public Aid rolls highest since 1975. Anybody that's been here for that length of time or since that length of time will remember that that's when Public Aid expenditures shot through the roof. It seems to me that Public Aid expenditures are probably going to shoot through the roof again. If one wishes to get more money to build roads either state or local, I believe that we must have the courage to vote a higher motor fuel tax rather than just rip the General Fund off. There's no contention on the part of the Sponsor that there are now massive diversions from the Road Fund to the General Fund. We took care of that last year. This is plain and simple. Let's take the money from income taxes and sales taxes and use it to build roads. I just think that transportation expenditures should be linked to transportation related taxes, and I don't think this Bill does that. For that reason, I'm going to vote 'no'."

Speaker Bradley: "Lad...The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Will the Sponsor yield for one question?"

Speaker Bradley: "He indicates he will."

Hoffman: "What is the difference between the expenditures for last year and the estimated income for this year, for this purpose?"

Slape: "It'd be the difference in that actual sale of gasoline, Gene. I'll give you one example. From the village of

Morton I have a letter here from the business manager of that village. And his tax receipts are down 32.7% from April of 1980 to May of 1980 and are down 45.1% from the same month one year ago which would have been April of 1979."

Hoffman: "What is...what you're telling me is then that you don't know the dollar difference, in other words we're voting here to transfer how much money?"

Slape: "Okay, I can give you the estimate. That's about \$33 million a year."

Hoffman: "The estimate's about 36 which would come out of the General Revenue Fund and be..."

Slape: "Right."

Hoffman: "transferred to the Road Fund to hold these people..."

Slape: "Right."

Hoffman: "harmless. Is there any compensatory factor in regard to the transfer on the sales tax?"

Slape: "Could you go a little farther?"

Hoffman: "Well, there's 2 1/2% transfer on the sales tax. Does that come off of that 36, then?"

Slape: "All right, le...don't...let's forget about that. Don't worry about that."

Hoffman: "Let me...so we're..."

Slape: "Let me explain...under the Bill, the Department of Revenue would check receipts each month, and then they would direct the Comptroller who would then direct the Treasurer to make up the difference in tax receipts."

Hoffman: "All right, fine, thank you very much. Mr. Speaker, Ladies and Gentlemen of the House, all the various interest groups have a desire to maximize their impact on the available balance in the General Revenue Fund. We mentioned welfare. We could mention mass transportation. We could mention those people who are interested in the

road program. We could mention those who are involved in education. I...I think that we have to make some priorities in this particular area. I have some serious reservations whether this kind of a program ought to be one of those priorities, and I am...for this reason, I am going to oppose this Bill."

Speaker Bradley: "The Gentleman from Wayne, Mr. Robbins."

Robbins: "I just thought it might be a point of interest. I have checked with the local commissioners and some in town government, and the amount of money we added in through the new road program has been making up what they have been losing through the general gas tax. So, they are going behind at the rate of inflation and at the rate of increased cost, but otherwise they are receiving the approximately same amount of money from both funds."

Speaker Bradley: "Mr. Slape to close."

Slape: "Thank you, Mr. Speaker. I think that some of the Legislators that spoke before me cleverly act...acted as though they didn't really understand the full benefit of the Bill to cast some doubts upon it in the wrong way. I've heard from road commissioners, I've heard from county boards, and I've heard from municipalities from more than just my 55th Legislative District. Their contention is that if things continue the way it is and the decrease in gasoline sales that they will not only be able...not be able to do any new construction. But they will not be able to maintain the roads and the city streets that they have right now. This Bill is directed at only one thing. It's only directed at saying 'Last year we passed the road plan and appropriations for the present formula in the State of Illinois because of high gasoline prices and because of conservation efforts on the part of the general public, the receipts are down, and the General Assembly is now going to

make good on the promise it made to municipalities and county government last year.'. I solicit an 'aye' vote." Speaker Bradley: "Question is 'Shall this Bill pass?' 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 Gentleman from Effingham, Mr. Brummer to explain his vote. For one minute."

Brummer: "Yes, this is a very important Bill. The Governor last year...last week, I think, announced that a gas tax increase had to be considered next year. I think this is a viable alternative to that. At the time we have over \$500 million of surplus in the General Revenue Fund. And decreasing revenue to the local road funds to the cities and villages and townships and counties. I think is very important that we provide them and hold them harmless with the funds necessary for them to be able to not increase with inflation but to merely hold them harmless so they do not receive fewer funds. It is an important Bill for all those who are concerned with roads. We have the available dollars in the General Revenue Fund, and we ought to pass this Bill."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? Clerk will take the record. Mr. Slape, what purpose do you rise?"

Slape: "Poll the absentees, please."

Speaker Bradley: "Gentleman requests the poll of the absentees. Clerk will poll the absentees."

Clerk Leone: "Poll of the absentees. Bowman. Bullock. Casey."

Speaker Bradley: "Bullock, 'aye'."

Clerk Leone: "DiFrma."

Speaker Bradley: "DiFrma."

Clerk Leone: "Dwight Freidrich. Huff. Jaffe. Emil Jones. Klosak. Kosinski. Kucharski. Kulas."

Speaker Bradley: "DiPrima, 'aye'. Kulas. Where is he?
Kulas...Is Kulas back...Emil Jones, 'aye'. Leverenz,
'aye'."

Clerk Leone: "Laurino. McAuliffe."

Speaker Bradley: "McAuliffe, 'aye'."

Clerk Leone: "McBroom."

Speaker Bradley: "McBroom..."

Clerk Leone: "Mc...McPike. Peters."

Speaker Bradley: "Just a minute now. The Speaker wishes to be
recorded 'aye'. Murphy, 'aye'. Turn Mr. Murphy on."

Murphy: "From 'no' to 'aye'."

Speaker Bradley: "From 'no' to 'aye'. All right, McPike, 'aye'.
Proceed."

Clerk Leone: "Pierce. Ryan. Sandquist."

Speaker Bradley: "Williamson, 'aye'. Taylor...Jimmy Taylor,
'aye'. Bluthardt. Turn Mr. Bluthardt on."

Bluthardt: "Mr. Speaker and Members of the House, while I agree
with what most of what the proponents say in this matter,
I'm not not too sure that this is the way to go. I think
it's raiding the treasury for a particular inter...purpose.
I don't agree with it. I also have a conflict of interest,
so change me from 'yes' to 'present'."

Speaker Bradley: "Record Mr. Bluthardt as voting 'present'. Mr.
Beatty, what purpose do you rise?"

Beatty: "Will you vote me 'present', please?"

Speaker Bradley: "Will you please record Mr. Beatty as 'present'.
From 'aye' to 'present'. Mr. Conti."

Conti: "Mr. Speaker, I have a conflict of interest, and I'm
voting 'aye'. I'm voting my conscience."

Speaker Bradley: "Mr. Conti wishes to remain 'aye'. Proceed with
the call of the absentees."

Clerk Leone: "Schlickman. Schuneman. Stearney. C. M. Stiehl. Telcser. And Winchester."

Speaker Bradley: "Mr. Yourell, were you seeking recognition?"

Yourell: "Yes, how am I recorded, please?"

Speaker Bradley: "How is the Gentleman recorded?"

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

Yourell: "Change me to 'no', please."

Speaker Bradley: "Record the Gentleman as voting 'no'. What's the count? 93 'ayes', 52 'nos'. And the Gentleman from Will, Mr. Leinenweber, requests verification."

Leinenweber: "Verification. Yes, Sir."

Speaker Bradley: "Would all Members please be in their seats. Raise your hands when your names are called. The Clerk will call the affirmative vote."

Clerk Leone: "Alexander. Barnes. Bianco. Birchler. Borchers. Bower. Bradley. Breslin. Brummer. Eullock. Campbell."

Speaker Bradley: "For what purpose does the Lady from LaSalle, Mrs. Breslin, arise?"

Breslin: "Leave to be verified, please."

Speaker Bradley: "You want to be verified Mrs. Breslin? Wants to be verified. All right. Proceed with the call."

Clerk Leone: "Campbell. Capparelli. Capuzi. Christensen. Conti. Cullerton. Dawson. DiPrima. Domico. Donovan. Doyle. John Dunn."

Speaker Bradley: "Just a minute. Mr. Huff wishes to be recorded as 'aye'. All right, and Mr. Ackerman...Mr. Ackerman, you wish to go from 'no' to 'aye'? All right, get those two changes. And then proceed with the call."

Clerk Leone: "Ralph Dunn. Epton. Ewell. Farley. Flinn. Virginia Frederick. Gaines. Garmisa. Getty. Giorgi. Goodwin. Greiman. Hanahan. Hannig. Harris. Henry. Huff. Johnson. Dave Jones. Emil Jones. Katz. Keane. Kelly. Kornowicz. Krska. Lechowicz. Leon. Leverenz.

Mahar. Marovitz. Matijevich. McClain. McGrew.
 McMaster. McPike. Mulcahey. Murphy. Neff. Oblinger.
 O'Brien. Patrick. Pechous. Pouncey. Preston. Rea.
 Richmond. Robbins. Ronan. Ropp. Schisler. Schraeder.
 Sharp. Slape. Stanley. E. G. Stiehl. Stuffle. Taylor.
 Terzich. Van Duyn. Vinson. Vitek. VonBoeckman.
 Watson. White. Wikoff. Williams. Williamson. Sam Wolf.
 Woodyard. Younge. And Mr. Speaker."

Speaker Bradley: "Questions of the affirmative. What...Turn Mr. Leinenweber on.

Leinenweber: "Yeah, what are we starting with?"

Speaker Bradley: "95, 51."

Leinenweber: "Breslin."

Speaker Bradley: "Breslin, you verified her. She..."

Leinenweber: "Excuse me."

Speaker Bradley: "First one to ask to be verified."

Leinenweber: "Yeah, oh yeah, all right. Bullock."

Speaker Bradley: "Bullock. Turn around. I think he's in the aisle, behind McPike. Mr. Bullock, is that you, Sir?"

Leinenweber: "No, that's Van Duyn, I think."

Speaker Bradley: "No, that's Bullock."

Leinenweber: "Oh."

Speaker Bradley: "It's hard to tell them apart."

Leinenweber: "Capparelli."

Speaker Bradley: "Capparelli is not in his seat. There he is. Mr. Casey wants to be recorded as 'no'. All right."

Leinenweber: "Dawson."

Speaker Bradley: "Dawson is over conferring with Cullerton."

Leinenweber: "Okay, Bianco."

Speaker Bradley: "Bianco. Is he back in his chair there. I don't see him. How's he recorded."

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

Speaker Bradley: "Take him out of the record. And Mr. Boucek,

'aye'."

Leinenweber: "Ralph Dunn."

Speaker Bradley: "Ralph Dunn's in his seat."

Leinenweber: "Ray Ewell."

Speaker Bradley: "Ray Ewell is not in his seat. How is he recorded?"

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

Speaker Bradley: "Take him off the Roll. Cis Stiehl? 'aye'. Chapman, 'aye'."

Leinenweber: "Representative Farley."

Speaker Bradley: "He's in his seat, and now Beatty would like to be put back on as 'aye'."

Leinenweber: "How about Representative Garmisa."

Speaker Bradley: "He's...he's here."

Leinenweber: "Goodwin."

Speaker Bradley: "He's in the rear of the Chamber."

Leinenweber: "Hanahan."

Speaker Bradley: "Hanahan. He's not in his chair. How's he recorded."

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off."

Leinenweber: "Emil Jones."

Speaker Bradley: "Right here."

Leinenweber: "Representative Katz."

Speaker Bradley: "Representative Katz is not in his chair. How is he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off."

Leinenweber: "Representative Keane."

Speaker Bradley: "Representative Keane's back there."

Leinenweber: "All right, then try Kelly."

Speaker Bradley: "Kelly. His coat's there. Will you accept his coat?"

Leinenweber: "His coat votes? No."

Speaker Bradley: "How is he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off. Mr. Dunn, what purpose do you rise?"

John Dunn: "How am I currently recorded as voting, Mr. Speaker?"

Speaker Bradley: "How is the Gentleman recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

John Dunn: "That's fine, thank you."

Speaker Bradley: "All right, Mr. Campbell, what purpose do you rise?"

Campbell: "Change me from 'aye' to 'no'."

Speaker Bradley: "Mr. Campbell goes from 'aye' to 'no'. Further...further question?"

Leinenweber: "Yes, Sir. Mr. McGrew."

Speaker Bradley: "Representative McGrew. I don't see him in his seat. How is he recorded."

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Leinenweber: "You want to take him off?"

Speaker Bradley: "Take him off."

Leinenweber: "Okay, Representative O'Brien. Is he there? I thought he was playing golf. Tomorrow. Representative Ronan."

Speaker Bradley: "Pardon me, Mr. Leinenweber."

Leinenweber: "Representative Ronan."

Speaker Bradley: "Representative Ronan is in the rear of the Chambers in Mr. Keane's seat."

Leinenweber: "That's why I didn't see him then. Representative Gordon Ropp."

Speaker Bradley: "Representative Ropp is not in his seat. How's he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off. Mr...."

Leinenweber: "Representative..."

Speaker Bradley: "Wait a minute. Mr. Ryan were you seeking recognition? Mr. Ryan wishes to be recorded as voting 'no'."

Leinenweber: "Representative Schisler."

Speaker Bradley: "Mr. McBroom, no. Mr. Schisler. I don't...he's in the rear of the Chamber."

Leinenweber: "Representative Everett Steele."

Speaker Bradley: "Everett Steele? He's not in his seat. Mr. Polk's in his seat. How's he recorded?"

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

Speaker Bradley: "Sorry, Mr. Polk."

Leinenweber: "Representative..."

Speaker Bradley: "Just a minute now, we'd better take him off, then."

Leinenweber: "Yeah, yeah, please do."

Speaker Bradley: "All right, Mr. Steele, remove him."

Leinenweber: "Representative Schri...Schraeder."

Speaker Bradley: "Schraeder. He's not in his seat. How's he recorded."

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off the roll."

Leinenweber: "Representative Stuffle."

Speaker Bradley: "Representative Stuffle is not in his seat. How's he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off."

Leinenweber: "Representative Taylor."

Speaker Bradley: "Taylor,..."

Leinenweber: "He's there. I see him."

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

Leinenweber: "Representative Terzich. He's there. I see him."

Speaker Bradley: "Terzich is here."

Leinenweber: "Representative Williams. I see him."

Speaker Bradley: "All right, Mr. Hanahan is back on the floor.
Put him back on the roll."

Leinenweber: "Okay, Representative Woodyard."

Speaker Bradley: "Woodyard. I don't see him in his seat. How is
he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off."

Leinenweber: "The other Representative Stiehl. Cissy Stiehl."

Speaker Bradley: "She just got on the Roll Call. She's there."

Leinenweber: "I thought she was quicker. What's the matter...my
aides are helping me here."

Speaker Bradley: "No. Mr. Domico. How are you recorded, Mr.
Domico? You want...How's he recorded?. He wants to be
verified is that all right?"

Leinenweber: "Okay."

Speaker Bradley: "Further questions."

Leinenweber: "Yes, we've got some...Matijevich. I see him."

Speaker Bradley: "He's there. Stuffle has returned to the floor.
Put him back on the roll."

Leinenweber: "How about Vinson?"

Speaker Bradley: "Vinson is right here."

Leinenweber: "How about Kulas?"

Speaker Bradley: "Kulas. Is he on the roll?"

Leinenweber: "Apparently not. Let's try Yourell."

Speaker Bradley: "Yourell is not in his seat. How is he
recorded?"

Clerk Leone: "Gentleman is recorded as voting 'no'."

Leinenweber: "We can leave him on then."

Speaker Bradley: "Leave him on then, okay. Further questions?"

Leinenweber: "Yes, Krska."

Speaker Bradley: "Krska. I don't see him in his seat. How is he
recorded?"

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

Speaker Bradley: "Take him off. Anybody else, Mr. Leinenweber?"

Leinenweber: "We're...we're...we're...That's all."

Speaker Bradley: "All right, Mr...Clerk, what's the count? On this question there are 88 'ayes', 55 'nos'. All right, Mr. Mautino wishes to go from 'no' to 'aye', correct? All right, on this question then there are 89 'ayes', 55 'nos'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1505. Read it a third time.

Clerk Leone: "Senate Bill..."

Speaker Bradley: "Wait a minute. What purpose does Mr. Slape arise?"

Slape: "Yes, Speaker, having voted on the prevailing side of Senate Bill 1500, I'd like to reverse the roll call. Move to reconsider."

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

Williams: "Mr. Speaker, I move that that...that lie on the table."

Speaker Bradley: "Gentleman moves that motion lie on the table. All in favor of the Gentleman's motion, say 'aye', opposed 'no'. The 'ayes' have it. Lays on the table. Mr. Robbins."

Robbins: "On that motion, I was going to change my vote from 'aye' to 'no'."

Speaker Bradley: "The Gentleman from...Read the...read the Bill a third time. 1505.

Clerk Leone: "Senate Bill 1505. A Bill for An Act to create the Drug Paraphernalia Control Act, defines terms..."

Speaker Bradley: "Gentleman from Cook, Mr. Stanley."

Clerk Leone: "Third reading of the Bill."

Stanley: "Thank you very much, Ladies and Gentlemen of the House.

This is an anti-drug paraphernalia Bill. Many of the communities throughout Illinois have seen a rash of head shops pop up that permit the open and blatant endorsement of drug paraphernalia to be sold. What this Bill would do would be prohibit the sale of smoking paraphernalia as it relates to minors. It would also prohibit or permit, I should say, local municipalities to license these head shops or to zone these head shops as they see fit. So that is the thrust of the Bill, and I would request a favorable roll call."

Speaker Bradley: "Discussion. Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Would the Spncsor yield to a question?"

Speaker Bradley: "He indicates that he will."

Hoffman: "Does the legislation provide that a local municipality could draw up an ordinance which would totally exclude the sale of drug paraphernalia?"

Speaker Bradley: "Turn Mr. Stanley on, please."

Stanley: "My understanding is yes it would. It does not prohibit that from happening, Gene."

Hoffman: "All right, so the Bill is drawn in such a way that it provides for the elimination of sales to minors on a statewide basis but leaves it open for municipalities to be more restrictive?"

Stanley: "I'm going to yield to Representative Cullerton."

Speaker Bradley: "Representative Cullerton."

Cullerton: "Yes, since I did put an amendment on in Committee, I think, I perhaps should explain it. It allows the local units...the units of local government to license and to zone the...these...what's frequently called head shops. Rather than do it through the criminal sanctions, the purpose being that you want to have one criminal law throughout the state that's uniform, rather than have 35

different ordinances, that, you know, the law's different from one municipality to the next. This says that if they want to license or regulate and in effect in many cases they could license or regulate the amount of business which is what many units of local government want to do. That's the best way of doing it and that's what the Bill does."

Hoffman: "Does it...Does it then leave open the provision through the licensing that they could use age as a factor?"

Cullerton: "Yes."

Hoffman: "Does it provide that they could totally eliminate the sales by refusing to license?"

Cullerton: "I feel that they could. Yes. I think that's much better than having different criminal statutes that apply throughout different municipalities."

Hoffman: "What's the...what's the penalty?"

Cullerton: "It's a Class C misdemeanor to violate the state law which is the sale to minors."

Hoffman: "Fine. Thank you, very much. Mr. Speaker, Ladies and Gentlemen of the House, this is an issue who's time has come, and it really has long since passed because any of you who have frequented record stores, for example, know that they're in more than the record business. A number of municipalities have stepped into this area and have dealt...have dealt with this. I'm very hopeful that this kind of legislation will reduce the access to this kind of material which in and of itself can be used for no other purpose, and so I rise in support of this legislation."

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

Williamson: "Will the Sponsor yield."

Speaker Bradley: "He indicates he will."

Williamson: "Mr. Speaker..."

Speaker Bradley: "I'd like to know whether Stanley's the Sponsor or if Mr. Cullerton put an amendment on. Mr. Stanley."

Williamson: "I'd like to know how will this affect the mail order?"

Speaker Bradley: "Mr. Stanley."

Stanley: "That's a good question, and I don't think it does affect mail orders, but I'll yield to Representative Cullerton."

Cullerton: "Yes."

Williamson: "How will it affect the mail order as far as support or enforcing this particular...?"

Speaker Bradley: "Mr. Cullerton."

Cullerton: "It's my understanding that through the use of the mails, of course it's governed by federal statutes, it's against the law now to...for minors to purchase tobacco through the mails. I think that the way they handle that is they just have a disclaimer that you assert that you are not under a certain age. And the same thing would be true with reference to tobacco accessories and snuff accessories. If you purchase it through the mail, you'd have to assert that you were over the age of 18."

Williamson: "Okay, thank you."

Speaker Bradley: "Further discussion. If not, the question is 'Shall this Bill pass?'. Ron...Mr. Ronan. All right, the question is 'Shall this Bill pass?'. 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 record. On this question there are 137 'ayes', 5 'nos'. The Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1510."

Clerk Leone: "Senate Bill 1510. A Bill for An Act to revise the law in relation to township organization. Third reading of the Bill."

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

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

House. Senate Bill 1510 as it came over from the Senate is a relatively simple Bill which would merely extend to downstate townships with a population in excess of 20,000 the right to...the option to nominate by primary election rather than caucus if they desire. This is already the case in Cook county, and this would extend it to the rest of the state. There are two amendments on the Bill, one by Representative Donovan and one by Representative Conti. If they'd care to explain their amendments or answer questions on them, I'm sure they'd be very happy to. The Bill itself, I would entertain any questions and would ask for passage of Senate Bill 1510."

