

STATE OF ILLINOIS
82ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

11th Legislative Day Legislative Day

March 4, 1981

Speaker Ryan: "House will come to order and the Members will please be in their seats. We'll be led in prayer this morning by Reverend Waddles of the Zion Baptist Church."

Reverend Waddles: "Let us pray: Almighty and All wise God, the Creator, Giver, Sustainer of Life, our thoughts of You, God, are not as high as your thoughts of us. We are aware this day that Your ways are higher than our ways. We are aware this day that our thoughts are often inadequate and without understanding. We beseech, Thee, O Lord, to grant us the inspiration of Thy Holy Spirit that our perceptions may be enlightened, our hearts more sensitive and compassionate, our wills more effective in serving Thee in this world. Grant unto these, Thy people, O God, clearer understanding of Thy purposes. May they meet with wisdom the problems which need to be solved. May they learn to overcome evil with good. May their lives become redemptive, reconciling man to man and man to God. May they become channels of Thy grace. Use us, O Lord, to cast down the great evils which persist in this earth. Use us, O God, to stop wars that exist. Use us, O God, to promote peace and good will between races and nations. Use us, O God, to help us to find relief from poverty. Use us, O Lord, even to deal with crime and criminals. Use us, God, that we will seek to help and not hurt. We pray this in the name of Your Son, Jesus, the Christ. Amen."

Speaker Ryan: "We'll be led in the pledge today by Representative Martire."

Martire: "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 Ryan: "Roll Call for Attendance. Let the record show that Eddie Kornowicz is here today. Representative

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Telcser? Is Representative Telcser on the floor? Representative Madigan? Representative Getty, do you have any excused absences?"

Getty: "Mr. Speaker, may the record indicate that Representative Beatty is absent due to an illness in the family, Representative Slape due to illness in the family, Representative Christensen, illness in the family and Representative Youngue due to illness in the family?"

Speaker Ryan: "The record will so indicate. There being 151 Members present, a quorum of the House is present. Take the record, Mr. Clerk. Representative Friedrich, for what purpose do you arise?"

Friedrich: "Mr. Speaker, it was not possible for me to be on the floor during the Regular Session yesterday. I understand my button was inadvertantly pressed. I wish the record would show that I was not present and I will not be shown as having attended."

Speaker Ryan: "The record will so indicate, Representative. The Gentleman from Cook, Representative Telcser, do you have any excused absences? None? Introduction and First Reading of House Bills."

Clerk Leone: "House Bill 429, Pechous, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 430, Polk, a Bill for an Act to amend Sections of an Act relating to rate of interest and other charges in connection with sale on credit. First Reading of the Bill. House Bill 431, Sandquist, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. House Bill 432, Sandquist, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. House Bill 433, Sandquist, a Bill for an Act to amend Sections of the Illinois Marriage and

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Dissolution of Marriage Act. First Reading of the Bill. House Bill 434, Pouncey, et al, a Bill for an Act making appropriation to the Department of Commerce and Community Affairs. First Reading of the Bill. House Bill 435, Virginia Frederick, a Bill for an Act to amend Sections of the Inheritance and Transfer Tax Law. First Reading of the Bill. House Bill 436, Pechous, a Bill for an Act to amend Sections of an Act relating to alcoholic liquors. First Reading of the Bill."

Speaker Ryan: "House Joint Resolution #11, Representative Telcser. Mr. Clerk, read the Resolution."

Clerk Leone: "House Joint Resolution #11: Be it resolved by the House of Representatives of the Eighty-Second General Assembly of the State of Illinois the Senate concurring herein that the two Houses shall convene in Joint Session on March 4th, 1981 at the hour of 12:30 a.m. for the purpose of hearing His Excellency, Governor James R. Thompson, present to the General Assembly his budget message for Fiscal Year 1982, as required by Chapter 127-Section 38 of the Illinois Revised Statutes."

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

Telcser: "Mr. Speaker, I move that the House do adopt House Joint Resolution #11."

Speaker Ryan: "The Gentleman has moved for the adoption of the Resolution. All in favor signify by saying 'aye'; all opposed 'no'. The 'ayes' have it. The Resolution is adopted. Committee Reports."