Speaker Bradley: "Discussion. Seeing none, the question is 'Shall this Bill pass?'. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Everybody get on there. Have all voted who wish? Clerk will take the record. On this question 125 'ayes', 6 'nos'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1524. Mr. Daniels. Out of the record? 1541, Mr. Taylor? 1543, Mr. Taylor? 1544 and 1545, take them all out of the record. 1559."

Clerk Leone: "Senate Bill 1559. A Bill for An Act to amend the School Code. Third reading of the Bill."

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

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1559 is the substantive language and the only available vehicle in the Illinois General Assembly on the Illinois State Scholarship Commission Grants. This proposal as passed over from the Senate has only...we've only made one change through a House amendment. That change is that we deleted the...that there... the Senate had an original proposal that in order

for one to receive an annual scholarship award, that awardee had to at least have a 2.0 on a 4.0 for the preceding full academic year. That was seen fit by the Higher Education Committee, and I concurred with and all the affiliate groups concurred with that that was unnecessary since one of the provisions in the original Act right now is that the awardee must have satisfactory compliance with the academic standards of the school. Secondly, as you know, this Commission now has as its maximum grant for a full time student \$2,000 and for a part-time student \$1,000. As you recall, we discussed all these matters during the amendment process. And I would be glad to answer any questions, otherwise I'd ask for a favorable vote."

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

Telcser: "Mr. Speaker, Members of the House, knowing full well the Sponsor's deep concern for education and private education, I want all the Members to know how much I respect the Gentleman's opinion. However, I don't think that we should lose sight of the fact that this will impact on the state's budget in an amount of some \$3 million over and above what the Governor's budget is. The Governor had agreed to increase this level of funding to the \$1900 level. But it came over to us at a level of \$2000 which will have an impact of some \$3 million more on the state revenue picture. Now, Mr. Speaker, Members of the House, it's easy to vote for one Bill for a few million dollars and another Bill for a few million dollars more. By the end of the session, the Legislature then puts itself in a position of being fiscally irresponsible. And I must say, Mr. Speaker, that collectively that indeed becomes the case. At this time of the session, I think it's important that the Members begin to look at the entire revenue

picture and begin to consider how much money we're spending in the total. And I say to you, Mr. Speaker and Members, Senate Bill 1559 is a good place to start. The Bill in its present form increases the level over and above the Governor's recommendation, costs the state an extra \$3 million in General Revenue Funds, and I suggest to you, Mr. Speaker, Members of the House, that we ought not pass Senate Bill 1559. Let the Sponsor bring it back to the order of Second Reading and amend it to the Governor's level of \$1900."

Speaker Bradley: "Further discussion. Mr. Conti."

Conti: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, This was the Bill that the other day on second reading, trying to amend it, and Representative from Chicago says how could we deprive just a \$100 measely increase in the scholarship fund. Well, at that time when I asked for the verification of roll call, it was just \$100 did total some \$3 million. This is the one that won by one vote, the amendment, and I agree with the previous speaker. This Bill should be defeated. Or at least brought back to second reading and take that amendment out."

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

John Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, there seems to be some confusion. The debate is centering around the cost of this Bill. This is a keep even Bill. This is a Bill which would increase the maximum award given by the Illinois State Scholarship Commission from 1900 to \$2000. This would...or from 1800 to \$2000. It came over from the Senate at 1900. This Bill would now increase it one more hundred dollars. What that does is enable those institutions of higher education who are the recipients of these awards through their students to keep even with the high cost of education these days. We all know that there

isn't a private school or a public school in this state which can pay for the entire cost tuition from student fees. They must receive help somewhere else, either from charitable contributions or from taxpayer dollars. What we are asking here is that the maximum level of grant be raised to \$2000. If there is a shortfall in appropriated funds for this purpose, that will mean a proration of awards or fewer awards. Why should we restrict those institutions which are deserving of this money. Why should we put a cap on them when we are...when they are...the beneficiaries of this mainly are the private institutions which are generally less dependent upon taxpayer dollars than the public institutions? Why should we put them at a greater disadvantage than they already are? Let's get this cap up where it belongs, and then let's work on the appropriation. Let's get all the funds we can into the Scholarship Commission, but if there are not enough we can prorate awards. The cost has nothing to do with this Bill. This Bill can be pared down to any level. So let's vote 'aye' on this Bill."

Speaker Bradley: "Further discussion. Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, I agree absolutely with the Sponsor and with the last speaker. I certainly dislike opposing the position that my leaders have taken, but this is simple justice, Mr. Speaker. This 10 percent or barely 10 percent increase from \$1800 to \$2000 as a maximum scholarship award is...is minimal indeed. It should be a good deal more than that, and it seems to me, Mr. Speaker, that these people who are talking in opposition to this ought to be talking in favor of an increase in tuitions at state schools because as long as the state schools tuitions remain constant in the face

of rising inflation, then the attraction to those state schools is going to be greater for the students in this state. The students in this state are being priced out of the private school market. This is just simply an effort to keep pace and I don't think we do that with this little increase. So I urge your support for this Bill as it is."

Speaker Bradley: "The Gentleman from Adams, Mr. McClain, to close the debate."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, this is the only vehicle alive for the Illinois State Scholarship increase in the maximum awards. This Bill as the previous speakers have always...all said increases the maximum award to \$2000, part time to 1000. One of the things I'd like to suggest to you is that we continually throw mandates onto schools throughout the state of Illinois, and we do not give them any capital monies. So in order not only for inflation for operating costs but for also because of other mandates, I think it's paramount for handicap for safety and fire code violations and for those capital improvements that we must keep it apar with some sort of inflation level. I respect the Governor for coming to the 1900 level. I think that sooner or later he'll come to to \$2000 level. As far as I know this is the only thing that the private schools have asked for. You should know that this is the Board of Higher Education's recommendation, which is not private schools. The Board of Higher Education's recommendation, the new executive director for the Illinois State Scholarship Commission has taken charge now. And Illinois Federation of Independent Colleges is in favor of this level. I'd ask for your 'aye' vote."

Speaker Bradley: "Question is 'Shall this Bill pass?'. All in favor signify by voting 'aye' oposed by voting 'no'. Have

all voted who wish? The Gentleman from Cook, Mr. Keane, to explain his vote."

Keanes: "Thank you, Mr....thank you, Mr. Speaker. I rise in support of this Bill it...as the Sponsor has said the Bill is supported by the Board of Higher Education, the Illinois Federation of Independent Colleges and Universities and a number, almost every private institution of higher education in the state. It's important that they get they \$200 raise because of the fantastic escalation in cost. Not only the normal costs, but with the other costs that all of the universities are experiencing. We gave in the case of the senior public institutions we have assisted them greatly. I ask that you do the same for the private institutions. Thank you."

Speaker Bradley: "Have all voted who wish? The Lady from Dupage, Mrs. Dyer, to explain her vote."

Dyer: "Mr. Speaker and Ladies and Gentlemen of the House, I agree with Representative Walsh and Representative Keane. If you think for one minute of what it would cost to replace the education that's offered by Augustana College or Knox or Bradley or Wesleyan or Rosary or Mundelein or Roosevelt University, \$3 million is a small price to pay to keep these private institutions in existence. Thank you very much."

Speaker Bradley: "Have all voted who wish? Clerk...Mr. Vinson, explain his vote."

Vinson: "Just to request a verification."

Speaker Bradley: "Have all voted who wish? Clerk will take the record. On this question there are 101 'ayes' and 45 'nays'. There's been a request for a verification. Mr. McClain asked for a poll of the absentees."

Clerk Leone: "Poll of the absentees. Bianco. Capparelli. Dawson. Gaines. Hoffman. Katz. Klosak. Kosinski."

Speaker Bradley: "Just a minute. Mr. Vinson, Mr. Taylor is asking that he be verified along with Carol Braun, Huff and Jesse White and John Dunn who have a meeting with the Governor. I think we included you, Mr. Henry. Did I forget Mr. Henry? You got all those, now?"

Vinson: "Just a second, let me make sure. Would you read that list again, please."

Speaker Bradley: "Taylor...Taylor, Henry, White, Carol Braun...can't see with the light on...oh...Patrick..."

Taylor: "Mr. Speaker."

Speaker Bradley: "Jones."

Taylor: "Mr. Speaker."

Speaker Bradley: "Mr. Taylor."

Taylor: "Mr. Speaker."

Speaker Bradley: "Mr. Taylor."

Taylor: "Mr. Speaker, all of the Black Members have a meeting right now with the Governor. They all are here on the floor. They all are punched their switches."

Speaker Bradley: "The Black caucus is meeting. Is that all right with you Mr. Vinson?"

Vinson: "Are we talking about the...just the Democrat members of the Black Caucus or all the members?"

Taylor: "All of them. Representative Charlie Gaines is included."

Speaker Bradley: "All right..."

Vinson: "I'll verify them."

Speaker Bradley: "Mr. Dunn, how do you work into that group? huh? I never remember."

Vinson: "Not Dunn."

Speaker Bradley: "Not Dunn. Well, Dunn is requesting verifi...to be verified, now that all right, okay, fine. All right, now, let's proceed with the poll of the absentees."

Clerk Leone: "Continuing with the poll of the absentees."

Kucharski. Laurino. Ronan."

Speaker Bradley: "Just a minute. What purpose does Mr. Van Duyne arise?"

Van Duyne: "Yes, Mr. Speaker, a little while ago, you mistakenly mistook me for Larry Bullock. How come I'm not included?"

Speaker Bradley: "That's your problem, Sir. You didn't get an invitation. Left out again. Call...continue of the call."

Clerk Leone: "Ropp. Sandquist. Schlickman. Stearney. Terzich. Wikoff. Williams. Williamson. Winchester. And Yourell."

Speaker Bradley: "All right. Let's call the affirmative roll. Mr. Winchester, what purpose do you...you, Mr. Winchester?"

Winchester: "No."

Speaker Bradley: "Everybody be in their seat and raise your hands and we'll call the affirmative."

Clerk Leone: "Poll the affirmative. Alexander. Anderson. Balanoff. Barnes. Beatty. Birchler. Bluthardt. Borchers. Bowman. Bradley. Braun. Breslin. Brummer. Bullock. Burnidge. Catania. Chapman. Christensen. Cullerton. Currie. Darrow. Davis. Deuster. DiPrima. Domico. Donovan. Doyle. John Dunn. Dyer. Epton. Ewell. Farley. Flinn. Virginia Frederick. Dwight Friedrich. Garmisa. Getty. Giorgi. Goodwin. Greiman. Griesheimer. Hallstrom. Hanahan. Hannig. Harris. Henry. Huff. Jaffe. Dave Jones. Emil Jones. Kane. Keane. Kelly. Kent. Kornowicz. Krska. Lechowicz. Leinenweber. Leon. Madigan. Marovitz. Matijeovich. McClain. McCourt. McGrew. McMaster. McPike. Meyer. Mugalian. Mulcahey. Murphy. Neff. O'Brien. Patrick. Pechous. Pierce. Pouncey. Preston. Rea. Reed. Reilly. Richmond. Schisler. Schneider. Schoeberlein. Schraeder. Sharp. Slape. Sumner. Taylor. Tuerk. Van Duyne. Vitek. VonBoeckman. Walsh. Watson. White. Willer. Sam Wolf."

Speaker Bradley: "Now wait a minute. Oblinger wants to go from 'present' to 'aye'. Proceed."

Clerk Leone: "Younge. And Mr. Speaker."

Speaker Bradley: "102 to 50. Mr. Vinson, questions?"

Vinson: "Mrs. Balanoff."

Speaker Bradley: "She's here."

Vinson: "Mrs. Breslin."

Speaker Bradley: "She's here."

Vinson: "Representative Burnidge."

Speaker Bradley: "Burnidge. He's back there."

Vinson: "Cullerton."

Speaker Bradley: "Cullerton's coming down the aisle. Macdonald wishes to go from 'no' to 'aye'."

Vinson: "Doyle."

Speaker Bradley: "Doyle. Capparelli, how are you...How's Capparelli recorded?"

Clerk Leone: "The Gentleman is not recorded as voting."

Speaker Bradley: "Record him as 'aye'. Mr. Terzich. How's he recorded?"

Clerk Leone: "The Gentleman is not recorded as voting."

Speaker Bradley: "Record him as 'aye'."

Vinson: "He touched his nose, Mr. Speaker, not his eye. He touched his nose."

Speaker Bradley: "He has a problem."

Vinson: "Flinn."

Speaker Bradley: "Flinn is not in his seat. How's he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off."

Vinson: "Garmisa."

Speaker Bradley: "Garmisa is not in his seat. How is he recorded?"

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

Speaker Bradley: "Take him off."

Vinson: "Giorgi."

Speaker Bradley: "His coat's there."

Vinson: "That doesn't count. If he's got his Chrysler in his seat, I'll verify him."

Speaker Bradley: "All right, take Mr. Giorgi off."

Vinson: "Hahaha."

Speaker Bradley: "Hahaha's in the aisle."

Vinson: "Jaffe."

Speaker Bradley: "Jaffe is not in his seat. How is he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off the roll."

Vinson: "Keane."

Speaker Bradley: "Keane is there."

Vinson: "Kelly."

Speaker Bradley: "Who was the last one?"

Vinson: "Kelly. I see him."

Speaker Bradley: "Kelly's there. Put Garmisa back on and Jaffe on."

Vinson: "Leon."

Speaker Bradley: "He's not in his seat. How is he recorded? There he is. There he is."

Vinson: "Mr. Speaker, the rules on the verification are that the Gentleman are supposed to be in their seat."

Speaker Bradley: "I think your point is well taken. It'd be much easier if the Gentlemen...everybody would be in their seats. Be easier on the Gentleman verifying and also the clerk and the Speaker. Mr. Giorgi has returned...returned. Put Mr. Giorgi back on."

Vinson: "McCourt."

Speaker Bradley: "McCourt. I...He's back there."

Vinson: "McGrew."

Speaker Bradley: "He's not in his seat. How is he recorded?"

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

Speaker Bradley: "Take him off."

Vinson: "Pierce."

Speaker Bradley: "Pierce. How's he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off."

Vinson: "Preston."

Speaker Bradley: "Preston is not in his seat. How is he recorded?"

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

Speaker Bradley: "Take him off."

Vinson: "Mugalian."

Speaker Bradley: "Mugalian. His seat's...His coat's in his seat."

Vinson: "That doesn't count for him, either."

Speaker Bradley: "All right, how's he recorded?"

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

Speaker Bradley: "Take him off."

Vinson: "Schraeder."

Speaker Bradley: "Schraeder is in his seat."

Vinson: "Slape."

Speaker Bradley: "Slape? Over here conferring with Stanley."

Vinson: "Where? Well, he ought to be in his seat, too, Mr. Speaker. This is really a travesty on the rules. VonBoeckman."

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

Vinson: "Watson."

Speaker Bradley: "Watson is not in his seat. How's he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off."

Vinson: "Madigan."

Speaker Bradley: "Madigan's in his office."

Vinson: "Where?"

Speaker Bradley: "In his office."

Vinson: "The rules say the seat, Mr. Chair...or Mr. Speaker."

Speaker Bradley: "All right. How is he recorded?"

Clerk Leone: "The Gentleman...the Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off the roll."

Vinson: "The Speaker."

Speaker Bradley: "He's not in his seat. How's he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Bradley: "You want him to come out, Mr. Vinson? Mr. Vinson?"

Vinson: "Yes, yes."

Speaker Bradley: "All right, take him off the roll."

Vinson: "Mr. Pechous."

Speaker Bradley: "Mr. Pechous. Mr. Madigan has returned. Put him back."

Vinson: "He's supposed to be in his seat, Mr. Speaker, on these verifications."

Speaker Bradley: "Mr. ...Mr. Pechous is here."

Vinson: "No further questions."

Speaker Bradley: "Okay. Put Mugalian back on the roll. Mr. Davis, what purpose do you rise?"

Davis: "Change my vote from 'aye' to 'no', please."

Speaker Bradley: "Record Mr. Davis as voting 'no'. The Speaker's back. Put him back on the roll. And Mr. Ropp wishes to be recorded as voting 'aye'. Now, how many's that? On this question there are 100 'ayes' and 50 'nos'. The Bill having received the Constitutional Majority is hereby declared passed. But Mr. Vinson your point's well taken. I think it would help the chair as well as moving things along a little quicker if the Members were in their seats at all times on the third reading so we could move these Bills along. Senate Bill 1622. Mr. Deuster, what purpose do you rise?"

Deuster: "Mr....Mr. Speaker, before we went to the next order of business, I was rising to make an announcement."

Speaker Bradley: "Proceed."

Deuster: "On behalf of the House Members of the Legislators' Prayer Breakfast group, I would like to extend a sincere invitation to all Members of the House and their spouses or guests to the Second Annual Fellowship Dinner which is going to be held this Wednesday evening at the Sangamo Club, commencing at 7 p.m. The Legislators are...will be free guests of the fellowship, and if you do bring a spouse or a guest, why, we will work out what cost might be for your spouse or guest. Our main attraction Wednesday evening will be Mrs. Janna Wacker, who's a well-known radio and television entertainer and more particularly a gospel singer. This invitation is extended by the Reverend Tony Allstrom, also of the Plymouth Foundation who has not only been supportive of our Legislators' Prayer Breakfast Group, but has worked closely with the Chicago City Council Prayer Breakfast Group. We hope that a great many of you can attend this fellowship dinner Wednesday evening and that you will be receiving a written invitation calling for you to respond if you are intending to come so we'll know how many dinners to have ready for you. Thank you, Mr. Speaker."

Speaker Bradley: "Senate Bill 1622. Read it a third time."

Clerk Leone: "Senate Bill 1622. A Bill for An Act making appropriations for the..."

Speaker Bradley: "Take it out of the record at the request of the Sponsor. 1629. Out of the record. 1631. Mr. Mahar."

Clerk Leone: "Senate Bill 1631. A Bill for An Act making appropriations for the ordinary and contingent expenses of the Emergency Service and Disaster Agency. Third reading of the Bill."

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

Mahar: "Thank...thank you, Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 1631 is the ordinary appropriation for ESDA. The total this year is \$21,652,200 of which 1.3 million is GRF funds. This represents a very slight increase over last year. Something like \$235,000 of which \$200,000 is moneys that are required for audit...Road Fund moneys required for audit. Be happy to answer any questions and urge it's adoption."

Speaker Bradley: "Gentleman from Cook, Mr. Leverenz."

Leverenz: "Sponsor yield for a question?"

Speaker Bradley: "He indicates he will."

Leverenz: "The director here is still a Mr. Jones?"

Mahar: "Yes, Sir."

Leverenz: "How much is in the budget currently that will afford him the opportunity to fly around the state on chartered aircraft?"

Mahar: "The travel line on it for next year is \$1,300. Which I...

Leverenz: "Total?"

Mahar: "...below what it was last year."

Leverenz: "Total?"

Mahar: "It's \$1,300 below what it was last year."

Leverenz: "Did...Will that include chartering aircraft? Be a short flight, I admit."

Mahar: "There's no money for charter that I know of."

Leverenz: "It was never identified that way, but the total line item for travel is \$1,000? What is contractual service?"

Mahar: "For the central office it's \$9,462. For travel."

Leverenz: "1,000 plus 9,000?"

Mahar: "No...I'm sorry, would you repeat that?"

Leverenz: "What is the total in either travel, let's have the travel figure, and also contractual services where those

charter flights were taken out of."

Mahar: "I don't think I have that breakdown as such."

Leverenz: "You indicated the home office. Where is the home office?"

Mahar: "Home office is in Marion."

Leverenz: "In Marion?"

Mahar: "Yes, Sir."

Leverenz: "How many employees at the home office?"

Mahar: "We're trying to check that right now."

Leverenz: "Is there a difference between home office which where he lives in Marion, Illinois, and central office? And where's the central office?"

Mahar: "The central office is in Springfield, and the operations this year has been broken down by a Senate Amendment into central office and regional offices. And there are two sets of figures here for each the central office and for the regional office."

Leverenz: "You said the home office is in Marion."

Mahar: "Yes."

Leverenz: "How many employees at the home office? And while you're looking doesn't he really call Marion the home office so that he can fly in and out of Marion to Springfield where the central office is?"

Mahar: "I'm sorry I didn't...Could you repeat that please?"

Leverenz: "And doesn't Mr. Jones call Marion the home office so that it permits him to fly from Marion to the central office in Springfield?"

Mahar: "Well, he does travel back and forth. We have...I have a head count of the number of people, the 59 people, 61 people rather for FY 81. I don't have the breakdown as exactly where they're located. I can get that for you."

Leverenz: "Could we take it out of the record till you find out?"

Mahar: "Yes, we'll take it out of the record, and we'll get you

questions an answer for you."

Leverenz: "Thank you."

Speaker Bradley: "Out of the record. How about 1639. Mr. Telcser."

Clerk O'Brien: "Senate Bill 1639. A Bill for An Act to provide appropriations to certain agencies. Third reading of the Bill."

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

Telcser: "Mr. Speaker, Members of the House. Senate Bill 1639 is the ordinary contingent expenses for the Department of Public Health in the amount of \$113,269,405. The Assembly reduced their request by some \$400,000. I'll be glad to answer any questions and appreciate a favorable Roll Call."

Speaker Bradley: "Any discussion? Seeing none, the question is 'Shall this Bill pass?'. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Mr. Borchers to explain his vote."

Borchers: "I'm not advocating that this House votes 'no'. I think it should probably vote 'yes'. But I'm going to vote 'no' because I feel that the Department of Public Health is not adequately inspected many of our nursing homes. I think enough fellows...enough Members of the Legislature should vote 'no' just to indicate that we would appreciate if they would do a little more...make a little more effort in attending to the inspection of nursing homes."

Speaker Bradley: "Have all voted who wish? Clerk will take the record. On this question there are 119 'ayes'...121 'ayes', 10 'nos'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1643. Take it out of the record. 1707. Mr. Grossi. You wish to call 1707?"

Clerk O'Brien: "Senate Bill 1707. A Bill for An Act to amend Sections of the Unified Code of Corrections. Third reading

of the Bill."

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

Grossi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, 1707 as amended provides for a pay increase for the Prisoner Review Board. There are presently 10 members of the Prisoner Review Board, 3 whose terms expire at the end of this year. The amount of the raise is \$7,000. The reason the raise is needed now is that these members will serve a 6 year term without any possibility of an increase during that period of time."

Speaker Bradley: "Discussion. Seeing none, the question is 'Shall this Bill pass?'. 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 109 'ayes', 18 'nos' and 9 voting 'present'. The Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1710. Read it a third time."

Clerk O'Brien: "Senate Bill 1710. A Bill for An Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Bradley: "Gentleman from Pecria, Mr. Schraefer."

Schraeder: "Well, Mr. ...Mr. Speaker, this is a Bill to correct an oversight that was generated under last year's House...Senate Bill 1265, and it resulted from fines all going into the Department of Transportation and Law Enforcement rather than the Road Fund. And this will take care of that oversight. And then there was an amendment adopted overwhelmingly by the House in regards to the elimination of the \$30 sales tax fee by Representative Murphy. And I would move the adoption of the Senate Bill 1710."

Speaker Bradley: "Discussion. Seeing none, the question is

'Shall this Bill pass?'. All in favor...Mr. ...The Gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker, Members of the House, I rise to speak against this Senate Bill 1710. I'd like to remind the Members that this Bill could cost the state some \$15 million in lost revenue. Now, this Bill was passed as part of a total transportation program not too long ago. I think every Member is well very aware of the dire need of these funds which are used in those particular areas. I haven't seen any great clamor on the part of the public to repeal this particular transaction tax, and what's more, I don't think its inequitable to have this tax, this \$30 tax available as a source of revenue. What is wrong with this small \$30 fee which would be imposed upon the transact...a private transaction the sale of the vehicle. Someone who goes to buy a vehicle from a dealership has to pay an even greater tax. It seems to me that this is a fair and equitable way to raise and preserve some \$15 million in revenue for the state, and I really think it would be the height of irresponsibility to enact Senate Bill 1710 and repeal the tax which is very much needed."

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

Willer: "Yes, thank you, Mr. Speaker. I supported this concept last year, thinking that motorized vehicles, the thought came to my mind of course as automobiles. I had a constituent called me up who wanted to buy a second hand motorcycle for \$50. He finds he's going to have to pay \$30 on a \$50 transaction. Obviously, he didn't make it. Now, that is absolutely ridiculous. Now, if we want to do something with this to make it stay with 4 wheel vehicles, but there are second hand 2 wheel vehicles that you certainly are not going to spend \$30 tax on a 50, 75 or a 100 dollar item. And I think that's just unfair, and I'm

not going to support this Bill until some adjustment is made on that sort of vehicle."

Speaker Bradley: "Further discussion. Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Yes, thank you, Mr. Speaker. I rise in opposition to this Bill, also. I think the amendment that was added to this Bill last week which completely eliminates the transfer tax on motor vehicles is a bad mistake. As Representative Telcser has said earlier, we're giving up substantial revenues here for the State of Illinois which were just passed last year to try to fund our transportation program in this state. I think the amendment that was attached was a bad mistake. We should take this Bill back to second reading redraft that amendment in such a way that we might eliminate the tax on low valued vehicles, but leave the tax remaining on higher priced vehicles. I think the Bill in its present state is a bad one and should be resisted. I urge a 'no' vote."

Speaker Bradley: "Gentleman from Henderson, Mr. Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I support this legislation with the amendment that is on it. This amendment puts it back to where it's fair. We'll take antique cars, for example, one that sells for \$30,000. If it's transferred to an individual, you only pay \$30 for it. What about this poor person who wants to buy an antique old car and fix it up and he pays \$100 for it. He's still going to have to pay \$30. It's unfair against the poor people, and this legislation with the amendment on it should be supported."

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

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I don't know a lot of poor people who are buying antique cars to fix them up. I don't think that's the poor man's hobby,

and I'd like to say that we have some inequities in this tax as it's presently existed. But if we take it off, we're never going to get this money back for our Road Fund. Let's correct the Bill. Let's take it back. Put on the the proper amendment so that we're not taxing \$100 vehicle with a \$30 tax, but let's don't throw it out on the more expensive vehicles. We need this money in our Road Fund now worse than ever. And I would suggest that we be very slow to increase the taxes again, and we ought to be very slow to take them off in this regard."

Speaker Bradley: "The Gentleman from Hardin, Mr. Winchester."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I agree with Representative Ewing and Representative Telcser. We do have legislation now in the Motor Vehicle Study Commission that may solve the problem that most of us have been receiving letters from our constituents in our districts, and that is for those transfers of less than \$100. And we have a...I think, a workable solution to the problem. The Commission is going to be making a study on it. I think everyone remembers that...that the \$30 fee was part of the 1979 road program. It's all part of the funding mechanism necessary to generate the dollars to pay for the massive road program that we have underway now. And I would ask that people oppose this Bill."

Speaker Bradley: "Mr. Van Duyne, the Gentleman from Will."

Van Duyne: "Thank you, Mr. Speaker. I'd like to speak in...go along with Lawrence Murphy on this...the Bill and the amendment, especially. Now, even Ray Christensen sitting along side of me says, well, it's a bad Bill because it takes it off on the low...low priced automobiles, but it also takes it off of the high. Now, unfortunately, there may be some logic there, but nevertheless, this is the only

one that we have to vote on. I just had a personal experience the other day. I sold a 1971 Oldsmobile for \$250, and I ended up getting \$217 from the car because I had to pay for the transfer plus the 30 bucks. So I'll use a little bit of reverse logic on people like the previous speaker, and say if there is some inequity, let's remove it now and let him reinstate the Bill next year or even this fall if he wants to. Get some emergency legislation to put it on vehicles of over \$500. I think that there's enough repression right now especially on the poor people that have to deal with \$100, 150, \$200 automobiles, and so I think it's very well deserving of a good... 'aye' vote."

Speaker Bradley: "Gentleman from Peoria, Mr. Schraeder, to close the debate."

Schraeder: "Yes, Mr. Speaker, Members of the House, this isn't a question of inequity. You know, last year we were under the gun with the Transportation Program. Nobody liked it. Everybody had the screws on us and were tightening it up and they were pulling our fingernails out and our hair and everything under the sun. We had to have a transportation program and this was thrown in without any thought or any study by anyone. It was just something that sounded good and like a Christmas tree it was put on with the transportation baggage. But let me point out, this amendment was adopted just last week by an overwhelming vote by 116 to just a few in opposition. So this is recognized as a good amendment. It is now the strong part of the Bill, and it does take care of those people who are buying cars that need to get back and forth to work. And if you're talking about buying big cars across the lot, then let the Transportation Department or the Governor's Office come up with something to take care of those. This is going to take care of those people who need this car to

get back and forth to work, and let's give it the same vote we gave it last week on the amendment and pass it out overwhelmingly. Thank you."

Speaker Bradley: "Question is 'Shall this Bill pass?'. All in favor signify by voting 'aye', opposed by voting 'no'. The Gentleman from Dewitt, Mr. Vinson, to explain his vote."

Vinson: "Thank you, Mr. Speaker, apparently the Gentleman who's sponsoring this thinks that you can build roads with something other than money. He thinks you can build roads with good intentions. We all know the only place you can build a road with good intentions, and that speaks for the need to defeat this Bill. I'd also request a verification if it gets sufficient votes."

Speaker Bradley: "Gentleman from Marion, Mr. Friedrich, do you wish to explain your vote, Sir?"

D. Friedrich: "Yes, Sir. I was going to ask the Sponsor if he would consider taking it back to amend out the Vehicles over...the sales were over \$1000, over \$600, or something like that. I don't have an opportunity to do it, but even though it was not...the present law is not fair, and I've been criticized for it, I think this is even less fair because it allows people to buy \$10,000 automobiles and pay no tax. So I'm going to withhold my vote, and I hope that he'd be willing to take it back to second reading."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? Clerk will take the record. Mr. Vinson requests verification. All right. Mr. Schraeder wishes poll of the absentees."

Clerk O'Brien: "Poll of the Absentees. Ackerman. Boucek. Capuzi. Ralph Dunn. Gaines. Hoffman."

Speaker Bradley: "Hoffman, 'no'."

Clerk O'Brien: "Katz. Klosak. Kosinski. Kucharski. Laurino. Macdonald. McAuliffe. Patrick. Founcey. Sandquist."

Schlickman. Stearney. White. Wikoff. Williamson. No further."

Speaker Bradley: "Poll the affirmative. Will all the Members please be in their seats. And we can move it along a little faster. Call the affirmative."

Clerk O'Brien: "Alexander. Balanoff. Beatty. Birchler. Bluthardt. Bowman. Bradley. Braun. Breslin. Bullock. Capparelli. Chapman. Christensen. Cullerton. Currie. Darrow. Davis. Dawson. Deuster. DiPrima. Domico. Donovan. Doyle. John Dunn. Ekbesen. Ewell. Farley. Flinn. Garmisa. Getty. Giorgi. Goodwin. Greiman. Hallstrom."

Speaker Bradley: "Hallstrom. She wishes to be recorded as voting 'no'. Garmisa wishes to be verified. All right."

Clerk O'Brien: "Continuing the poll of the affirmative. Hanahan. Hannig. Harris. Henry. Huff. Jaffe. Johnson. Emil Jones. Kane. Keane. Kelly. Kornowicz. Krska. Kulas. Lechowicz. Leinenweber. Leon. Leverenz. Madigan. Marovitz. Matijevich. Mautino. McBroom. McClain."

Speaker Bradley: "Mr. Vinson, Lechowicz and Domico verified? All right. Thank you."

Clerk O'Brien: "McCourt. McGrew. McMaster. McPike. Mugalien. Mulcahey. Murphy. Neff. O'Brien. Pechous. Pierce. Preston. Rea."

Vinson: "Mr. Speaker, Mr. Speaker."

Speaker Bradley: "Yes, Mr. Vinson."

Vinson: "Would you clear that conference in the middle aisle so that we some hope of seeing who is here..."

Speaker Bradley: "Mr. Davis and Mr. Conti and Mr. Rigney, Mr. Mulcahey, would you clear the center aisle. Mr. Vinson cannot see across the aisle to check the...and Mr. Jones, Mr. Goodwin. Okay, proceed."

Clerk O'Brien: "Rea. Richmond. Ronan. Schisler."

Speaker Bradley: "White wishes to be recorded as voting 'aye'."

Clerk O'Brien: "Schneider. Schoeberlein. Schraeder. Sharp. Skinner. Slape. Steczo. Stuffle."

Speaker Bradley: "Dawson wishes to be recorded...you are recorded as 'aye', Sir. You want to be verified? Is that all right, Mr. Vinson? Steczo wishes to be verified."

Clerk O'Brien: "Taylor. ..."

Speaker Bradley: "Williamson wishes to be recorded as voting 'aye'. Williamson."

Clerk O'Brien: "Terzich. Totten. Van Duyne."

Speaker Bradley: "Patrick, 'aye'."

Clerk O'Brien: "Vitek. Walsh. Watson. White. Willer. Williams. Williamson. Sam Wolf. Younge. Yourell. Mr. Speaker."

Speaker Bradley: "Questions, Mr. Vinson? Mr. Van Duyne, what purpose do you rise?"

Van Duyne: "I'd like to go down to cash a check. Could I be verified?"

Speaker Bradley: "Yes, he indicates, all right. Questions? Ralph Dunn wishes to be recorded as 'nc'."

Vinson: "What's the number we're starting with, Mr. Speaker?"

Speaker Bradley: "97 'ayes'."

Vinson: "Balanoff."

Speaker Bradley: "Balanoff is in Pierce's seat."

Vinson: "Braun."

Speaker Bradley: "Braun is not in her seat. How's she recorded?"

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

Speaker Bradley: "Take her off."

Vinson: "Breslin."

Speaker Bradley: "Mrs. Breslin is not in her seat. How's she recorded?"

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

Speaker Bradley: "Take her off."

Vinson: "Eullock."

Speaker Bradley: "Bullock. He's not in his seat. How's he recorded?"

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

Speaker Bradley: "Take him off."

Vinson: "Doyle."

Speaker Bradley: "Doyle is standing there with Mautino."

Vinson: "Dunn."

Speaker Bradley: "John Dunn is not in his seat. How's he recorded?"

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

Speaker Bradley: "Take him off."

Vinson: "Ewell."

Speaker Bradley: "Alexander wishes to be verified. Ewell. Ray Ewell's not in his seat. How is he recorded?"

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

Speaker Bradley: "Take him off, and put John Dunn back on the roll."

Vinson: "Farley."

Speaker Bradley: "Farley is not in his seat. How's he recorded?"

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

Speaker Bradley: "Who's that Farley? Put..."

Vinson: "Flinn."

Speaker Bradley: "Just a minute, put Carol Braun back on, and Goodwin wishes to be verified. That all right, Mr. Vinson?"

Vinson: "Yes."

Speaker Bradley: "All right. Who now...?"

Vinson: "Flinn."

Speaker Bradley: "Flinn? How's he recorded? Farley, we...we...remove Farley. Flinn is not in his seat. How's he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Vinson: "Hanahan."

Speaker Bradley: "Hanahan. How's he recorded?"

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

Speaker Bradley: "Take him off the Roll, and Mr. Madigan wishes to be verified, Mr. Vinson. And Taylor."

Vinson: "McBroom."

Speaker Bradley: "And White. Hanahan is in the corner. Put him back on. And Mr. Bluthardt..."

Vinson: "McBroom."

Speaker Bradley: "Bluthardt, what purpose do you rise?"

Bluthardt: "Please change me from 'yes' to 'no'."

Speaker Bradley: "Record Mr. Bluthardt as 'nc'."

Vinson: "McBroom."

Speaker Bradley: "McBroom. Don't see him in his seat. How's he recorded?"

Clerk O'Brien: "That's 'no'."

Speaker Bradley: "Mr. Ropp wishes to be verified, Mr. Vinson."

Vinson: "Yeah, but he's voting 'no', so that's all right."

Speaker Bradley: "All right, now, how about McBroom. Ropp is 'no'. I don't know why he asked to be verified, but..."

Vinson: "McBroom."

Speaker Bradley: "McBroom is in the rear of the Chambers, yeah. There's Ed."

Vinson: "McGrew."

Speaker Bradley: "All right, Mr. Katz, what purpose do you rise?"

Katz: "To respectfully request that I be recorded as 'aye', Mr. Speaker."

Speaker Bradley: "Vote Mr. Katz respectfully 'aye'. Mr. McGrew is not in his chair. How's he recorded?"

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

Speaker Bradley: "Take him off."

Vinson: "McMaster."

Speaker Bradley: "McMaster's in his seat."

Vinson: "Mugalian."

Speaker Bradley: "Mugalian is in his seat, and Boucek wishes to be recorded as 'aye', Sir?"

Boucek: "Aye."

Vinson: "Ronan."

Speaker Bradley: "Ronan. I don't see him in his seat. How's he recorded?"

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

Speaker Bradley: "Take Ronan off, and Mr. Farley has returned. Put him back on."

Vinson: "No further questions, Mr. Speaker."

Speaker Bradley: "And Mr. Ronan has returned. Put him back on. What's the count, Mr. Clerk? On this question there are 93 'ayes', and 54 'nos'. This Bill having received the Constitutional Majority is hereby declared passed. 1712."

Clerk O'Brien: "Senate Bill 1712. A Bill for An Act to amend Sections of the Illinois Municipal Code. Third reading of the Bill."

Speaker Bradley: "Gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1712 amends a Section of the Municipal Code that relate to the commercial blight areas, and it makes changes in the bond repayment interest rates and the project eligibility. That's the basic Bill that came out of the Senate, and, of course, we've added a couple of amendments to it here in the House that I'll explain to you, but essentially the basic Bill as it left the Senate provided that revenue bonds issued to finance the redevelopment of blighted areas may be payed through loan repayments and modified the interest ceiling on revenue bonds issued for redevelopment projects. Because the current rate is 9% under the Senate Bill 1712, the interest

rate would be 9% or 70% of the prime rate, whichever is higher. And it provides that the industrial or residential buildings are eligible for redevelopment along with commercial buildings, and it makes it easier for these cities to acquire buildings in blighted areas and redevelop them to the sale or the revenue bonds. And the amendments in the House, Amendment #1 was a one that was a technical amendment changing 'is' to 'are', something like that. House Amendment #2, put on in Committee was withdrawn or tabled by the House Sponsor, Representative Dunn. And Amendment #3 was technical in nature. And the one...the amendment that was most discussed was Amendment #4 which allows non-home rule units, municipalities also to issue commercial revenue bond given this authority. And it was discussed at great length when the amendment was adopted, but after the lengthy discussion, of course, the amendment was overwhelmingly adopted. And then Amendment #7, I believe, also it was a Bill that was passed out of the House with overwhelming support, but got tied up in Senate Rules, and that allows an increase in the...for Chicago purchase from 5 to 10 thousand dollars. And then also for emergency bids that are raised from the \$20,000 up to 40,000 based on the inflationary situation. And I would appreciate a favorable vote on Senate Bill 1712."

Speaker Bradley: "Is there any discussion? Discussion hearing...hearing none, the question is 'Shall this Bill pass?'. All in favor signify by voting 'aye', opposed by voting 'no'. On this Bill...Have all voted who wish? Have all voted who wish? Clerk will take the record. On this ques...Bluthardt. Mr. Tuerk, will you push Mr. Bluthardt's button back there. Maybe we ought to...okay. Clerk will take the record. In violation. On this question there are 137 'ayes', 9 'nays'. This Bill having received the

Constitutional Majority is hereby declared passed. 1726."

Clerk O'Brien: "Senate Bill 1726. Mautino. A Bill for An Act to amend Sections of the Unemployment Insurance Act. Third reading of the Bill."

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

Mautino: "Take it out of the record."

Speaker Bradley: "Out of the record? 172...all right. 1729. Mr. Schneider, I think wishes to take this Bill back to second reading for the purpose of an amendment. Are there any objections?"

Schneider: "Thank you,..."

Speaker Bradley: Hearing none, we'll return it to second reading."

Schneider: "That is correct, and the amendment, I believe, has been distributed, but you may want to read it."

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

Speaker Bradley: "It's been read a second time before so we'll have..."

Clerk O'Brien: "2. Schneider. Amends Senate Bill 1729 as amended in the first paragraph as so forth."

Speaker Bradley: "All right. The Gentleman from DuPage, Mr. Schneider."

Schneider: "The amendment Mr. Speaker, Members of the House is to be allowed I believe, a clarifying amendment. There was some concern that language as it was structured, although it wasn't my concern, would require the legal...the local school district to pick up the total cost of an ICG. What it really was designed to do was to relate to the parental liability. This clarifies that in terms of the individual educational needs, and I think will help any of those individuals who have some confusion over that language. I would move for its adoption."

Speaker Bradley: "Any questions? Not...Questions on the Gentleman's motion. All in favor signify by saying 'aye', opposed 'no'. Kane carries it. Amendment's adopted. Further amendments?"

Clerk O'Brien: "No further amendments."

Speaker Bradley: "Third reading. While we're on that...1978, I believe, Mr. Campbell? 1978, you wanted to return that to second reading? No, I'm sorry, Mr. Frederick on 1979...or Mrs. Frederick. Mrs. Frederick, did you have an amendment for this? All right, the Lady asked leave to return 1979 to second reading. Are there any objections? Hearing none, we'll return it to second reading. Read the amendment."

Clerk O'Brien: "Amendment #2. Brummer. Amends Senate Bill 17...or 1979."

Speaker Bradley: "The Gentleman from Eff..."

Clerk O'Brien: "By deleting the title, and so forth."

Speaker Bradley: "Effingham, Mr. Brummer."

Brummer: "Yes, Thank you, Mr. Speaker. Amendment #2 to 1979 incorporates the provisions of House Bill 3413, which as you recall required that the Attorney General's Office and the State Environmental Protection Agency include with their complaints on environmental violations a notice to the individuals explaining that state financing may be available for the construction of anti-pollution equipment under the Illinois Environmental Facilities Financing Act. That Bill passed out of here previously, I think, 156 to nothing as I recall. Through an oversight it was not voted out of the Rules Committee in the Senate. The Sponsors of this legislation have graciously agreed to the incorporation of those provisions within this Bill, and I would ask for a favorable vote."

Speaker Bradley: "Any discussion? Hearing none, the question's

on the adoption of the amendment. All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The 'ayes' have it; the amendment's adopted. Further amendments."