Clerk Leone: "Representative Macdonald, Chairman on Committee on Conservation and Natural Resources to which the following Bills were referred, action taken March 3rd, 1981 and reported the same back with the following recommendations: 'Do pass' as amended House Bills 189 and 259. Representative Barnes, Chairman of the Committee on Health

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and Family Services, to which the following Bills were referred, action taken March 3rd, 1981 and reported the same back with the following recommendations: 'Do not pass' House Bill 29. 'Do pass' as amended House Bill 276. Tabled in Committee House Bills 205 and 220. Representative Catania, Chairman on Committee on Public Institutions and Social Services, to which the following Bills were referred, action taken March 3rd, 1981 and reported the same back with the following recommendations: 'Do pass' Short Debate Calendar House Bill 133. Representative Huskey, Chairman of the Committee on Motor Vehicles, to which the following Bills were referred, action taken March 4th, 1981 and reported the same back with the following recommendations: 'Do pass' as amended House Bills 89 and 307."

Speaker Ryan: "On page two of the Calendar appears House Bills, Second Reading. House Bill #2, Representative Katz. Representative Katz on the floor? Out of the record, Mr. Clerk. The Gentleman is not on the floor. House Bill 49, Representative Bowman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill #49, a Bill for an Act to amend an Act to revise the law in regard to estrays and other lost property. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "The Gentleman from Cook, Representative Bowman."

Bowman: "I'd like this Bill to advance to Third Reading."

Speaker Ryan: "Are there any Floor Amendments?"

Clerk Leone: "No Amendments from the Floor."

Speaker Ryan: "Third Reading. House Bill 85, Representative Deuster."

Clerk Leone: "House Bill 85, a Bill for an Act to amend the Civil Practice Act. Second Reading of the Bill. No Committee Amendments."

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Speaker Ryan: "Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 103, Representative Abramson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 103, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "No Amendments from the floor."

Speaker Ryan: "Third Reading. House Bill 104, Representative Abramson. Out of the record. House Bill 107, Representative Reilly."

Clerk Leone: "House Bill 107, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Representative Reilly on the floor? Take that Bill out of the record, Mr. Clerk. House Bill 109, Representative Ronan. Representative Ronan on the floor? Representative Ronan is the Chief Sponsor and there's an Amendment on the Bill so I would hesitate to call it. Out of the record. Representative Zito, did you want to speak?"

Zito: "Mr. Speaker, being Cosponsor of that Bill, I'd like to move her to Third Reading."

Speaker Ryan: "Well, there's an Amendment on the Bill and it's been the policy not to move the Bill unless the Chief Sponsor's here, especially when it's been amended, Representative. So, we'll take it out of the record. If Representative...."

Zito: "...Mr. Speaker, he's on the floor now."

Speaker Ryan: "Where is he? Representative Ronan, it's nice to have you with us today. Do you want to move your Bill? Out of the record. House Bill 158, Representative Giorgi."

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Read the Bill."

Clerk Leone: "House Bill 158, a Bill for an Act to amend an Act to provide for licensing and regulation of certain games of chance. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Any motions filed?"

Clerk Leone: "No motions filed."

Speaker Ryan: "Any further Amendments?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 195, Representative Darrow. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 195, a Bill for an Act to amend an Act to revise the law in relationship to attorneys and counselors. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the Floor?"

Clerk Leone: "Floor Amendment #1, Darrow, amends House Bill 195 on page two and so forth."

Speaker Ryan: "Representative Darrow."

Darrow: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, what Amendment #1 does is tightens the legislation. It states that irrespective of fraud, there would be a cause of action for unauthorized practice of law. At the present time, there is no cause of action for the unauthorized practice of law unless there is fraud. This situation's already covered and what we're doing is tightening up the Bill a little bit."

Speaker Ryan: "Any discussion on the Gentleman's Amendment? Representative Darrow, to close your Amendment."

Darrow: "I'd ask for a favorable Roll Call on the Amendment."

Speaker Ryan: "Excuse me, Representative. We have a question in the back. Representative Topinka. Representative, move over to Representative Jackson's microphone, would you

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please? Move down to the next one there, to Representative McCormick's desk. All right. Representative Karpziel's desk then. How's that?"

Topinka: "Yes, Mr. Speaker, I'd like to address myself to the Amendment on 195."

Speaker Ryan: "Please proceed."