Clerk O'Brien: "No further amendments."

Speaker Bradley: "Third Reading. On that...on second reading on page 7 while we're on...appears Senate Bill 2020."

Clerk O'Brien: "Senate Bill 2020. A Bill for An Act to amend Sections of a Local Mass Transit District Act."

Speaker Bradley: "Gentleman from St. Clair, Mr. Flinn. Well, wait a minute. What..."

Clerk O'Brien: "Second reading of the Bill. Amendments #4 and 6 were adopted in Com...were adopted previously."

Speaker Bradley: "All right."

Clerk O'Brien: "And the Bill was held on second reading."

Flinn: "Mr. Speaker, I believe there is an error there. Six was withdrawn by Representative Slape, and there's an error somehow. Only 4 was adopted. Five was defeated on the floor. Six was withdrawn, and there was a fiscal note called for, and I have filed that."

Clerk O'Brien: "Okay, you're correct. Amendment 6 was withdrawn."

Speaker Bradley: "Fiscal note was filed? Further amendments?"

Clerk O'Brien: "Amendment #7. Watson. Amends Senate Bill 2020 as amended by deleting the second sentence in Section 3 and so forth."

Speaker Bradley: "The Gentleman from Bond, Mr. Watson, on the amendment. For what purpose does the Gentleman from Cook, Mr. Piel, arise?"

Piel: "Thank you, Mr. Speaker. I was just wondering what was the order of business. All of sudden we're on third reading and we decide to come back with one Bill for the purpose of an amendment, now you've jumped over to second reading to

add more amendments to Bills?"

Speaker Bradley: "I only had three we're going to pick up. We picked up 1979 and Schneider's 1729 and this one and we're back to third readings."

Piel: "For what purpose though, Mr. Speaker? We're sitting here with a stack of amendments. Are we going back to second? Are we going to jump back and forth...?"

Speaker Bradley: "We're going back to thirds as soon as we finish this up. All right, Mr. Watson, on the amendment."

Watson: "Thank you, Mr. Speaker, I'd like to withdraw Amendment #7."

Speaker Bradley: "He withdraws Amendment #7. Further amendments."

Clerk O'Brien: "Floor Amendment #8. Watson. Amends Senate Bill 2020 as amended in Section 3 line 33..."

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

Watson: "Yes, I'll read the amendment. 'Upon creation of a Metro-east Mass Transit District by one or more counties, a referendum election shall be held in accordance with the general election law in each township for in the case of a county without a township in each municipality or other area of the proposed district on the question of whether or not such township or other area shall be included in the district only those townships or other areas in which the majority of the voters approve inclusion shall be included in the district.' In other words this is a referendum amendment that will allow each township to decide for themselves whether or not they want to be a part of the...of this particular mass transit district. Some of the members felt that I was trying to destroy the bi-state bus service which is not my intent as all. However, I do feel that the people should have a right to decide whether they want to be a part of this bi-state mass transit

district. Amendment #8 will give them that opportunity to vote on a township level and decide whether or not they want to be a part of it. Those townships that feel that they are receiving adequate service will vote for it and want to be a part of the township...of the mass transit district. Those townships that feel that they are not receiving proper service or inadequate service obviously would be voting 'no', and would not be a part of the township, pardon me, would not be a part of the mass transit district. Therefore, I feel that the amendment should be adopted, and I move for that."

Speaker Bradley: "Gentleman moves for the adoption of the amendment. Any discussion? Hearing none, all in favor of the Gentleman's motion say 'aye'. Mr. Flinn, what purpose do you rise?"

Flinn: "Well, Mr. Speaker, the Gentleman tried to amend my Bill in Committee and he failed. He tried on second reading previously and he failed on a verified Roll Call, and now he has come up with a worse amendment, worse than the one before. If this were to pass, it would fragment the existing district. We are not creating a new bussing system down here, bussing district rather. Not at all, it's already in place. We are at the direction of this Legislature coming up with a system for local funding so we don't dip into the pot here as everybody accused us as doing for so many years. I personally am willing to let it stay like it was. I'd like you to send money from Springfield, as far as I'm concerned, but we were told 'no, this is the last year'. Now, if you'd rather go back to that system, okay. But this amendment...I didn't imagine that anybody could come up with an amendment any worse than the one you had before, but somehow, somehow, he must have said 'help' because he sure done the job. I think this

ought to be defeated. I will guarantee you that the Bill will not go the Governor's desk with an amendment like this on it. I ask for its defeat, and I ask for a Roll Call vote."

Speaker Bradley: "Mr. Watson, to close."

Watson: "Well, I'd never thought that I would hear on the House Floor that giving the people an opportunity to decide for themselves whether or not they want to be a part of the taxing district, is a poor amendment or a poor piece of legislation. I never thought I would ever hear that on this House Floor. I just want to quote here. The mayor of Fairview Heights said the people should decide for themselves whether or not they should be a part of this mass transit district. A township supervisor, Caseyville township was quoted as saying the people should decide for themselves whether or not they should be a part of this mantra...mass transit district. The president of the farm bureau in Madison County and St. Clair County both have gone on record as supporting a referendum of some sort in this mass transit district. I can't say it enough that I sincerely feel that people should have that right to decide whether they're going to have a tax increase or not. This Bill in its present form would be a back door tax. The people will have no voice, no say, and I don't feel that this is what the General Assembly should do to the people of the southwestern Illinois. Our forefathers rebelled against the very thing we're about to do here. This is taxation without representation. We don't need this in southwestern Illinois. I would hope that everyone would support this amendment, and I would appreciate an 'aye' vote. Thank you."

Speaker Bradley: "Questions on the Gentleman's motion. All in favor signify by voting 'aye', opposed by voting 'no'.

Have all voted who wish? Have all voted...Mr. ..Gentleman from Madison, Mr. Wolf, to explain his vote."

Sam Wolf: "Thank you, Mr. Speaker. I rise in opposition to this amendment. I think that the Sponsor of this amendment knows full well what this will do if the amendment passes. It will virtually destroy the bi-state transit system. I think that he would be advocating a better position if he would support the amendment coming up. I urge you to vote 'no' on this amendment."

Speaker Bradley: "Okay, have all voted who wish? Have all voted who wish? Mr. Watson."

Watson: "If this does not reach the appropriate majority, I would like to poll the absentees."

Speaker Bradley: "All right, you'll get them polled. Have all voted who wish? The Clerk will take the record. Poll the absentee."

Clerk O'Brien: "Poll of the Absentees. Abramson. Anderson. Breslin. Bullock. Capuzi. Deuster. Donovan. John Dunn. Ewell. Gaines. Dave Jones. Emil Jones. Kent. Klosak. Kosinski. Laurino. Meyer. Oblinger. Peters. Preston. Pullen. Sandquist. Schlickman. Slape. Stearney. Stuffle. Taylor. Telcser. Williamson. Mr. Speaker."

Speaker Bradley: "On this question there's 65 'ayes' and 79 'nos', and the Gentleman's motion fails. Further amendments."

Clerk O'Brien: "Amendment No. 9. Sharp - Flinn. Amends Senate Bill 2020 on page 2 in line 32 by inserting before 'such district' the following, and so forth."

Speaker Bradley: "Gentleman from Madison, Mr. Sharp, are you handling the amendment?"

Sharp: "Yeah, Mr. Speaker, Amendment 9 will correct an error that we made in drafting Amendment 4. So first of all I'd like to move to table Amendment #4 or reconsider the vote by

which..."

Speaker Bradley: "Gentleman moves to reconsider the vote by which Amendment #4 was adopted. All in favor of the Gentleman's motion say 'aye', opposed 'no'. The 'ayes' have it. Now we are reconsidering Amendment #4. Now the Gentleman moves to table #4."

Sharp: "Right."

Speaker Bradley: "All in favor of tabling Amendment #4 to Senate Bill 2020 signify by saying 'aye'."

Sharp: "Okay, Amendment #..."

Speaker Bradley: "Now, wait a minute. Let's say 'aye', and then we'll..."

Sharp: "Aye."

Speaker Bradley: "'Aye', and then we'll, opposed 'no'. The 'ayes' have it. Amendment's tabled. Now back to Amendment #..."

Sharp: "Right, Amendment #9 deals with the problem that we had when we adopted Amendment #4 in excluding those areas that have never been served by bi-state on a regular basis and probably never will. It excludes them from the mass transit district. The problem that we had in Amendment #4 was in Monroe County, that's the commission county. They don't have townships, and we had to deal with excluding those areas through the road districts. And that's what we do in Amendment #9. We exclude the areas that have not been served on a regular basis by bi-state from the mass transit district both in the township counties and the commission counties. And I move for it's adoption."

Speaker Bradley: "Discussion. Hearing none the question's on the Gentleman's motion. All in favor signify by saying 'aye', 'Aye'. The Gentleman from Marion, Mr. Friedrich."

Friedrich: "I want to ask a question, if a might of the Sponsor on the amendment."

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

Friedrich: "The other amendment said that anyone not receiving service on June the 1st. Does that have the same provision?"

Sharp: "Yeah, June 1st, 1980. After June 1st, 1980."

Friedrich: "That's the cut off...cut off date?"

Sharp: "Pardon."

Friedrich: "That's the cut off date?"

Sharp: "That's the cut off date. It says..."

Friedrich: "And it provides then that any area that's to be added has to be done so by the vote of the officials of the local unit of government?"

Sharp: "That's correct."

Friedrich: "Thank you."

Speaker Bradley: "On the question, all in favor say 'aye', opposed 'no'. The 'ayes' have it. The amendment's adopted. Further amendments."

Clerk O'Brien: "Amendment #10. Watson. Amends Senate Bill 2020 as amended in Section 3 by inserting immediately before the sentence beginning..."

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

Watson: "Thank you, Mr. Speaker. I'll read this amendment, also. 'In each county participating in the creation of a metro-east mass transit district, there shall be conducted a referendum election in accordance with the general election law in which only those areas proposed to be included within the district shall participate. On the question of whether or not such areas shall be included in the district, such areas shall be included in the district only if the majority of all voters participating in the referendum election approves such inclusion.'. What this particular amendment states is the fact that we have three counties involved. We have Monroe County, we have St.

Clair County, we have Madison County. What these...what this amendment would do would allow a particular county to..."

Speaker Bradley: "Just a minute, Sir. Mr. Brummer, what purpose do you rise?"

Brummer: "Excuse me. I'm looking for the amendment on my desk. I don't think this has been printed..."

Speaker Bradley: "I think they're being distributed right now."

Brummer: "Isn't this the same amendment we just considered."

Speaker Bradley: "Doesn't sound to me like it is."

Watson: "No, it's not at all. This would allow a county the opportunity to opt out..."

Speaker Bradley: "Proceed, Mr. ..."

Watson: "...by referendum. That is simply...that's what it's going to do is allow the counties of Madison, St. Clair and Monroe on an individual basis..."

Speaker Bradley: "Mr. Flinn."

Flinn: "Point of order, Mr. Speaker."

Speaker Bradley: "What's your point, Sir?"

Flinn: "Well, the point of order is that's already in the Bill. The counties have the option to get in or get out whichever they wi...choose to do. And they can form the district as one county or they can form it as two counties or form it as all three, or they can form none at all. So the Gentleman's amendment is pure and simply dilatory. Excessive language. We don't need it, and I would suggest at this point we just...I don't think it does anything to the Bill at all."

Watson: "Not at all. This amendment has...allows the people to vote. And if that's a part of his original Bill, then fine, but I don't believe it is."

Flinn: "Well, Mr. Speaker, in that respect, then it is dilatory. He's asking for the same thing for the fourth time. Now,

twice he got beat on the floor..."

Watson: "Now...now, just a minute, Mr. Flinn."

Speaker Bradley: "Did you respond to Mr. Flinn?"

Watson: "This is not the same amendment. This is something different altogether."

Speaker Bradley: "I know it's not the same amendment as was...as the amendment before. I'm trying...Is it in the Bill? Is the language in the Bill? Is the Parliamentarian within the sound of my voice?"

Watson: "The...the Bill states the county board...the majority of the county board would have the opportunity to get out not...not the people..."

Speaker Bradley: "Let's check and see if there's... And while we're waiting, we'd like to recognize the newest Member of the General Assembly, Mrs. Breslin has shown up with her baby."

Speaker Bradley: "We'll seat her."

Speaker Bradley: "They're asking what the name is Peg. Molly. You can't beat that. Mr. Van Duyn, what purpose are you..."

Van Duyn: Thank you, Mr. Speaker. The Gentleman who is sponsoring this amendment at least while I was listening to him before I got a copy of the amendment, led us...or made the statement that each county would vote separately on whether or not they wanted to get in. In other words, they would have the individual option to opt out of it. But, now I got the amendment, and in the amendment it doesn't stipulate that at all. It just simply says that no metro-east district will be created unless the district has been approved by the majority of voters of the proposed district. Now, if you're talking about a metro-east district and it takes, you know, all eight counties, then the way I interpret this amendment, it would take a

majority vote of all the people who make up the eight...the whole district..."

Speaker Bradley: "Mr. Van Dwyne, the system that...we're trying to decide first and then you're speaking on the amendment. Let's...let's get one thing cleared up at a time. The amendment in the opinion of the Chair is similar but not the same. So it is in order. Now we'll go back to the amendment, and now Mr. Van Dwyne for a question."

Watson: "I could answer Representative. ..."

Speaker Bradley: "All right, Mr. ..."

Van Dwyne: "Well, I'd like to have some kind of a ruling as to whether I'm correct or whether Representative Watson's is..."

Speaker Bradley: "Well, now, Watson is the Sponsor of the Bill, and he can answer the question."

Van Dwyne: "Okay."

Watson: "Presently, there is no mass transit district in the proposed counties. What the legislation will allow the counties to do is establish a mass transit district. Those people that lie within the mass transit district within that county are the ones who would be voting on this particular referendum."

Van Dwyne: "All right. But is that...is the opt out provision for each county guaranteed to each county in the Bill because it surely isn't in the amendment?"

Watson: "The county boards can decide...and in the original Bill the county boards can decide whether or not they want to opt out. This just allows the people to do so by referendum of the mass transit district."

Van Dwyne: "Well, really, you haven't answered my question, and if I have to read the whole amendment as on the green sheet here, I'd read part of it before, and it said, 'and any county participating in the metro-east mass transit system

may terminate its participation in the same manner. Is that the opt out provision?"

Watson: "That's right."

Van Dyne: "You mean to tell me that they have to be put in first before they can opt out?"

Watson: "Well, the county board will draw the district. Then after the district is drawn, they will have the referendum as to whether or not they want in or out."

Van Dyne: "Okay, I just wanted to make sure that your amendment was beneficial to each county in its own entity because when they made up the mass transit system, the RTA, the infamous RTA of which I am a county...Coller County representative, that they do have this option to opt out on their own, rather than as a total entity, because I'm sure you understand that Cook County had an overwhelming majority of the votes, and we were pushed into the RTA by sort of default, you know, because we couldn't do it."

Watson: "This is not a whole referendum. This is on a..."

Van Dyne: "County...county by county basis."

Watson: "That's right."

Van Dyne: "Okay, thank you."

Speaker Bradley: "All right, Mr. Flinn. Mr. Flinn. Turn Mr. Flinn on."

Flinn: "Well, I'm already turned on with all these amendments. I'm telling you, I've never seen...you know, this must be called...these amendments must be called Sears and Roebuck. You know, they die hard. I want to tell you something, if this is not dilatory, I've never seen a dilatory Act in my life. He's trying to get a vote by the people, because he knows that that will kill the system. It's no different than his school system. If I introduce legislation to decide whether the Gentleman would have a school in his district, I'll bet it loses. I bet there'd be no school

for his children to go to. I would like to ask him or anybody else who could answer me does the city council have a vote when they buy a fire truck? Do they do so when they buy police cars? Of course they do not, and the Gentleman is trying to mislead you either through his own ignorance or whether..or maybe he is purposely. I don't know. But the facts are there is a transit system there. And it's been in place for many, many years. All this new district does is to come up with local money to pay for the subsidy in order that we can continue to have a transit system. That's all in the world it does. We're doing so at the direction of this Legislature. I hate to repeat myself, but I suppose that we get 11, 12, 13 or 14, we'll be the rest of the day talking about this Gentleman's effort. Now, I don't know what his purpose is. I suspect that I know, but I can't prove it. But if he wants to continue this way, then I'll stay here with him. But...I think this amendment should be defeated. I do disagree with the decision. I think it's dilatory. He's trying the same thing over again. I ask for 'no' votes."

Speaker Bradley: "Watson, to close."

Watson: "Well, thank you, Mr. Speaker. I don't think giving the people the opportunity to vote regardless of what amendment we're talking about is a poor...is a poor process. The people of this mass transit district we're referring to here want that opportunity to vote. I don't believe the people in this mass transit proposed area were even totally aware of what is about to happen to them in southwestern Illinois, many of them who I represent. I feel once that this becomes law and the tax is imposed, we'll have a huge outcry and wondering where their representatives were when this preposterous piece of legislation was crammed down their throat by the Illinois General Assembly. I hope that

you here who say you're for the people and continually get up on the House floor and speak in their behalf will support this concept and this amendment so that the people can truly have a voice in southwestern Illinois on whether they're going to be taxed or not. That's the bottom line. If you're for the people, vote 'yes'. And I would appreciate it, and I know the people of southwestern Illinois would, too. Thank you."

Speaker Bradley: "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? Yes, Gentleman from Lake, Mr. Deuster, to explain his vote."

Deuster: "Mr. Speaker, when a mass transit system was created in Atlanta, Georgia, they had a referendum, they involved all the counties. The same thing is true in Denver, Colorado. The counties were... had a choice of whether to go in or not. The same thing is true in San Francisco. When the Chicago CTA was created, they had a referendum. When the RTA was created, we insisted that they have a referendum. There's nothing wrong with a referendum, and I think that the people are intelligent enough in this...in all areas to know if they need this to conserve fuel or for any other purpose. They'll have it if they think it's a good idea. Let's give them an opportunity to vote. I'm not as frightened as some are that the people will turn us down. I think we should all vote green and give the people of Representative Watson's area an opportunity to vote 'yes' or 'no' on what they want for their own destiny with respect to mass transit. Thank you."

Speaker Bradley: "All right, have all voted who wish? Mr. Watson, what purpose do you rise?"

Watson: "I would like to poll the absentees and a verification of the negative vote."

Speaker Bradley: "All right. Clerk will take the record, Mr. Dunn, John Dunn, wishes to be recorded no, Record him as no."

Clerk O'Brien: "Poll of the absentees."

Speaker Bradley: "Lechowicz wishes to be recorded as 'no'."

Clerk O'Brien: "Poll of the absentees."

Speaker Bradley: "Poll of the absentees."

Clerk O'Brien: "Anderson. Breslin. Dawson. Domico. Donovan. Ewell. Gaines. Goodwin. Kent. Klosak, Kosinski. Laurino. McAuliffe. Molloy. Peters. Polk. Preston. Sandquist. Schlickman. Slape. Stanley. Stearney. Stuffle. Terzich. Tuer..."

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

Clerk O'Brien: "Vitek. Willer. And Younge."

Speaker Bradley: "Terz...Terzich, 'no'. Willer, 'no'. Would the parliamentarian please come to the podium? We're not to that point yet. We don't know. How's the count, Mr. Clerk? 71 'ayes', 79 'nos'. You wish to verify? All right. Call the negative. No, White wishes to be verified, is that all right?"

Clerk O'Brien: "Poll of the negative votes. Alexander. Balanoff. Beatty. Birchler. Bowman. Bradley. Braun. Bullock. Campbell. Capparelli. Chapman. Cullerton. Currie. Darrow. DiPrima. Doyle. John Dunn. Ralph Dunn. Epton. Farley. Flinn. Garmisa. Getty. Giorgi. Greiman. Hanahan. Harris. Henry. Huff. Jaffe. Emil Jones. Kane. Katz. Keane. Kelly."

Speaker Bradley: "Mrs. Younge wishes to be recorded as 'no'."

Clerk O'Brien: "Kornowicz."

Speaker Bradley: "Now wait a minute. Alexander wishes to be verified as 'no'."

Clerk O'Brien: "Polk."

Speaker Bradley: "'Aye', record Mr. Polk as 'aye'. All right,

continue the call of the affirmative. Now, Mr. McCourt wishes to be recorded as 'aye'."

Clerk O'Brien: "Kornowicz. Krska. Kucharski. Kulas. Lechowicz. Leon. Leverenz. Madigan. Marovitz. Matijevich. Mautino. McClain. McGrew. McPike. Meyer. Mugalian. Mulcahey. Murphy. O'Brien."

Speaker Bradley: "Mr. Watson, can Mrs. Younge be verified? Proceed. Mr. Richmond, can he be verified, Mr. Watson? Okay. He's been verified. Proceed, Mr. Clerk."

Clerk O'Brien: "Patrick. Pierce. Pouncey. Rea. Richmond. Ronan. Satterthwaite. Schisler."

Speaker Bradley: "Mr. Goodwin wishes to be recorded 'no'."

Clerk O'Brien: "Schneider. Schraeder. Sharp. Steczo. C. M. Stiehl. Taylor. Terzich. Vinson. VonBoeckman. Walsh. White. Willer. Williamson. Sam Wolf. Younge. Yourell. Mr. Speaker."

Speaker Bradley: "Mr. Patrick wishes to be...you're on...you're on 'no'. Okay, questions on the negative. Carol Braun. You want to be verified? All right. Goodwin and Braun, Patrick, verified, is that all right? Mr. Watson? Patrick, Braun and Goodwin and Henry wish to be verified. Got those. Okay, questions...questions. Domico wants to be recorded as voting 'no'. Record Mr. Domico 'no'. Dawson, 'no'. What's your count look like when you get a chance, Mr. Clerk? Okay, questions, Mr. Watson."

Clerk O'Brien: "Rep. Pierce."

Speaker Bradley: "Pierce. How's he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Bradley: "Take him off. The count is 73 'ayes' and 82 'nos'."

Watson: "Representative Farley."

Speaker Bradley: "Representative Farley is in...he's back there."

Watson: "Garmisa."

Speaker Bradley: "Now just a min...He's not in his seat. How's he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Speaker Bradley: "Would like to verify Taylor."

Watson: "Okay, all right, fine."

Speaker Bradley: "Garvisa's...remove him."

Watson: "Representative Harris."

Speaker Bradley: "Harris is not in his chair. How's he recorded?"

Clerk O'Brien: "Gentleman's recorded as voting 'no'."

Speaker Bradley: "Take him off. McClain wishes to be verified, all right, fine. Further questions?"

Watson: "Did Huff...Was Huff verified? Representative Huff."

Speaker Bradley: "How's he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Speaker Bradley: "Take him off."

Watson: "Representative Kane. All right, I see him there."

Speaker Bradley: "Kane, I get you two mixed up sometimes."

Watson: "Representative McGrew."

Speaker Bradley: "McGrew, how's he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Speaker Bradley: "Take him off."

Watson: "Steczo."

Speaker Bradley: "Steczo is not in his seat. How's he recorded?"

Clerk O'Brien: "Gentleman's recorded as voting 'no'."

Speaker Bradley: "Take him off."

Watson: "Representative Schneider. Whoop, there he is. Schneider's here."

Speaker Bradley: "Steczo has returned. Put him back on."

Watson: "Murphy, Representative Murphy."

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

Watson: "That's it."

Speaker Bradley: "What's the count, Mr. Clerk? Preston wishes to

be recorded as voting 'no'. Preston. On this question there's 73 'ayes', 78 'nos', and the Gentleman's motion fails. Further amendments?"

Clerk O'Brien: "Amendment #11. Watson. Amends Senate Bill 2020 on page 2 in line 30, 31 and 32..."

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

Greiman: "Well, Mr. Speaker, it would seem to me that Amendment 11 certainly looks very much like Amendment #10. And I think it must be out of order."

Speaker Bradley: "I think it'd be dilatory, not out of order. It is the same amendment, so we'll withdraw that amendment."

Greiman: "Well, it should be ruled out of order. It's just out of order. It's just out of order."

Speaker Bradley: "Mr. Watson."

Watson: "I would like to withdraw that amendment."

Speaker Bradley: "All right. Further amendments."

Clerk O'Brien: "No further amendments."

Speaker Bradley: "Third reading. Senate Bills third reading, on page 3 appears Senate Bill 1747. Jane Barnes. 1747. Read it a third time."

Clerk O'Brien: "Senate Bill 1747. A Bill for An Act to amend Sections of the Illinois Public Aid Code. Third reading of the Bill."

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

Barnes: "Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1747 is actually House Bill 3218 which extended the age to teenage pregnant mothers where they would be able to not only get medical assistance which was an extension of Representative Kempiner's Bill, but also they would get food and housing allowance. This would enable the children that they are carrying to be more healthy because of the nutritional benefits from this Bill, and

also the way the Bill was set up, it's an agreed amendment with the Department of Public Aid, we would be able to service more teenage pregnant mothers throughout the state at a saving of \$1.7 million. This Bill had passed out of here previously with 130 'aye' votes. And I would ask for a favorable Roll Call."

Speaker Bradley: "Discussion. The Gentleman from Cook, Mr. Kelly."

Kelly: "Yes, Sir, Mr. Speaker. I'd like to ask the Sponsor a question."

Speaker Bradley: "She'll yield."

Kelly: "I'd like to know if this particular legislation has any information relating to abortion counseling. I know we had some...a series of Bills dealing with that."

Barnes: "No, Representative Kelly. This particular Bill was endorsed by the pro-life people, and also by the United Charity, and there have been no problems with the Bill. It was an agreed Bill with the Department of Public Aid. And I..."

Kelly: "Was it similar to the Bill you sponsored?"

Barnes: "Yes. Representative Currie and myself."

Kelly: "Oh, I...All right. That was no problem before. I'm not sure, but I believe I did support it. Thank you."

Barnes: "You're welcome."

Speaker Bradley: "Question is, 'Shall this Bill pass?'. 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's 137 'ayes', 4 'nos'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1750."

Clerk O'Brien: "Senate Bill 1750. A Bill for An Act to amend Sections of the Illinois Vehicle Code. Third Reading of

the Bill."

Speaker Bradley: "Gentleman from Henderson, Mr. Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1750 is a legislation sponsored by the Motor Vehicle Laws Commission, and to correct an error. Last year Senate Bill 1265 was just...were made for all the mention of permits. This was an oversight, and the land improvement contractors were raised five times of what they've been paying. The rest of the rates were approximately three times. So all we're going on this legislation is bringing it back to three times what they were paying for on these permits. These are permits that only good on land improvement contractors or soil conservation work. This is work that's done for the farmers, and I think it's only fair they pay their regular license fees for their transport and their trucks just like everybody else does. This is for the overwidth on the permits moving the equipment from one farm to the other. And I'd appreciate a favorable vote."

Speaker Bradley: "Discussion. The Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Question the Sponsor, Mr. Speaker. Clarence, I know there's a problem in this area, so I'm glad to see that you have legislation to correct it. What are the fees now for these people."

Neff: "The fees have been...were up until this year, \$25. They were raised to \$150 by leaving them out. Now this will put up back to \$75 which is three times what the other permits overwidth...width to raise."

Schuneman: "Okay, so this past year we raised them from \$25 to \$150, now we're dropping it back to 75, is that right?"

Neff: "Yes."

Schuneman: "Thank you."

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

Greiman: "Yeah, is there...is there any basis other than arbitrary amounts where, you know, \$25 and then it's 150 and then it's 75? Is there any reason why...do we key into something that tells us that this is what it should be or is it just a gut thing that we do?"

Neff: "Well, this is worked out by the Department of Transportation. And Senate Bill 1265 was trying to equalize them out, but they made a mistake and left out these soil contractors, and therefore they was left out there and they were moved up there to three...to five times what they were paying. And all we're asking to raise them the same. The rest of them are always three times. It was worked out several years ago, and all they was doing was to raise them the fees for this permit. And the rest of the permits were raised approximately three times for all types of different overwidths."

Greiman: "I see, so this was raised six times originally, is that what you're saying?"

Neff: "Yes, approximately..."

Greiman: "25 of course it was low. For how many years was it 25 before that, do you know?"

Neff: "It passed in 1970, the legislation that gave them a special permit for soil conservation contractors."

Greiman: "So that they had 8 years or 9 years actually at \$25 which was the minimal period and then they had one year at 150, and now you want to drop them back to 75?"

Neff: "Yes, but that's true with all of the permits. The overwidth permits. They all had their lower rates and now we raise them up and these people will be raised the same amount as the other folks...other permits."

Greiman: "Okay. Thank you."

Speaker Bradley: "Further discussion. If not the question's on

the adop...Mr. Borchers's."

Borchers: "Mr. Speaker, and fellow Member's of the House, I would like to support Representative Neff. Now there are bulldozers with extra wide blades that would fall under this. I know because I've had to hire them and this \$25 is not un...this \$75 is not unreasonable. Today you have to pay anywhere from \$50 to \$75 an hour for a bulldozer so that's only an hour working one. You move a bulldozer or other large equipment of that sort within a 75 mile limit. I do not think it's unreasonable, and I think we should support the Bill."

Speaker Bradley: "Gentleman from Cook, Mr. McCourt."

McCourt: "Well, Mr. Speaker and Ladies and Gentleman of the House, I think one thing should be called to your attention. About a year ago there was a study made of all the fees for various contractors, various types of vehicles using the highways, and at the time of that study it was recommended that these oversized vehicles be increased to \$150. Now what we're doing if we enact this piece of legislation, this is special legislation we're taking one type of contractors that has an overwide vehicle and we're saying we're going to cut your fee by 100%. This is costing the Road Fund \$30,000 a year, at least. I just think it's special legislation. It's not the right way to be doing it. And for that reason, I recommend a 'no' vote."

Speaker Bradley: "All right. And Mr. Friedrich, the Gentleman from Marion. Let me say this to you, Sir. If I hadn't looked over there. The lights not working up here. Is your light on or not? It's not on at this, so you'll have to...until we that repaired."

D. W. Friedrich: "Well, I thought in the past it wasn't on up there, too, but thank you. Yeah, I just wanted to support

this Bill. The vehicle we're talking about travels very few miles and sometimes will go months at a time without even going out of the road. This is a big factor in the soil conservation practices of this state and this group is involved in soil conservation, which certainly this legislature has expressed itself on time after time after time. And this is just an effort on our part and the part of Representative Neff to see that these people are allowed to continue and take advantage of the rates for which they... and there are very few of them in Representative Greiman's or Representative McCourt's district, I can assure you."

Speaker Bradley: "To close, Mr. Neff."

Neff: "Just to say this. The Legislatures spoke about this study that was made, and it was made last year, but this was an oversight. It wasn't caught until after legislation was passed. And we're still giving these folks...they're going to pay three times of what they've been paying before, and I think it's only fair. So I would appreciate a favorable vote."

Speaker Bradley: "Question is 'Shall this Bill pass?'. 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 record. On this question 104..105 'ayes', 19 'nos'. Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1759."

Clerk O'Brien: "Senate Bill 1759. A Bill for An Act to amend Sections of the Juvenile Court Act. Third Reading of the Bill."

Speaker Bradley: "Gentleman from Winnebago, Mr. Simms."

Simms: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1759 as amended, I'd first like to comment as amended. This is an amendment that

Representative Peters, Chapman, McClain and myself offered on second reading. It's the agreement that has been reached with the Department of Children and Family Services and with other interested parties to solve a problem in our state. Took a great deal of patience to work out the agreement that is satisfied and those that had some questions. This is a Bill to permit local juvenile courts to have another community resource option meeting the needs of children in crisis. It allows the referral of a judge...of children by a judge directly to a service providing agency, thereby shortening the time when actual service is provided. Department of Children, Family Services would reimburse the counties for the care of these children who are dependent, neglected or minors in need of supervision. This Bill would establish and broaden the availability of local resources to the juvenile court. This Bill deserves your support because it will have a positive addition to the state's child welfare system and is supported by the Lutheran Social Services of Illinois, the Illinois Catholic Conference, the Department of Children and Family Services, and I would solicit your 'aye' vote for its passage."

Speaker Bradley: "Discussion. Mr. Bowman, Gentleman from Cook."

Bowman: "Well I just...I wanted to rise in favor of this legislation. The amendment that is on the Bill is a particularly good amendment, and provides some protections in the use of this option that have not been available before. And with that amendment, I think it is a good piece of legislation, and I rise in support of it."

Speaker Bradley: "Gentleman from Sangamon, Mr. Kane."

Kane: "Would the Gentleman yield for a question?"

Simms: "Yeah."

Speaker Bradley: "He indicates that he will."

Kane: "When this Bill first came over from the Senate, there was a foster parent's association, and those kinds of people were opposed to it. Have their problems been worked out with the amendment?"

Simms: "Yes, they have Representative."

Kane: "So, now they're all agreed?"

Simms: "Yes, it is agreed that with the Department with all the interested parties they have sat down and with Director Coler and with representatives, the Governor's office and all their concerns have been met."

Kane: "Thank you."

Speaker Bradley: "Mrs. Dyer, did you wish to talk on this issue."

Dyer: "Mr. Speaker, Ladies and Gentlemen, I was going to oppose this cause I had understood originally the Commission on Children had opposed it in its original form. I understand it has now been amended to meet their objections so I shall certainly be happy to support it."

Speaker Bradley: "Okay, Gentleman from Macon, Mr. Borchers."

Borchers: "Question. This is no way...this will correct that going back to \$35 a month that we had back from 1962?"

Simms: "That's correct."

Borchers: "And this is now...as it states in the new Bill, it goes back to as it was since January 1st of this year when that Bill went into effect?"

Simms: "That is correct."

Borchers: "Okay, then I'd certainly be for it because the \$35...the \$35 is certainly is unreasonable to take care of children watch a child per month under the present rate, so this is a very good Bill and proper."

Speaker Bradley: "The question is 'Shall this Bill pass?' All in favor signify by voting...Your lights not on Mrs. Willer. Oh, I didn't...Lady from Cook, Mrs. Chapman."

Chapman: "My...My question is this and I would ask it of the

Sponsor or of Mr. Peters. I had understood that there was a technical problem with the amendment."

Simms: "No."

Chapman: "You don't know of any technical problem with the amendment."

Simms: "No, I don't know of any technical problem with the problem. I don't know if Mr. Peters...No."

Chapman: "That...that the amendment doesn't do exactly what it was intended for it to do. That specifically the amendment would not only prohibit reimbursement for the next year, but it actually would prohibit placement by the counties. Do you know about that? I wonder if that isn't something we'd better check."

Simms: "To my knowledge, Representative Chapman, this amendment has...was worked out with the Department and with the Lutheran Social Service, the Illinois Catholic Conference and those interested parties, and they all agreed that the amendment fulfilled what they had agreed upon."

Chapman: "Yeah, I have no problem with the amendment at all. I joined with Mr. Peters in offering the amendment. My question is is there a technical problem with the amendment. Could we wait for a moment to look at it to see if there's a technical problem with the amendment. To see whether indeed it does what all of us thought it was doing and which many of us support."

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

Peters: "Mr. Speaker and Ladies and Gentlemen of the House and Representative Simms, it may be well at this point to momentarily take the Bill out of the record. It is not a technical question, Representative Chapman, and I did not mean to indicate a wrong answer. But there was some question brought up by the comments made by Representative Darrow, yesterday. And I think what they...what the

Department wanted to do was to get that straightened out. Now we can either do it one of two ways depending upon the wish of the Sponsor..."

Speaker Bradley: "Mr. Simms, what's your druthers. Do you want to take it out of the record for now?"

Peters: "We could pass it now, Mr. Speaker, and have the change made in the Senate or do it the other way. It would probably end up in conference committee. And I would be a little worried about that."

Speaker Bradley: "Mr. Simms."

Simms: "I would just as soon pass the Bill, and if there is a problem it has to go back to the Senate, and it would be corrected there if there is one."

Speaker Bradley: "Gentleman from Winnebago, Mr. Mulcahey."

Mulcahey: "Question for the Sponsor."

Simms: "Yes."

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

Mulcahey: "Reimbursement is not to exceed 1% of the total budget. What is that reimbursement come to, Tim?"

Simms: "Would you repeat that question?"

Mulcahey: "What is...Amendment #1 stated that the reimbursement is not to exceed 1% of the total budget. What is the bottom line or what is that 1% amount to?"

Simms: "About 1.5 million."

Mulcahey: "Not 2 1/2 million, 1 1/2 million, correct?"

Simms: "1.5 million, right. At present...this year when the program was into effect as of six weeks ago \$225,000...\$250,000 was expended."

Mulcahey: "Well, I'd heard through the grapevine someplace that it was 2 1.2 million, but indeed it's only 1 1/2 million."

Simms: "That's..."

Speaker Bradley: "Mr. Mulcahey, does that take care of your question? Mr. Mulcahey are you finished?"

Mulcahey: "1 1/2 million or 2 1/2 million?"

Simms: "1 1/2 million."

Mulcahey: "Thank you."

Speaker Bradley: "All right the Gentleman from Rock Island, Mr. Darrow."

Darrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Member from this side of the aisle in her rather timid quiet place asked that this Bill be taken out of the record for a few moments. The Representative from Rockford evidently will not extend that courtesy to her. I feel that at this stage of the game, we should do nothing other than vote 'present' due to his discourtesy. I think that in other times with other representatives, we've pulled the Bill out of the record. I don't understand why he's so stubborn about it today."

Simms: "Mr. Speaker, Ladies and Gentlemen of the House, Representative Chapman, do you want the Bill taken out to look at it?"

Speaker Bradley: "Turn Mrs. Chapman on."

Chapman: "Mr. Simms, all that I ask was an opportunity to look at the amendment to see if it really does what all of us thought it did. And so I was asking for it."

Simms: "Well, I'm sorry. I didn't think you asked to have it taken out. I'll be happy to take it out of the record."

Speaker Bradley: "Take it out of the record. We'll get back to it. Mr. Hoffman, what purpose do you rise?"

Hoffman: "Thank you very much, Mr. Speaker. I hate to inter...interrupt your movement here, but I've had a number of questions in terms of the School Problems Commission hearing on the Chicago Financing Authority Program that was set for 4 o'clock today. Obviously, we will not hold a commission meeting while the House is in session. And so we...that meeting is set in room D1 at adjournment which we

estimate will be around 6 o'clock."

Speaker Bradley: "Mr. Hoffman, do you want to make an announcement about the Greek dinner, also?"

Hoffman: "Everything's Greek to me."

Speaker Bradley: "7:30 at the Illinois...at the State Fair Grounds, the Illinois Building. All right, Senate Bill 1762. And where's Mr. Daniels? Mr. Daniels. Okay. 1808. Carol Brown...Braun. 1808. Carol. Take it out of the record. 1810. Read it a third time."

Clerk O'Brien: "Senate Bill 1810. A Bill for An Act to amend Sections of the Retailers' Occupation Tax Act. Third reading of the Bill."

Speaker Bradley: "The Gentleman from Sangamon, Mr. Jones."

Dave Jones: "Mr. Speaker, Ladies and Gentlemen of the House, 1810 amends Section 2 of the Retailers' Occupational Tax Act to exempt from such tax the proceed from the sale of distri...distillation, equipment and parts used to produce ethel alcohol for use as motor fuel or as a component of motor fuel. As amended it applies directly to those on the farm who are putting in their own stills for their own use. And I have a letter of endorsement from the Illinois Energy Resources Committee under June the 2nd. They heartily endorse this Bill...Senate Bill 1810, and I ask for a favorable vote."

Speaker Bradley: "Gentleman from Cook, Mr. Mugalian."

Mugalian: "Will the Sponsor yield?"

Speaker Bradley: "He indicates he will."

Mugalian: "Are there any amendments to this Bill..."

Dave Jones: "Yes."

Mugalian: "...subsequent to what's shown in the digest of June 13th."

Dave Jones: "Yes, there is an amendment that it phases in the same way as the machinery exemption is handled and there

was a foul up with the Department of Revenue that gave some wrong testimony, and I have a letter here in which they correct it, and the Senator Davidson says their correction is one of the strong reasons why this Bill is needed for equipment being manufactured and sold to farmers. The major part of it will be for the production of fuel on...on farm use for farming purposes."

Mugalian: "There's a Senate Amendment 1, is that the last amendment to the Bill?"

Dave Jones: "That's the amendment that puts it into the same phase in state as the tax was removed from...from machinery."

Mugalian: "There are no House amendments, that's all I wanted to know."

Dave Jones: "No. No House amendments."

Mugalian: "Thank you."

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

John Dunn: "Thank you, Mr. Speaker. Question for the Sponsor."

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

John Dunn: "Is this Bill limited to removing the tax on machinery and equipment?"

Dave Jones: "Sir?"

John Dunn: "Does this Bill take the tax off machinery and equipment only?"

Dave Jones: "Yes, that is correct. Nothing to do with the..."

John Dunn: "All right. That's what I thought."

Dave Jones: "...sale of gasahol or anything like that."

John Dunn: "I think this...Mr. Speaker, that we should support this Bill."

Speaker Bradley: "The question is 'Shall this Bill pass?'. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Mr. Van Buyme would you... Have all voted who wish? Clerk will take the record. Pechous,

get down there. Clerk will take the record. On this question there are 129 'ayes' and 14 'nos'. This Bill having receiving the Constitutional Majority is hereby declared passed. Mrs. Barnes on 18...I didn't think so. 1813. Mr. Sharp. Read the Bill a third time."

Clerk Leone: "Senate Bill 1813. A Bill for An Act to amend An Act concerning public utilities by providing that the cost of pollution control be considered in setting rates."

Speaker Bradley: "Gentleman..."

Clerk Leone: "Third reading of the Bill."

Speaker Bradley: "Gentleman from Madison, Mr. Sharp."

Sharp: "Yeah, Mr. Speaker, Members of the House, Senate Bill 1813 is legislation that states that the Commerce Commission shall include the cost of construction work in progress for the construction, expansion or modification of air pollution control facilities in its consideration of rate. This legislation is designed to encourage the use of Illinois coal. It's legislation that has been sponsored by the Illinois Energy Resources Commission this session. When we look at this type of legislation, I think we're comparing the use of Illinois Coal to western coal and which has an advantage over the other. Currently in using western coal, transportation cost which is a large part of the western coal can be passed to, increase cost of transportation, can be passed on automatically to the rate payer through the fuel adjustment clause. We had legislation dealing with that subject matter, but it was defeated during the current session of the Legislature. This Bill is...this legislation in a small way tries to encourage the use of Illinois coal by saying that if a utility opts for using Illinois coal and they opt for constructing expensive scrubbers that cost 100 million or more, that the Commerce Commission in deciding a rate case

shall consider the construction work in progress for these expensive facilities and put part of the completed cost of those facilities in the rate base of that utility. I think it's a Bill that will begin to state a policy of the State of Illinois that we want to use Illinois coal, that we want the Commerce Commission to act in a way that will encourage the use of Illinois coal. And I would ask for a favorable vote."