Topinka: "Thank you. I would encourage the House to possibly consider Amendment 2 and not consider Amendment 1, because I'm kind of concerned with this Bill because I think it's going to cause problems and just general mischief in just ordinary, everyday commerce because it does not make fraud an applicable instance here of something we should address ourselves to. It just leaves everything rather open and it doesn't really address itself to the fact where fraudulent practice would be involved here. Ultimately, what we could wind up doing is challenging what would be just everyday, ordinary, commercial transactions from realtors, bankers, credit bureaus, anybody who might inadvertantly give inadequate advice which could be interpreted as legal advice. And I think it opens the door for an awful lot of problems which we would have to face down the road and probably the institution of a lot of frivolous law suits. I think it would probably benefit the legal profession, but that would be about it. So I would encourage possibly voting down #1 and waiting for Amendment #2. Thank you."

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

Johnson: "Well, Mr. Speaker and Members of the House, I rise in support of Representative Darrow's Amendment. Unfortunately, for whatever reason, the previous speaker doesn't understand what this Amendment does. It addresses itself to the same thing, same problem we address ourselves to generally, whether it be in the medical profession, or

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the veterinarian medicine profession, or for that matter, in the real estate profession, and that is that we have licensing requirements for certain reasons. And that is to protect the public. All we're saying by this Amendment and the Bill as amended is that an individual who is damaged by unauthorized practice of law has a cause of action in a Civil Court for that unauthorized practice. If you adopt the previous speaker's position, there would be no reason whatever to license attorneys, or if this concept were extended, no reason to license doctors or veterinarians or anyone else. This is a common sense logical addition to clarify the law pursuant to a recent decision having to do with the fraud requirement. What the previous speaker apparently wants you do do is in order... in addition to showing damages, in addition to showing unauthorized practice of law, you also have to show it's fraudulent. Well, then, in that case, all you have to do is to avoid the licensing requirements, is to simply not have an element of fraud involved in it and the whole thing would be out the window. So in order to perfect...protect the public, to protect our system that we've established, not for the legal profession, but for the public, I would certainly urge that Representative Darrow's Amendment be supported."

Speaker Ryan: "Is there any further discussion? The Gentleman from Adams, Representative Mays."

Mays: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to Mr. Darrow's Amendment #1. The prime reason being that I don't feel that this has received enough discussion either in Committee or on the different floors. We are still trying to see what effect this might have on particular industries such as trust officers, real estate, so on and so forth, and..."

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Speaker Ryan: "...Just a minute, Representative Mays. Representative Darrow, for what purpose do you arise?"

Darrow: "Mr. Speaker, I was tolerant of the first freshman Legislator to discuss the merits of the Bill, but I don't want to get into the merits of the Bill on Second Reading. All I'm trying to do is tighten up the Bill. I'll be glad to debate this on Third Reading, but I wish they'd address the Amendment and not the Bill itself."

Speaker Ryan: "Please confine your remarks to the Amendment, Representative. Continue."

Mays: "I do believe this Amendment does not address intent to commit fraud in the proper manner and I would urge you not to support it."

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

Davis: "Thank you, Mr. Speaker. A question of the Sponsor: Representative Darrow, have we got a problem in this area that's really significant that we're addressing it by legislation? Are there a great number of people practicing law on a common... on a common law, if you will, basis and are there a great number of people being injured by that advice or whatever? And if so, if that's the case and you're trying to do away with that sort of thing, that sort of injury, it's a laudable cause. However, let me ask you this. If a constituent under this particular Amendment came to me and sat down and asked me about something in the Statutes and I did not refer him to an attorney, but gave him my interpretation of that Statute, would I be in violation of this amendatory language in your Bill?"

Darrow: "Again, you're addressing the merits of the Bill and not the Amendment. I wish we could hold these questions until then..."

Davis: "Well, but it is to the Amendment. It says, 'Any person injured by an unauthorized practice of law'. I don't know

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what that is."

Darrow: "Well...All right..."

Davis: "...As derived by this Act."

Darrow: "All right. Then let's...If you want to open this up, I don't mind. The unauthorized practice of law in when you receive compensation for legal services. That's when you're practicing law without a license, if you don't have a license. Now, the concern that we've heard expressed primarily is from individuals who are involved in the real estate practice and who feel they may have a problem. But I would call your attention to the fact that we're... If you look at it from the point of view of the person who receives legal advice, pays for that legal advice, is then injured, the consumer is injured because of the legal advice, right now he cannot get his money back. He cannot recover damages. That is the purpose of the legislation. It is not... it is not directed at the realtors or anything like that. If the realtors stick to the real estate practice or if they're going to give legal advice, if they give legal advice and no one is harmed by their legal advice, they won't have any cause of action. That is the purpose of the legislation..."