Speaker Bradley: "Gentleman from Cook, Mr. Conti."

Conti: "Mr. Speaker, I wonder if the Gentleman will yield."

Speaker Bradley: "He indicates he will."

Conti: "Representative Sharp, I know I can ask you this question and get an honest answer. Four times we've killed House Bill 3363. This Bill wasn't amended so that that Bill's on here, is it? My analysis is not up to date."

Sharp: "No, this Bill is the Bill that you voted on when it came out of the Public Utilities Committee. It just deals with the construction working process or the pollution control process."

Conti: "There's no amendments in other words."

Sharp: "No, non."

Conti: "All right, fine."

Speaker Bradley: "Gentleman from Cook, Mr. O'Brien."

O'Brien: "Mr. Speaker, will the Sponsor yield for a question?"

Speaker Bradley: "He indicates he will."

O'Brien: "My records indicate that there was an amendment adopted in Committee on the Bill. Can you tell me if it was adopted in the Committee and what the effect of that amendment is?"

Sharp: "Hold on a second. I don't think it was."

O'Brien: "Amendment #1, I believe. In the Senate, Senate Committee."

Sharp: "That...It wasn't amended in the House."

O'Brien: "In the Senate Committee. There was an amendment put on. Can you tell me what the effect of the amendment that was put on in the Senate has on this Bill?"

Sharp: "Yeah, it was...the Senate amendment was a technical change that changes from the word 'expense' to 'cost'."

O'Brien: "It's changing wording from 'expense' to 'cost'. Mr. Speaker, may I speak to the Bill."

Speaker Bradley: "Certainly."

O'Brien: "Thank you, Mr. Speaker and Members of the House, this Bill is not a purple martin in any stretch of the imagination. A purple martin is something we want. This Bill is something we do not want for the consumers of the state of Illinois. The amendment that was put on this Bill will allow the Commerce Commission to increase the rates by the utility companies for struct...construction work that is going on throughout plants in the state of Illinois. This Bill is being bandied about as a Bill that is going to help Illinois coal. Nothing could be farther from the truth. If we want to help Illinois coal, we could do it with a grant for those companies that push scrubbers. If we want to help Illinois coal, we could give them tax rebates. If we want to help Illinois coal, we could continue to lessen the air pollution standards here in the state of Illinois. This is a big consumer rip-off. What this Bill will allow is the utility companies to get a rate increase while the plant is being under construction. That plant will not be working. It will not be providing you with any utility or electricity or any utility and you will be paying for the construction of that plant even though it is not serving you. It's not a fair Bill to the senior citizens. It's not a fair Bill to those people that are living on fixed incomes. And I can tell you right now that if you have a malfunction in the construction of the

utility plant, we could wind up paying for a 'Three Mile Island', the Illinois consumers, before the plant even gets under way. Like the consumers in Pennsylvania are paying for the 'Three Mile Island' accident there. This is a bad Bill all the way down the line. This is a rip-off for the consumers for the state of Illinois, and I urge each and...each and every one of you to take a close look at that amendment and this Bill before you vote for it."

Speaker Bradley: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "Yes, will the Sponsor tell us if this will encourage the use of Illinois coal more than the abolition of the automatic...the application of the fuel adjustment clause to transportation of coal from western states."

Sharp: "Well, I think a couple comments are in order. First of all, it doesn't deal with building an entire power plant. It deals with the facilities that are used, pollution control facilities at a power plant that use Illinois coal. I would have liked to have seen legislation passed that would have eliminated the transportation cost from the automatic fuel adjustment clause. We fought that battle here in that House. We passed the Bill, the Senate killed it. We tried it in Committee again. We lost that battle. This is the last thing we have left. I would have preferred that Bill to this Bill. But I think that this at least says that if a utility opts for using Illinois coal over transporting coal in from the western states, that if they opt for investing millions of dollars in the expensive scrubbers that the Commerce Commission shall consider those costs in determining or in a rate hearing for that utility. Right now, you know, if a utility opts for western coal, they don't have to worry about the increased cost of transportation. You talk about a rip-off for the consumer. Well, that's passed on automatically to the consumer

without any hearing. Well, at least this time if the scrubber's involved and the construction work in progress, we will have a hearing before the Commerce Commission. With the transportation cost, we have no hearing."

Skinner: "Representative, you've answered the question the way I'd thought you'd answer that question, and that is that you prefer abolishing the fuel adjustment...the automatic fuel adjustment clause for transportation for bringing in western coal to this Bill. Since this is an amendment to the Public Utilities Act, why don't you just take it back to second reading, attempt to put in the abolition of the automatic fuel adjustment clause, and let's pass the Bill that will go to the heart of the problem, which is that it's cheaper...well, it's easier for the utilities to get rate increases automatically than it is to go before the Commerce Commission and to get increases to build scrubbers. Why not go to the heart of the problem."

Sharp: "Well, we've...like I said before, we've been down that road about six or seven times this session, and this Bill is sponsored by the Illinois Energy Resources Commission. It is the desire of the Commission that we try to pass this Bill. We discussed that approach, and we felt that at this point in time it wouldn't be advisable that we would end up without any positive statements toward the use of Illinois coal, and we felt that this would be a positive statement by the General Assembly that we want to encourage the use of Illinois coal and that we want the Commerce Commission to take those things into consideration in the use of it. So..."

Skinner: "Representative, you...you didn't lose on the House floor. You lost in Committee."

Sharp: "No, yeah, and then we lost in the Senate, too. We passed the House Bill originally, and we lost it over in the

Senate."

Skinner: "Well, let's give the Senate a second chance."

Sharp: "Well, we made our decision. We're going to go with this Bill."

Skinner: "Well, I can't support the Bill because I think there's a better approach."

Sharp: "Well, then you're going to have to vote against it."

Skinner: "I guess I will, and I would ask other people on the House floor to do the same. I would ask those people who are reading their newspapers to take a look at what has come out of the western democracy summit conference. They want to use more coal. Maybe with the President of the United States and the other leaders of the western democracy's coming out in favor of using additional coal if the Illinois Senate will wake up and stop caving in to Con-Ed and stop caving in to the other utilities who want this automatic fuel adjustment clause to raise rates every time they bring in another train load of western coal. If we want to go...if we want to use our resources, we need more than a piece meal solution, a band-aid, and this is nothing but a band-aid. Let's go chop the railroad right off at the Illinois...at the Mississippi River. Tell them that if they're going to bring in western coal, they're going to have to justify it before the Illinois Commerce Commission and then let the Illinois Commerce Commission justify it to the Governor. It's obvious the Commerce Commission is not going to move on its own. We're going to have to do it. This appears to be the only vehicle left, and the only way to convince Representative Sharp that this is the majority opinion of the House is to defeat his Bill. Let him put it on Postponed Consideration and put on the amendment abolishing the automatic fuel adjustment clause."

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

Greiman: "Yes, thank you, Mr. Speaker. I wonder if the Gentleman would yield for a question."

Speaker Bradley: "He indicates he will."

Greiman: "John, does the...is the Bill limited to coal devices, pollution control devices dealing with coal or any pollution control device."

Sharp: "No, it's emission control facilities for the burning of high sulfur of Illinois coal."

Greiman: "Well, that's what the analysis says, but is that what the Bill provides. Doesn't the Bill provide for using construction...rating construction work in process...progress for any...for any pollution control device?"

Sharp: "No, it doesn't...it doesn't mention coal particularly. You're correct."

Greiman: "So that...so that, as a matter of fact, we could bill the people of Illinois for construction work in progress for nuclear pollution control devices or for oil pollution control devices under this Bill. Isn't that right?"

Sharp: "Mr. Speaker, I think we ought to take this Bill out of the record now and get back to it a little bit later. Clear up some of these questions, okay?"

Speaker Bradley: "Take it out of the record. 1815. Senate Bill 1815."

Clerk Leone: "Senate Bill 1815. A Bill for An Act in relation to the regulations of hospice care. Third reading of the Bill."

Speaker Bradley: "Lady from...Lady from Sangamon, Mrs. Oblinger."

Oblinger: "Mr. Speaker, Members of the House, this Bill does two things. Number one it defines the word 'hospice' in the Public Health Code, and number two it directs the Department to give information and consultation to those who are interested in establishing hospices."

Speaker Bradley: "Question is 'Shall this Bill pass?'. 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 record. On this question 135 'ayes', 9 'nos'. The Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1822."

Clerk Leone: "Senate Bill 1822. A Bill for An Act in relation to the publication by the Secretary of the State of the Illinois Administrative Code. Third reading of the Bill."

Speaker Bradley: "The Gentleman from Morgan, Mr. Reilly."

Reilly: "Thank you, Mr. Speaker. Senate Bill 1822 as it came over from the Senate included several provisions that were agreed to between the Governor's office, the Secretary of State's office and the Joint Committee on Administrative Rule relating to the codification of rules by state agencies which is mandated in current law. In addition to that, Representative Yourell added an amendment to the Bill which contains the Bill previously passed by an overwhelming margin by the House which adds the so called 'burden of proof' provision, dealing with the situation where the Joint Committee objects to a rule, and at that point this Bill with the amendment becomes law. The burden shifts to the administrative agency to justify in court that it had the right to adopt that rule rather than falling on the taxpayer to make that point. I would ask for a favorable Roll Call."

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

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

Speaker Bradley: "He indicates he will."

Leinenweber: "Representative Reilly, the House amendment as you pointed out was a Bill that was passed last year, vetoed by the Governor, and this Legislature sustained the Governor's veto. Is that correct?"

Reilly: "That's correct."

Leinenweber: "And essentially what the House amendment does is empowers the Joint Committee on Administrative Rules to object to agency rules and..."

Speaker Bradley: "Mr. Leinenweber, pardon me, Sir, let me...some Members notices the lights just went down. There's some electrical work being done on the floor above us and we expected this to happen. Nothing to be concerned about. Proceed...I..."

Leinenweber: "Thank you, Sir."

Speaker Bradley: "I thought maybe you were speaking to eloquently there you were just impressing the lights, and they were even going down."

Leinenweber: "I never even noticed."

Speaker Bradley: "Putting the lights to sleep."

Leinenweber: "I never even noticed. In any event getting back to what this amendment does. If the Joint Committee objects, then in an enforcement proceeding or judicial review of that...of that particular rule, then the agency has the burden to establish that the rule is not unreasonable, arbitrary, capricious, or otherwise beyond the authority delegated to the agency. Is that correct?"

Reilly: "Yeah."

Leinenweber: "All right, now, what criteria does your Bill establish for the Joint Committee within weighing whether they ought to object or not?"

Reilly: "Well, it may be that you want to address the question to Representative Yourell, but the answer to that question is the...the Administrative Procedures Act itself sets out the reasons and the ways in which the Joint Committee can object. This Bill wouldn't change that any. It would simply change the consequences of an objection."

Leinenweber: "Well, I can tell you I've read both Sections 7.06

and 7.07, and I cannot find any specific criteria which would relate to this particular Section which is a new Section 7.071. Let me ask you this. How would you...let's say that...what is the quorum of the Joint Committee?"

Reilly: "I honestly can't remember. There's a certain number that must be there from the Senate and from the House, as I recall, but as I've never chaired the Committee, I don't know for sure."

Leinenweber: "Well, there are 20 Members, are there not on the Committee?"

Reilly: "I think that...16 Members."

Leinenweber: "All right, well, Ladies and Gentlemen, Members of the House, I rise in opposition to Senate Bill 1822. Perhaps the Bill had merit when it came over from the Senate, but with the addition of House Amendment #1, I think the Bill is clearly...it...probably unconstitutional, but clearly wrong. What we're going to do is permit a very small group of Members of the House and the Senate and acting in concert to tie up administrative agencies. And I would suggest to you to consider, for example, if a small group of the Joint Committee enough to constitute a the quorum decides to object to all of the rules promulgated by the Pollution Control Board concerning let's say burning of coal. It would be necessary for getting any enforcement proceedings for the Environmental Protection Agency before the Pollution Control Board to prove that a particular rule is not unreasonable, arbitrary or capricious. Now, this may sound not very difficult, but I would suggest to you when you get into some of these extremely scientific complicated matters that the only way that an agency could establish the reasonableness or lack of arbitrariness or capriciousness of a particular rule is to go all out bring in all of the technical advice available to it to establish

again and again and again as long as the objection remained on the books that a particular rule was in fact reasonable. Now, I don't hold any truck for bureaucrats. I realize that they can be unreasonable, arbitrary and capricious, but I don't think that we should turn over to this small group of Legislators the vast power that this Bill now seeks to do. The Governor was absolutely right in vetoing this Bill, and this Legislature was absolutely right in sustaining that veto last session. I think that we ought to save the time of the House. This is again...this Bill came on on second reading. It hasn't been read three times in the House. It hasn't been read at all in the Senate. It'll go back for Senate concurrence. They probably won't pay any attention. It'll slip through and then hopefully the Governor would veto it, but we're only going to make work for ourselves in the fall. I think we ought to short-circuit this thing right now and vote 'no'."

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

Greiman: "Gentleman yield for a question? Yes, Mr. Reilly. How will...how will the litigant know whether the rule has been objected to or not by the Joint Committee? When I pick up a rule book of an agency. How will I know that?"

Reilly: "I would...I would think if the Bill passes, that would be...excuse me...that would be as we prepare the codification I would think we would add that information, but as it stands now as...as anything would be required to be done anyway, they would have to check, I suppose, the record of the Joint Committee."

Greiman: "So that would mean then that everybody who has a rule involved in administrative law which is everyday thousands of businesses would have to go and check to see whether the Joint Committee had or had not approved of that rule and the...so the litigant coming into court or coming before an

agency would have to go through all the rules of the administrative agency...of the Joint Committee to determine it. Now, the agencies generally know what rules have...have or haven't been objected to, but litigants would not. So as a matter of fact, when we changed that burden, we put a burden not on the bureaucrats who are paid to be there, paid to look at all the rules, but on the ordinary litigants. The ordinary citizen will have a tougher time. Now, on the Bill itself. If that wasn't on the Bill itself."

Reilly: "That wasn't correct, either."

Greiman: "This has as Representative Leinenweber suggested been before us a number of times. It has not gotten any better. Indeed it seems more odious as one reads the report of the Joint Committee. Last year the Joint Committee in suggesting that this Bill be offered said 'This is a way that we will impose compliance with Joint Committee rules. So that when the Joint Committee makes the decision, you...the administrative agency better damn well yield to it. Even though you may not want to, even though you may not believe it's right. This is how we yield...we make you yield to us.' And that's what the report says. Now I thought that was shocking, frankly, shocking that an agency of the Legislature would say we use this kind of knee in the groin tactic to get agencies to comply with our orders. We have the power to amend statutes. We have the...litigants have the power to go to court, and those are adequate safeguards. This is unnecessary and unwise."

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

D. P. Friedrich: "Would the Sponsor yield?"

Speaker Bradley: "He indicates he will."

D. P. Friedrich: "Mr. Reilly, if you could detach yourself from the Gentleman from Effingham for just a minute. I'm

reading my analysis and any similarity between the questions asked and my analysis is coincidence. Are the provisions still in there for the publishing of this...all these regulations annually?"

Reilly: "The Bill itself deletes the requirement presently in the law, I mean the Bill without the amendment that's being discussed, deletes the requirements presently in law that the agencies publish by, I think, it's October 1st all their existing rules. That's the basic thing that the Bill does. In addition to which it sets up a procedure to carry out the requirement presently in the law that within a five year period, I think it is, we codify all the existing rules. In fact, the thrust of the Bill without the amendment would be to reduce the amount of publication, not increase it. The amendment then, of course, deals with the other subject of burden of proof".

D. P. Friedrich: "In the total publication, how does it compare in volume to our statutes?"

Reilly: "With or without..."

D. P. Friedrich: "Well, let's say under the present law."

Reilly: "If we don't pass 1822, more will have to be published than if we do."

D. P. Friedrich: "Well, either way, how does it compare in volume to the statutes."

Reilly: "Well, ultimately, they're a lot more rules on the books, so ultimately the publication of the rules will...will...I suppose contain more pages than the statute books, but that's already in the law. 1822 has nothing to do with that."

D. P. Friedrich: "Okay, my analysis indicates it has. Thank you."

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

Leverenz: "I move the previous question."

Speaker Bradley: "Gentleman moves the previous question. All in

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

Reilly: "Well, Mr. Speaker, I think the debate has fairly thoroughly covered the subject. On 1822 as...without the amendment it deals with the codification. The amendment then adds the burden of proof. We've discussed that several times before. I don't know that I have much to add to the debate. I would ask for a favorable Roll Call."

Speaker Bradley: "Question is 'Shall this Bill pass?'. All in favor signify by voting 'aye', opposed by voting 'no'. Mr. Skinner to explain his vote."

Skinner: "Well, this certainly doesn't deserve the Blind Duck award for the day. This is a question I think of legislative prerogative. And if you believe that the executive branch ought to be able to issue regulations and really trample upon the intent of the Legislature, fine, you ought to be voting 'no', but I think someone from the Commission can get up and give a fairly good argument on why you ought to be voting 'yes'. If you think that the fed...the state government could be issuing regulations which don't make sense and which cannot be justified and for which the presumption should be made that they are correct. I would cite one in particular and that is the EPA's drinking water standard with regard to Barium. The EPA promulgated the regulation. Now the EPA is testifying before the United States Congress which apparently mandated the Illinois EPA to promulgate the Barium standards that the Barium standards cannot be justified. And yet, the regulation still exists. Why doesn't the EPA get rid of the regulation. Well, with this Bill if it passed the presumption would be on the side of the municipalities that

are being forced to put in Barium removal equipment rather than on the side of the Illinois EPA where it should not be because they are wrong."

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

Yourell: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House, there's been a lot of misinformation about this amendment, Amendment #1 to Senate Bill 1822. Those of you who recall the debate last year remember this Bill as House Bill 307. The same Bill passed out of the Senate with unanimous vote so one of the speakers said that the Senate did not want this type of legislation. If you really believe as I believe and as members of the Joint Committee believe, then those who spoke for the amendment just a few short days ago when it went on this Bill with over 100 votes will recall that the statement was made that if you really believe in aiding the little guy out there, the taxpayers who you were sent down here to represent, then you'd be on the side...the green side and not on the side of the agencies. How many times have the agencies in the state misinterpreted the intent of legislation passed out of this House and promulgated rules and regulations that were diametrically opposed to the intent of the legislative process as it is practiced in both houses of this General Assembly. Now, we all understand why there are so many red votes up there. The Governor has said he does not want this Bill. The genesis of this legislation as made evident by one of the speakers said that this Bill was defeated...the intent...this Bill was defeated in the last session. This Bill went out with over 135 votes. House Bill 307. It was vetoed by the Governor. It came back, and it missed by only 2 votes of having that veto overridden.

Now if you're on the side of the little guy, the taxpayer who sent you down here to represent his interest, then you'll be voting green. If you're on the side of the agencies, you'll...this will not affect except allow them with all of their resources, with all of the talents, with all of their abilities to provide proof why the rule that they want to adopt or the regulations that they want to adopt is in the best interest of taxpayers. This amendment is a good amendment it should be on this Bill, and I suggest that you vote green for the taxpayers that you're here to represent."

Speaker Bradley: "The Gentleman from Cook, Mr. Conti, to explain his vote for one minute."

Conti: "Well, yes, Mr. Speaker, Ladies and Gentlemen of the House, I believe in the concept of this Bill. I believe that the Bill is necessary. There's only one thing, it needs a little cleaning up, and I would like to see this Bill get enough votes for postponed consideration."

Speaker Bradley: "The Lady from Sangamon, Mrs. Oblinger, to explain her vote."

Oblinger: "Mr. Speaker and Members of the House, I just want to make three points for you. Number one, we're always talking about separation of power, so now the Legislature's going to tell everybody what they're going to do. Number two, as a director of a department, I would have hated this. We have all kinds of safe guards for the little one. They can come in with all kinds of suggestions. There's 90 days...there's 120 days. Your just making it so that it's harder on the department to even keep track of what they're doing. I think this is a terrible thing to saddle them with, and I think the Legislature is getting to be very impressive with what they think they can do."

Speaker Bradley: "Gentleman from Macon, Mr. Borchers, to explain

his vote for one minute."

Borchers: "I'd like to point out to you that I have a concrete experience that I've told you people about. The Department of Children and Family Services found that I was having foster homes inspected. When they found that out, the all powerful agency and the foster homes were the little people...the children in the foster homes were the little people. They put out a rule two days after they found out I was doing it to stop me. I was...with the help of the...of the Committee, I was able to continue my investigation. If I hadn't of had their help, I...they would have been able to stop it. Now this...this...what is the little people? Are they the children or are they the bureaucrats of the agencies? I say it's the little children in my case. Now in relation to the Environmental Protection Agency, if they...It's become so serious that the information that you have to gain to make a decision is based on doctors and lawyer or chemists or whatever. That's going to be a rare case. It'll be the unusual case to have that happen, and there's another agency that certainly has made ru..."

Speaker Bradley: "Have all voted who wish? Clerk will take the record. On this question there are 75 'ayes' and 74 'nos'. Mr. Reilly."

Reilly: "Postponed consideration, please."

Speaker Bradley: "Put it on postponed consideration. 1828."

Clerk Leone: "Senate Bill 1828. A Bill for An Act to amend the Revenue Act. Third reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. I'd like leave to take this back to second reading."

Speaker Bradley: "Any objections. Hearing none the Bill will be returned to second reading for an amendment."

Keane: "I...I make a motion to table Amendment #1."

Speaker Bradley: "Now, wait a minute, let's find...was that adopted? Where are we, Mr. Clerk?"

Keane: "It was adopted in Committee."

Speaker Bradley: "Adopted...he moves to..."

Keane: "I move to table..."

Speaker Bradley: "Table Amendment #1?"

Keane: "...Amendment #1."

Speaker Bradley: "Everybody in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the amendment's tabled. Further amendment. I think Mr. Hanahan's probably right. Let's...we'll...no...well we were right the first time. That was adopted in the Committee. I don't think we can move to reconsider the Committee...no...it's tabled. Further amendments."

Clerk Leone: "Floor Amendment #2. Vinson. Amends Senate Bill 1828 as amended by deleting..."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a good amendment. It encourages investment, economic development in the areas of the state which need it most, and I would urge its adoption."

Speaker Bradley: "Any discussion? Mr. ...Gentleman from Cook, Mr. Mugalian."

Mugalian: "Will the Sponsor yield?"

Speaker Bradley: "The Sponsor of the amendment?"

Mugalian: "Yes. Is this what I think it is? Something that we've killed about four times already..."

Vinson: "Well..."

Mugalian: "...this session? What it..."

Vinson: "The answer to your question is no."

Mugalian: "What does the amendment do?"

Vinson: "The amendment provides for an investment tax credit

against the property tax in counties which classify for all classes of tax payers. 1/2 of 1 % initially, later to go to 1%."

Mugalian: "And who...who loses the revenue?"

Vinson: "Those who collect it now."

Mugalian: "Which are specifically what, schools?"

Vinson: "The taxing units and counties which classify."

Mugalian: "And what is the estimate of the revenue loss?"

Vinson: "Very minor."

Mugalian: "Would that be more or less than \$20 million a year?"

Vinson: "Well, it's very hard to predict, Representative, because what we're trying to do with the amendment is to provide an incentive for a new kind of behavior. That is investment in those counties that classify."

Mugalian: "Well, I didn't ask you the purpose of the Bill. I asked an entirely different kind of question. I wish you would try to answer that."

Vinson: "Well, I'm trying to. The reason why it's hard to quantify what the revenue loss will be is because what the amendment does is to attempt to cause a new form...stimulate behavior. And we don't know to what extent it will effectively stimulate behavior, and that's why it's impossible to quantify the revenue loss."

Mugalian: "Well, you've just said...given the best argument against the that Bill I've ever heard. You say you don't know how it will work or if it will work. Isn't that just what you just said?"

Vinson: "Well, we'll be in session next year to correct any problem with it, but I think it will work very well."

Mugalian: "Well, if I had a few more questions, I think you'd probably table the Bill. I think you're doing a great job."

Vinson: "Oh, no. Oh, no. I think it's an important amendment."

Mugalian: "Well, I think that maybe my questions have directed the attention of Members of the House to the kind of mischief that's in this Bill, and perhaps others would like to take up from where I left off."

Speaker Bradley: "The Lady from Champaign, Mrs. Satterthwaite."

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

Speaker Bradley: "He indicates he will."

Satterthwaite: "Representative Vinson, I see that the opening lines of the new language talk about counties which classify real properties. Can you tell us which counties classify real property?"

Speaker Bradley: "Mr. Vinson, you're questioned by Mrs. Satterthwaite."

Vinson: "All right, could she repeat the question, please."

Speaker Bradley: "Would you please..."

Satterthwaite: "Representative Vinson..."

Speaker Bradley: "Mr. Stuffle, would you stay over here."

Satterthwaite: "The opening sentence of the new language added in your Bill says in all counties which classify real property. And I'm wondering if you can tell me which counties classify real property."

Vinson: "Well, Cook does, and it's my understanding that Lake might."

Satterthwaite: "Is it also your understanding that with the current farm assessments procedure that that in fact is a classification of property, and would any counties then that had farm property within it be a part of this group that classifies real property?"

Vinson: "No, only those counties which classify, and that would not apply to those...the counties you're referring to."

Satterthwaite: "Why would not farm property be considered as a classification?"

Vinson: "Well, I think if you read the Supreme Courts decision

last week, you'll see why. They spelled that out very clearly in their decision."

Satterthwaite: "And said that it was not a classification."

Vinson: "They said that it was not classification."

Satterthwaite: "Thank you."

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

Ewing: "Mr. Speaker, what is the posture of this Bill. What did you do with the first amendment that was adopted in Committee? Mr. Speaker, that was directed to you. I'm trying to figure out the posture of this Bill, and what you did with the first amendment that Committee put on it."

Speaker Bradley: "We tabled the first amendment."

Ewing: "Was there a vote taken on that?"

Speaker Bradley: "Pardon."

Ewing: "Was there a vote taken on that?"

Speaker Bradley: "Yes."

Ewing: "And now we're on the second amendment or the second...the first floor amendment?"

Speaker Bradley: "Yes."

Ewing: "I'd like to see if the Sponsor yield for some questions."

Speaker Bradley: "He indicates he will."

Vinson: "Yes, Sir?"

Ewing: "I'm a little confused here. Been trying to listen and also see what happened to the first amendment, and we're going to provide an investment credit for business?"

Vinson: "For all classes of taxpayers, Representative."

Ewing: "So, if you're a homeowner, you get a credit, too."

Vinson: "Yes, this will help the homeowner as well as the business man."

Ewing: "Help the little guy."

Vinson: "Yes, this is a 'help the little guy' amendment."

Ewing: "And any improvement that they make on their property they can write off...starts out, what, at 1/2 %?"

Vinson: "Yes, Sir, 1/2 a %. If you made an improvement to your house, you'd be able, in the counties which this applies, you'd be able to claim that as a credit against your property tax bill."

Ewing: "And then it goes up to 1%?"

Vinson: "Yes, Sir, then subsequently it goes up to 1%. It's phased in gradually so that the revenue impact will not be substantial initially."

Ewing: "And, the revenue impact will be against the local units of government."

Vinson: "Yes, those units of government which...which benefit from the increased economic activity of the investment."

Ewing: "Those that have been growing so rapidly and eating up so much tax money. Is that correct?"

Vinson: "Well, the ones that most had...most greatly need increased economic activity."

Ewing: "What...what effect will this have on the school aid formula?"

Vinson: "I don't believe it would have any. It doesn't...it does not change your assessed valuation."

Ewing: "So it would not...would not necessarily channel more state funds into counties that classify."

Vinson: "That's correct."

Ewing: "It would be a good downstate amendment."

Vinson: "Yes, this is very much designed to assist downstate, too."

Ewing: "Thank you."

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

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

Speaker Bradley: "He indicates he will."

Vinson: "Yes, Sir."

Mautino: "Sam, I don't have the amendment in front of me. I've been looking for it, but if it addresses only those counties that classify, it doesn't address all downstate counties, then, does it?"

Vinson: "Well, I...no it does not affect the tax bill in downstate counties, but I think you and I have been around here long enough that when you affect those counties which classify, desirable things begin to happen for the entire state."

Mautino: "I understand what you're saying, Sam, because about 2 years ago, I think that we implemented for those counties that classified as \$17,000...17,500 improvement program to their property so there would be no additional taxation on it. It seems to me now that I would have to disagree with your position, though, that it helps all those little downstate people because they're not written into this amendment. The only people written into this amendment is Cook County, and as a downstater, Sam, I'm trying to figure out what you're doing because I'm not about to vote for a tax incentive only for the people of Cook County and not for the other 100 counties of the States of Illinois."

Vinson: "Well, Representative, in answer to your question, I think you'll discover that if this amendment goes on then this Bill goes to third reading, then a number of desirable things for downstate will begin to happen."

Mautino: "I would assume that that would probably be the case, and you'll probably end up giving away another part of the shop as well as a compromised deal, and it would have to be in the area of verifying tax rates from park districts and all those other kind of things that we should have no...even no business in down here. But I'm concerned that the trade off here might be a little too heavy, Sam."

Vinson: "Trust me, Representative, trust me."

Mautino: "Ooooooh."

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

Hoffman: "Mr. Speaker, Ladies and Gentleman of the House, I'm not sure exactly what the hidden agenda is on this particular program, but I am...I do understand the agenda which we're discussing right now, and that is that in effect what you're attempting to do is to reduce the legitimate sources of income to local units of governments and one of the largest units of government which is dependent upon local taxation for support are...are school districts. And for that reason, Mr. Speaker and Ladies and Gentlemen of the House, I certainly cannot support this amendment."

Speaker Bradley: "The Gentleman from Coles, Mr. Stuffle."

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

Speaker Bradley: "He indicates he will."

Stuffle: "Sam, are you trying to tell us that you're trying to help those people that won't help themselves, and that if we pass this they may be willing those of us that do want to help ourselves in the future?"

Vinson: "You understand precisely, Representative."

Stuffle: "Well, I think you're right. I think there may be more than meets the eye on this particular amendment, and we ought to give it a very close scrutiny for the reasons that Representative Vinson has alluded to and for some of the things that he has implied. And we ought to put this amendment on this Bill, give it a green light and look forward to the agenda that Sam has in mind in the hopes that we will be able to help downstate with a tax incentive."

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

Leinenweber: "Yeah, will the Sponsor yield for a couple of questions?"

Speaker Bradley: "He indicates he will."

Leinenweber: "Representative Vinson, is this an idea that just came to you within the last few days so that you weren't able to get a Bill drafted in time?"

Vinson: "Oh, yes, in essence, Sir, yes, that's right."

Leinenweber: "Did a delegation of DeWitt County voters come to you and say that this is a good idea?"

Vinson: "Well, it was a broad coalition that came to me and caused the things to happen which raised this issue up."

Leinenweber: "Specifically, could you tell us some of the members of that coalition that came to you."

Vinson: "Well, frankly, Representative Bradley and I had a long conversation that finally devolved into this amendment."

Leinenweber: "In other words the temporary Speaker was the genesis of this idea."

Vinson: "Yes, with some of the properties of the permanent Speaker."

Leinenweber: "Well, I'm not suggesting that that wouldn't be a good idea, probably wouldn't, but ... In other words this is a product of yours and Representative Bradley, and you think it'd be a good idea for the State of Illinois to put this in our statutes. Is that correct?"

Vinson: "Yes, Sir, and I'm sure that the final result will be something that you can enthusiastically support."

Leinenweber: "It wouldn't wait til say next January."

Vinson: "No, I think...I think that if you understand the purpose for this, you understand the importance of doing it very quickly."

Leinenweber: "I see, before someone reads it?"

Vinson: "No, Sir."

Speaker Bradley: "All right, Mr. Bullock, the Gentleman from Cook."

Bullock: "Thank you very much, Mr. Speaker. I'm glad that my light switch is now working again. I think it

malfunctioned for about 15 minutes here. I'd like to ask the Sponsor a question. Will he yield."

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

Bullock: "Representative Vinson, does the County of DeWitt... You classify."

Vinson: "No, Sir."

Bullock: "Could you cite for this body how many counties would be effected by this amendment."

Vinson: "I believe two, Sir."

Bullock: "Could you site them for me, please."

Vinson: "I'm sorry, just one, Sir."

Bullock: "And could you tell me if that county is located in the northern or southern part of the state."

Vinson: "It's in the northern part of the state."

Bullock: "And if my geography serves me correct, you don't happen to run in that district up there, do you?"

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

Bullock: "If my memory serves me correct, I don't think you are elected from that portion of the state. Are you?"

Vinson: "Well, I think if we get this amendment on, I could be, Representative."

Bullock: "I certainly would agree. Mr. Speaker, I'd like to address the Bill if I may."

Speaker Bradley: "You certainly may, Sir."

Bullock: "I think, Ladies and Gentlemen of the House, you should look very carefully at Amendment #2. Amendment #2 is a resurrection of that infamous black hole that Representative Vinson spoke about some while ago. This is nothing but a Bill that was killed in the closing hours of last session. I think it was sponsored perhaps by the Gentleman who's temporary Speaker of the House. This Bill would have a detrimental impact against Chicago and Cook County, not to mention the unestimated impact on our

schools. And certainly it is intended to benefit the commercial and industrial enterprise and not, as one of the previous speakers had indicated, residential homeowners. I think that perhaps we should give this Bill a slow death as we did the last Bill, and I think we should give the good fellowship award to Representative Keane for even bringing this Bill back to second to have this infamous black hole amendment proposed."

Speaker Bradley: "The Gentleman from Lake...Let's go to the Gentleman from Cook, Mr. Keane. I think it's his Bill."

Keane: "Thank you, Mr. Speaker. It is...It's really gratifying to see the Sponsor of this amendment being as concerned about Cook County as he is. I also wonder what the amendment process of the House would be if we all said 'adopt my amendment and believe me you're going to like it down the line.' I oppose the amendment. I think it was...on its face the amendment is obviously what Representative Hoffman said would do...would be. It'll be a very, very serious problem for local government units in Cook County. The use of Bills or the use of amendments in this fashion I believe is counter to the good...good practices of the House, and I would resist the amendment."

Speaker Bradley: "Gentleman from DeKalb, Mr. Ebbesen."

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

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's been a lot of talk about the need to rehabilitate and revitalize our central cities. This amendment goes directly at that function. It will provide the economic incentive for private investment to begin

occurring on a systematic basis in our largest central city. In addition to that, I suspect that this amendment will trigger the opportunity to do a number of things very important for this Legislature to do in the closing days. It's an important amendment. I honestly solicit your support even if you're from downstate and may not be immediately affected by the immediate amendment. I urge an 'aye' vote."

Speaker Bradley: "Questions on the Gentleman's motion. All in favor signify by saying 'aye', opposed 'no'. All in favor signify by voting 'aye', opposed by voting 'no'. And the Gentleman from Effingham, Mr. Brummer to explain his vote."

Brummer: "I must admit this is kind of a knee jerk reaction, but I was kind of intrigued by the Sponsor's closing comments that the passage of this would enable this Legislature to accomplish a bunch of other things during the closing days of the session. If that doesn't sound like a deal that I don't know the details of, I've never heard of any here, and just as a matter of caution, I think we ought to have 'no' votes."

Speaker Bradley: "Have all voted who wish? Mr. ...Gentleman from Lake, Mr. Griesheimer to explain his vote."

Griesheimer: "Thank you, Mr. Speaker. I'm glad you finally got back to me here. For all of you that don't know, and I hope the Tribune is present, this is the Vinson - Byrne Amendment. This is being done to counter the vicious story that Chicago and the areas in Cook County are having economic troubles for business. And what this Representative is doing is offering some economic benefits for business so that it doesn't stream out of Cook County forever. I think we're all obliged to help business in Cook County because if it eventually does turn out in its entirety, you won't have to worry about local government."

There won't be any."

Speaker Bradley: "The Gentleman from Cook, Mr. O'Brien, to explain his vote."

O'Brien: "Well, in explaining by vote, Mr. Speaker, to the members of the Democratic side of the aisle, I just like to thank Representative Bullock and the boys for being present on the House floor on an important measure affecting Cook County since its leadership isn't here."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 59 'ayes' and 94 'nays', and the Gentleman's motion fails. Further amendments."

Clerk Leone: "Floor Amendment #3. Bowman. Amends Senate Bill 1829 as amended."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3 affects only those counties in the state which currently have an estimated tax bill and a reconciliation tax bill, that is to say two bills each year. It affects only Cook, Will and Lake Counties. At the present time, the first installment is 50% of the prior year's tax bill. Just what the...the effect of making the first installment equal to 50% of the prior year's liability is to place the entire annual growth in taxes into the second installment, thereby magnifying the rate of growth. If there is an annual rate of growth of say 10%, the...putting the entire amount into the second installment means that the difference between the second and first installments, therefore, is 20%. In Cook County we are facing the prospect of a very large increase in our multiplier, and this could have some drastic repercussions. The effect of this Bill would be to smooth out the payments so that the difference between the first and second

installments would be less. I urge its adoption."

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

Getty: "Mr. Speaker, Member of the House, I rise in support of Amendment #3. It only makes sense that we ought to have a natural tacking and an intelligent approach to raising the tax. We know that...that the amount of 55% is probably a fair equation of what half of the real estate taxes would be. I think that in a day when we need to speed up the collection of taxes so that government can operate on a more fiscally sound method that this certainly is called for, and I support Amendment 3."

Speaker Bradley: "Gentlemen from Will, Mr. Leinenweber."

Leinenweber: "Ladies and Gentlemen of the House, I hope you're paying attention to what this...this proposed amendment does because it's an anti-taxpayer amendment and pro tax eater as Representative Skinner would call it. Now, there's only a few counties that do bill their real estate tax on the basis of the provision allowing the first installment to be estimated. What the amendment...the way the law currently reads is that shortly after the first of the year, the taxpayers will get a estimated tax bill which is 50% of the previous year's tax bill. Then, when the tax bill becomes available, they get the other portion of the bill. Your taxes went down, then your second installment would be less. If your taxes go up, your second installment would, of course, be more. What the amendment proposes to do for those of us who reside in these counties that pay their taxes this way is to increase your first installment instead of half to 55% of the first...of the last year's tax bill. Your tax bill goes up, of course, then your second installment would, of course, be less, but the fact of the matter is that the taxpayer gets socked in the early end. And the earlier you pay your taxes, the

more taxes you pay on the front end, the less money you have to use for the rest of the year, and conversely the more tax...more of your tax money, your government has to use. So the question is who ought to get stuck for the loss of use of the money during this particular period. The amendment seems to shift this to the back of the taxpayers. I don't think this is a good idea. Our taxpayers are crying out for relief. We've given them some tax relief. The fact of...the gentleman as it appears the multiplier, well we provided the homestead exemption, so that that'll pretty well displace the multiplier. This is a bad idea. For those of you...and I think all of you susceptible to this when your counties find out that they can probably get their first half of their taxes earlier, they're going to leap at this chance and bill your people on the base of an estimate. I don't think this is fair. It ought to be...it ought to...we ought to keep it the way it is. If you're going to estimate, make it half of the tax bill. If it goes up, fine. You have to pay a little more the second time. If it goes down, you pay a little less. It stays the same, you'll pay the second installment exactly the same. Don't force this on the people in Will County and some of the other counties who have had the poor luck of having their county boards adopt this procedure. Let's vote 'no' on this amendment, and keep this Bill in the shape that some of us perhaps can vote for it."

Speaker Bradley: "Mr. Bowman, to close."

Bowman: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House, as I listen to the Gentleman's arguments, it sounds to me as if he simply doesn't like the method that his county has adopted for raising and billing its real estate taxes. It seems to me everything that he says could just as be easily said about the entire system adopted by

that county or by Cook County or by any of the other counties that have it. He's really not addressing the ...the substance of the legislation as I'm proposing which is really a modest change in the way that it is presently being billed. If he is, it seems to me he's making a mountain out of a mole hill. What he's saying is the taxpayers will have to pay a little bit more earlier rather than later. Well, it's really a fairly small amount of money that they would have to forego. They would be losing the interest on the 5% for only five months. And that works out to be about 2% of the interest which is really, in my opinion, a very small amount. And what do we gain by it. Well, I'll tell you what we gain by it. I, for one, remember vividly what happened the last time there's a quadrennial assessment in my area. The taxes in Evanston, for example, went up on some properties by 100%. The average for the city was 25%, and the lot of people, like elderly people who've paid off their mortgage and were salting a little bit away each month to pay their taxes, got really caught by surprise when the second bill came due. The...unfortunately the individual doesn't know exactly what his tax bill's going to be until he gets it. So he really doesn't know how to adjust his savings in order to accommodate that. It seems to me that this piece of legislation is needed for the...for the taxpayer to smooth out the increases in his tax bill so he doesn't get socked with the entire annual increase in one of the two installments. This really wor...appropriately apportions the burden between the first and second installment, and I think we owe it to our constituents to adopt this amendment."

Speaker Bradley: "Question is, 'Shall this motion prevail?'. All in favor signify by voting 'aye', opposed by voting 'no'.

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And the Gentleman from Cook, Mr. Keane, to explain his vote."

Keane: "Yes, thank you, Mr. Speaker, I rise in support of this. The author of the amendment indicated the first tax bill was only an estimate. The second tax bill can be damaging. Local govern...local government needs this because of its increase in cost. The state does it. The state...if you...if you notice we make our people pay estimated taxes before they even become due. We do this also on the sales tax. So all we would do would be to be treating local government the same as we treat ourselves. So I ask for a favorable vote."

Speaker Bradley: "Have all voted who wish. I thought you were through, Mr. ...Have all voted who wish? Gentleman from Cook, Mr. O'Brien. Or do..."

O'Brien: "Yes, Mr. Speaker, Members, I rise in opposition to this Bill. Any way you want to cut it, this is a tax increase. Take a look at this amendment. This is an escalation of the payment of the...of the real estate taxes in Cook County, and what you're doing to your voters in Cook County is you're giving them another tax increase. I'd encourage each and every member from Cook County to vote 'no' on this amendment."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? Clerk will take the record. Mr. Leinenweber."

Leinenweber: "Yeah, if my side doesn't come out on top, I'd like a poll of the absentees and a verification of the affirmative."

Speaker Bradley: "Which side is your side?"

Leinenweber: "The red side."

Speaker Bradley: "The red side."

Leinenweber: "Yes."

Speaker Bradley: "All right, poll of the absentees."

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

Speaker Bradley: "Collins, 'aye'. Proceed."

Clerk O'Brien: "Campbell. Capuzi. Casey. Virginia Frederick. Gaines. Dave Jones. Kane. Klosak. Kosinski. Laurino. Mahar. McGrew. Oblinger. Pierce. Ropp. Sandquist. Schuneman. Stearney. Stuffle. Swanstrom. Telcser."

Speaker Bradley: "Mr. Borchers wishes to be recorded as voting 'no'. Ropp, 'no'. Watson, 'no'. Let's complete the call on the absentee. We'll pick up the change."

Clerk O'Brien: "Continuing the poll of the absentees. Totten."

Speaker Bradley: "Totten, 'no'."

Clerk O'Brien: "Tuerk."

Speaker Bradley: "Tuerk, 'no'? Tuerk, 'no'. All right."

Clerk O'Brien: "Sam Wolf."

Speaker Bradley: "Just a minute. Bianco, 'no'. Mr. Hanahan."

Hanahan: "Yes, I'd like to change my 'no' vote to an 'aye'."

Speaker Bradley: "Record Mr. Hanahan as voting 'aye'. Mr. Jaffe."

Jaffe: "Change from 'no' to 'aye'."

Speaker Bradley: "From 'no' to 'aye', Mr. Jaffe? All right from 'no' to 'aye'. Let's complete this call here on the poll of the absentees."

Clerk O'Brien: "Poll of the absentees. Sam Wolf. Woodyard."

Speaker Bradley: "Woodyard, 'no'. Wolf. I...record Mr. Wolf as voting 'ays'."

Clerk O'Brien: "Yourell. And Mr. Speaker."

Speaker Bradley: "Oblinger...let's pick the...Oblinger, 'no'. Beatty. Beatty, from 'no' to 'aye'. Any...Casey, 'no'. Yes, Casey...Casey, 'no'. Okay, what's the count, Mr. Clerk. Mr. Kane, you wish to be recorded?"

Kane: "Please vote me 'aye'."

Speaker Bradley: "Record Mr. Kane as 'aye'. What purpose does Mr. O'Brien arise?"

O'Brien: "To find out what the count is and request a verification."

Speaker Bradley: "The count is now at 79 'ayes' and 78 'nos'."

O'Brien: "Well, we'll have the verification of the 'aye' votes."

Speaker Bradley: "Mr. Leinenweber has asked for verification."

O'Brien: "Fine."

Speaker Bradley: "All right, all right, let's call the affirmative roll, and it's 79 to 78 to start with."

Clerk O'Brien: "Alexander. Balanoff. Barnes. Beatty."

Speaker Bradley: "Could I ...everybody be in their seat and please raise their hands so that Mr. Leinenweber can see that you're here when they call you name. Now, Mr. Marovitz, what purpose do you rise?"

Marovitz: "Mr. Speaker, will you please change my vote from 'no' to 'aye'."

Speaker Bradley: "Record Mr. Marovitz as voting 'aye'. From 'no' to 'aye'. Proceed with the affirmative Roll."

Clerk O'Brien: "Birchler. Bluthardt. Bowman. Bradley. Braun. Breslin. Bullock. Capparelli. Catania. Chapman. Collins. Conti. Cullerton. Currie. Dawson. DiPrima. Domico. Doyle. Dyer. Epton. Ewell. Farley. Flinn. Garmise. Getty. Giorgi. Goodwin. Greiman. Hanahan. Hannig. Harris. Henry. Huff. Jaffe. Emil Jones. Kane. Katz. Keane. Kelly. Kornowicz. Krska. Kucharski. Kulas. Lechowicz. Leon. Madigan. Margalus. Marovitz. Matijeich. McClain. McPike. Meyer. Molloy. Murphy. Patrick. Pechous. Peters. Pouncey. Rea. Richmond. Ronan. Satterthwaite. Schisler. Schraeder. Sharp. Slape. Steczo."

Speaker Bradley: "Mr. Leinenweber, Mr. Kornowicz would like to be verified. Proceed."

Clerk O'Brien: "Taylor. Terzich. Vitek. VonBoeckman. White. Williams. Williamson. Sam Wolf. And Younge."

Speaker Bradley: "All right, now, Mr. Van Duyne, what purpose did you rise?"

Van Duyne: "I want to abuse my privilege of free speech, Mr. Speaker. As they always say about going into a theatre and hollering fire. I think this place is on fire. There's something wrong with your smeller if you can't smell that whatever I'm smelling."

Speaker Bradley: "Mr. Schneider wishes to be recorded as 'aye'. From 'no' to 'aye'? From 'no' to 'aye'. All right, questions of the affirmative. Mr. Capuzi wishes to be recorded as 'aye'."

Leinenweber: "Before we start, what is the count now?"

Speaker Bradley: "I think you're down a couple. Mr. Mautino wishes to go from 'no' to 'aye'."

Leinenweber: "We ready, or you got some..."

Speaker Bradley: "We have 83 'ayes', 75 'nos'."

Leinenweber: "I understand there's some action on my side of the aisle back there."

Speaker Bradley: "I don't see any action."

Leinenweber: "There is now."

Speaker Bradley: "There is now. Mrs. Dyer wishes to be recorded as..."

Dyer: "As 'no'."

Speaker Bradley: "As...from 'aye' to 'no'."

Dyer: "From 'aye' to 'no', right."

Speaker Bradley: "Okay, that puts it 82, 76. Any more action on your side?"

Leinenweber: "How about Campbell?"

Speaker Bradley: "Inaction, it appears. All right. Stanley goes from 'no' to 'aye'. There was some action on your side."

Leinenweber: "Well, we don't want that kind."

Speaker Bradley: "83, 76, then. Dave Jones wishes to be recorded as voting 'no'. It's 83, 77. Any other changes? All

right, questions of the affirmative."

Leinenweber: "All right. Representative Capparelli."

Speaker Bradley: "Capparelli is not on the floor. Is he in the Chambers. Take him off the Roll. And what purpose does Mr. Schuneman arise?"

Schuneman: "Mr. Speaker, would you record me as 'no', please."

Speaker Bradley: "Please record Mr. Schuneman as 'no'. Further questions."

Leinenweber: "Yes, Representative Chapman."

Speaker Bradley: "Chapman, she's by her desk. She's sitting there...standing there right next to desk. Mrs. Chapman, raise your hand, please. Would those people standing around Mrs. Chapman please sit down or something so she can be seen. Okay."

Leinenweber: "Okay, we're ready to proceed now. Representative Conti."

Speaker Bradley: "Representative Conti is not in his chair. Is he in the chambers? How's he recorded?"

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

Speaker Bradley: "Take him off."

Leinenweber: "All right, let's try Representative Collins next."

Speaker Bradley: "Representative Collins...He's there."

Leinenweber: "Where?"

Speaker Bradley: "Phil...hand...Put your hand up, Mr. Collins. Can we come back to him?"

Leinenweber: "Representative Dawson."

Speaker Bradley: "Let's go back to Chapman."

Leinenweber: "How about Dawson?"

Speaker Bradley: "Dawson?"

Leinenweber: "Yeah."

Speaker Bradley: "Not in his chair. How's he recorded?"

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

Speaker Bradley: "There he is. He's here. And Mr. Farley wishes

to be verified."

Leinenweber: "Domico."

Speaker Bradley: "Domico is in his seat."

Leinenweber: "Schraeder."

Speaker Bradley: "Schraeder. He's not in his chair. Is he in the chambers? How's he recorded?"

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

Speaker Bradley: "Take him off."

Leinenweber: "Harris."

Speaker Bradley: "Harris is not in his seat. How's he recorded?"

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

Speaker Bradley: "Take him off."

Leinenweber: "How about Lechowicz?"

Speaker Bradley: "Mr. Lechowicz. He's not in his chair. I don't see him in the chambers. How's he recorded?"

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

Speaker Bradley: "Take him off."

Leinenweber: "All right, McPike."

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

Leinenweber: "Vince Molloy."

Speaker Bradley: "Molloy. I can't see him through the maze there. Mr. McGrew and the Gentleman sitting next...standing next to you... I don't see him. How's he recorded?"

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

Speaker Bradley: "Take him off."

Leinenweber: "Peters."

Speaker Bradley: "He's not in his chair. How's he recorded?"

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

Speaker Bradley: "Take him off."

Leinenweber: "Richmond."

Speaker Bradley: "Lechowicz is in the chamber. Put him back on the roll. Richmond? Not in his seat. How's he recorded?"

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

Speaker Bradley: "Take him off."

Leinenweber: "Schisler."

Speaker Bradley: "Schisler? He's there."

Leinenweber: "Sharp."

Speaker Bradley: "Sharp. He's standing right here."

Leinenweber: "Steczo."

Speaker Bradley: "Steczo's there."

Leinenweber: "Terzich."

Speaker Bradley: "Terzich is not in his seat. In the chamber?

How's he recorded?"

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

Speaker Bradley: "Take him off."

Leinenweber: "VonBoeckman."

Speaker Bradley: "VonBoeckman is not in his chair. Is he in the chambers? How's he recorded?"

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

Speaker Bradley: "Take him off."

Leinenweber: "Jane Barnes."

Speaker Bradley: "Jane Barnes is not in her chair. Is she in the chambers? How's she recorded?"

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

Speaker Bradley: "Take her off."

Leinenweber: "Meyer."

Speaker Bradley: "Meyers. He's not in his seat. How's he recorded?"

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

Speaker Bradley: "Take Meyers off, and Richmond has returned to the chambers. Put him back on. Some action over here. Mr. Manar wants to be recorded as voting 'no'. Further questions. Collins again. You verified him one time."

Leinenweber: "I think...I think we've..."

Speaker Bradley: "All right, let's see what the count is. On

this question we have 73 'ayes' and 78 'nos'. Mr. Bowman, what purpose do you rise?"

Bowman: "Request a poll of the negative votes, please."

Speaker Bradley: "Oh, I don't think so. All right, the Gentleman's requesting a poll of the negative."

Clerk O'Brien: "Poll of the negative votes. Abramson. Ackerman. Anderson."

Speaker Bradley: "If the parliamentarian's in the sound of my voice, would he come out?"

Clerk O'Brien: "Bell. Bianco. Birkinbine. Borchers. Boucek. Bower. Brummer. Burnidge. Casey. Christensen. Daniels. Darrow. Davis. Deuster. Donovan. John Dunn. Ralph Dunn."

Speaker Bradley: "Just a minute, Mr. Clerk. Mr. VonBoeckman has returned to the Chambers. Put him back on. Mr. Terzich and Mr. Capparelli. Yes, Mr. Leinenweber."

Leinenweber: "We've completed the verification of the affirmative. They can't get on now. It's completed."

Speaker Bradley: "I thought...I thought you might think that. Just a minute. I think while we're on the same question, but we're checking it."

Leinenweber: "It's been announced in the record what the affirmative was."

Speaker Bradley: "The rules are silent on the question, and we're going to rule that as long as the Roll Call has not been announced, that...that..."

Leinenweber: "Well, the affirmative was very clearly announced."

Speaker Bradley: "No, no, the results have not been announced. And until the results are announced and they come back on the floor, I don't see any reason why we shouldn't allow them to have their vote recorded. And we've done that in the past, Mr. Leinenweber. So...The Gentleman from Cook, Mr. O'Brien."

O'Brien: "Mr. Speaker, then what you're saying and the parliamentarian is saying is that the rules do not provide us for any out in relation to a problem that exist when the affirmative Roll Call has been completely verified and announced, and then someone makes another motion to verify the negative Roll Call. Is that what you're telling the House?"

Speaker Bradley: "What we're saying is that they voted on one side of the issue or the other. They were taken off of the Roll."

O'Brien: "They were verified off the Roll."

Speaker Bradley: "They were verified off the Roll. Now we've done this before. Somebody's ver...For instance on that same one, we verified Richmond off the Roll. He came back in the chambers. We put him back on the Roll. And we're doing the same thing with these three Gentlemen because we have not announced the results of the vote."

O'Brien: "The difference, Mr. Speaker, is that we had announced the results of the affirmative verification. Representative Bowman stood up and asked for a verification of the negative votes. Then those Gentleman came in and asked to be put back on. And that...they're..."

Speaker Bradley: "It was timely to put them back on. The rule was silent on the issue and we've done it in the past."

O'Brien: "That's right."

Speaker Bradley: "And I think you have....what the real purpose of the verification is to establish whether or not those people who have voted are here. These Gentlemen are here and shall be recorded. What purpose does Mr. Vinson rise?"

Vinson: "Well, Mr. Speaker, this is a terrible precedent. It's an important issue. I think it's the first time this ruling's ever been made in this respect. And I would move to overrule the chair."

Speaker Bradley: "Mr. Davis, what purpose do you rise. I'm sorry, Mr. Ryan. Hear Mr. Ryan now."

Ryan: "I was only going to ask, Mr. Speaker, if this is your ruling if the Gentlemen will have the opportunity to verify the negative again, then...or the affirmative. But, will he have that opportunity again since you gave him the Roll Call. He quit when he thought he was ahead. Now it's changed. Now that means he gets another shot at it, right?"

Speaker Bradley: "We would...the chair...the chair...the chair would've ruled on a results. We would've announced the toll of the Roll Call. However, prior to us announcing, the...Mr. Bowman asked us to verify the negative vote."

Ryan: "I understand."

Speaker Bradley: "So we have not announced the total...the vote. And the purpose of the verification, of a verification, is make sure that those Members are here. And now these Members have returned."

Ryan: "I understand that, Mr. Speaker, but ...but....but the difference of..."

Speaker Bradley: "They're entitled to vote."

Ryan: "...verifying thinking that he had enough...taken off enough votes to prove his point and to win the issue, and that's why he stopped..."

Speaker Bradley: "Now, Mr. Bowman..."

Ryan: He could've gone on and taken off more."

Speaker Bradley: "Mr. Bowman's trying to win the issue now."

Ryan: "I would assume that he would have an opportunity to do that again now that you've put more back on."

Speaker Bradley: "No. No. All right, what purpose does Mr. VonBoeckman arise?"

VonBoeckman: "Mr. Speaker, to settle the issue, how am I recorded? I have the right now that I am absent, I have

the right to vote either 'yes' or 'no'. So how am I recorded?"

Speaker Bradley: "How's the Gentleman recorded?"

Clerk O'Brien: "I have him recorded 'aye' because you said put him back on."

Speaker Bradley: "You're voted 'aye', Sir."

VonBoeckman: "Yes, okay."

Speaker Bradley: "You asked to be put back on, we put you back on."

VonBoeckman: "Well, let the record show that if I was taking off due to not being on the floor at the time that I want to be recorded as voting 'yes'."

Speaker Bradley: "All right, the Gentleman's recorded as voting 'aye'. Mr. Davis, what purpose do you rise?"

Davis: "Well, Mr. Speaker, to make the same point Representative Ryan did, and to make it a little more forcefully. Now, Mr. Speaker...now wait just a minute, John. Just a minute let me finish. Now, I've seen people, and I was keeping count as Representative Leinenweber was calling the affirmative verification. People have come back on. That is indeed true, but if your ruling holds, I've seen other people leave, and Representative Leinenweber is entitled to another verification to the affirmative Roll Call. Now, we can keep this up all day long. That was a very poor ruling, Representative. And if Representative Vinson persists in overruling the chair, I would so support it reluctantly, but I can tell you this, it's a poor ruling. And Representative Leinenweber has every right to demand another verification of the affirmative Roll Call because other affirmative votes have left the floor, thinking the issue was over."

Speaker Bradley: "The Gentleman from Lake, Mr. Matijevich, on a point of order."

Matijevich: "Well, I think that's about the silliest thing I've ever heard of because every rule always says that once somebody has verified, they can never be challenged after that. Now also, Mr. Speaker and Member of the House, I hear everybody say what we're doing is setting a precedent. It isn't setting a precedent at all. And in fact it falls very...right in line with the rule that we have on oral verified Roll Calls where at the end of the Roll Call anybody can answer the Speaker and change their vote no matter what. That's the purpose of a Roll Call...a verification. So you have rules, you ruled properly. And the only thing anybody can do now is to appeal your ruling. But Mr. Speaker, Members of the House, it is a good ruling, and it is within the precedent, and do not ever establish a precedent once somebody has answered verification that they be challenged because that would be a bad precedent."

Speaker Bradley: "All right, let's pur...proceed... Mr. O'Brien, on a point of order. State your point."

O'Brien: "The point being, Mr. Speaker, that the affirmative Roll Call was completely announced at which time three individuals walked back in the chamber and got back on the Roll Call after it was announced. Now my question to you to show you how wrong the ruling of the chair is what if one of those three individuals which had been voted in the affirmative and placed back on the Roll Call by you, decided to get your attention and stand up and say I don't want to be recorded 'aye'. I want to be recorded 'no'. Then what would we do? You are opening up Pandora's Box. The Roll Call was announced."

Speaker Bradley: "He would...He would...He would be recorded as 'no'. If he wishes to change his, we've done that on previous occasions, on many other occasions. Until the final result...I've sat time after time after both sides

have been verified and had people get up and change their vote. And that's the procedure we've always followed. I don't know what's so new about this. We've done it consistently that way. Yes, Mr. Vinson."

Vinson: "Yes, Mr. Speaker, I persist in my motion to appeal the ruling of the chair to the Body and urge that the Speaker's ruling be overruled by the Assembly."

Speaker Bradley: "Well, we're in the middle of a Roll Call, and I'm not going to dump this Roll Call to take a...to take a vote on the appeal of the chair. Mr. Bluthardt what purpose do you rise?"

Bluthardt: "Thank you, Mr. Speaker, I think the precedent you're setting is a bad one, and if Mr. Matijevich wants to shut me up, let me remind you that he spoke after the ruling was made, and I would like to have the same privilege. I think it's encouraging dilatory tactics to allow changes in votes in the affirmative votes...after there's been a verification. By then a lot of those changes have been made during a verification of the opposite or the negative votes. I think you're making a terrible mistake. I know I doze a lot back here. I've been here 14 years. I've never seen this happen before. You say you have. I've never seen it happen. Now, I had a commitment to vote 'yes' there, Mr. Speaker, but I feel now I have the right to be released, and I ask now to be removed from the affirmative Roll Call that has been verified, and to be recorded as 'no'."

Speaker Bradley: "Record Mr. Bluthardt as 'no'. The Gentleman from DuPage, the Speaker of the House, Mr. Redmond."

Speaker Redmond: "Vote me 'aye'. 'Aye'."

Speaker Bradley: "Record the Speaker 'aye'. Mr. Ryan."

Ryan: "Well, Mr. Speaker, I believe that Representative Vinson has made a motion to overrule the chair, and you've now

denied that motion. Can you tell me what grounds you deny that on?"

Speaker Bradley: "I can't take a Roll Call on that issue when we're on...on this issue. I'll do it immediately thereafter, but how is...how is Mr. Leinenweber or Mr. Bowman going to verify the Roll if we dump it?"

Ryan: "Then you're going to give him the opportunity to overrule the chair?"

Speaker Bradley: "I certainly will. I certainly will. We've never denied anybody that. But in reply to Mr. Bluthardt, and he sat here when Mr. Simms made a motion a few years ago, when we verified both the affirmative and the negative on a motion on reapportionment. And we confirmed 84 'ayes' and 84 'nos' and there were many changes back and forth on that issue.

Ryan: "Mr. Speaker. Mr. Speaker. Mr. Speaker."

Speaker Bradley: "The..."

Ryan: "Mr. Speaker."

Speaker Bradley: "George Ryan."

Ryan: "The motion...the motion is timely now. It won't be timely then. Now is when it's timely."

Speaker Bradley: "All right, we'll take it...we'll take this issue out of the record."

Ryan: "You got a copy of the Roll Call?"

Speaker Bradley: "We're taking it out of the record. You want to take it out of the record. We'll..."

Ryan: "I didn't ask to take it out of the record."

Speaker Bradley: "Okay, okay, we'll take it out of the record. Dump the Roll Call. We'll take it up tomorrow. Now, you want...you want to move on overruling the chair on that...Yeah, Mr. Keane, what purpose do you rise?"

Keane: "Where's the Bill? What's the posture on the Bill?"

Speaker Bradley: "The Bill's on second reading. Being held on

second reading."

Keane: "There is another amendment that...we'll do it tomorrow, fine."

Speaker Bradley: "We'll take up the amendments. We'll take up this amendment and that amendment tomorrow."

Keane: "Okay, thank you."

Speaker Bradley: "All right? Gentleman from Cook, Mr. Madigan."

Keane: "Mr. Speaker, it's the intent of the Speaker to adjourn at this time. Are there any announcements?"

Speaker Bradley: "Announcements? Corrections? Deletions? Hearing none."

Madigan: "I move that we adjourn til 9 a.m. tomorrow morning."

Speaker Bradley: "Gentleman moves that the House stand adjourned til 9 a.m. tomorrow morning. All in favor of the Gentleman's motion say 'aye', opposed 'no'. The 'ayes' have it. The House stands adjourned."

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