Davis: "...If, Representative Darrow, they give--quote 'legal advice'-- and I'm not sure what that really means either and do not accept any remuneration for it, you're saying they would not be liable under your Act. Is that correct?"

Darrow: "No, they would not. That is not the unauthorized practice of law..."

Davis: "Well, but if they're receiving a Commission remuneration, then in consideration for that advice, that might be construed to be remuneration for the advice as well. Is that true?"

Darrow: "If they're receiving the remuneration for legal

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services, it would."

Davis: "Well, I... I guess maybe your point probably is well taken. On Third Reading, it sounds as if it's a Bill I might not be able to support because it sounds very vague. I'm not sure I'm going to support the Amendment. Thank you, Mr. Darrow."

Speaker Ryan: "Listen. The House will come to order and the Members will be in their seats. We have a discussion on the floor. Mr. Doorkeeper, it's time to clear this place out. Get the Members in their seats. All unauthorized people please leave the floor. The Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield to a question?"

Speaker Ryan: "He indicates he will."

Friedrich: "I think this remuneration point that was raised is pretty important in this Amendment. Does it specifically indicate that, anywhere in this or in the law itself, that remuneration is one of the conditions of whether or not you're practicing law?"

Darrow: "Yes. Now, you're talking about the statute. The legislation has been on the books for years. And that's the definition of unauthorized practice of law. I'd really like to stick to the Amendment to tighten up the Bill, but going back to the unauthorized practice of law, you have to be compensated for the legal service. If you're not compensated for the legal service, it's not the unauthorized practice of law."

Friedrich: "Well, thank you. I think that's a pretty important point because all of us are called on from time to time to say what is the law in regard to this and we'll put up the statutes and say, 'Here it is.', and we certainly don't charge for it. Now if.. if there's a definite provision in the law that at that point I'm not practicing law, I have

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no problem with your Amendment."

Speaker Ryan: "The Gentleman from Will, Representative Leinenweber."

Leinenweber: "Just one other clarification since the merits of the Bill have been gone into in some detail. We're talking about only situations where people who have relied upon advice for which they've paid suffer damages. Now that's a very important point. There's no cause of action without damages. That means if you give advice to someone, whether you're an attorney or not an attorney, and accept a fee or remuneration of some type for giving that advice, and the person relies on that advice and suffers damages to themselves, they have a cause of action. The point of the matter is who should the laws fall upon? The person that gives the faulty advice for a fee or the person who receives advice and acts upon it? So that's the issue in this case, not anything having to do with who might be nit-picked and so forth. It's only situations where people have paid for advice, received it and suffered damages. What could be more consumer than that?"

Speaker Ryan: "Is there any further discussion? The Gentleman from Rock Island, Representative Darrow, to close."

Darrow: "Thank you, Mr. Speaker. All we're discussing is Amendment #1 that tightens up the Bill and states that irrespective of whether there was fraud or not there would be a cause of action. We're not on the merits of the Bill yet. I would appreciate a favorable Roll Call on Amendment #1."

Speaker Ryan: "The Gentleman has asked for the adoption of Amendment #1 to House Bill 195. All in favor will signify by voting 'aye' and all opposed by voting 'no'. The switches are open. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 93 voting

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'aye', 35 voting 'no' and 6 voting 'present'. This, having received the required Majority, is hereby declared passed...adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #2, Topinka, amends House Bill 195 as amended."

Speaker Ryan: "The Lady from Cook, Representative Topinka, in Representative Karpel's..."

Topinka: "Yes. I would like to withdraw Amendment #2, Mr. Speaker."

Speaker Ryan: "Withdraw Amendment #2. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. On page two of the Calendar appears House Bills, Third Reading. House Bill #15. Representative Huskey."

Clerk Leone: "House Bill #15. A Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Ryan: "The Gentleman from Cook, Representative Huskey."

Huskey: "Well, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 15 is a simple Bill that was brought to my attention by some of the villages over using their home rule powers to overrule the state statutes and they were taxing school buses that come within their boundaries of their municipalities to pick up students. All this Bill does is to pro...They were licensing school buses, not taxing them, licensing. Now licensing is for one thing, regulation only. And school busses are regulated and inspected by the state. The municipalities have no way to regulate already inspected school busses and all this Bill does is to prohibit the local municipalities from taxing (sic) school busses that come across...from licensing school busses that come across their city limits in order to pick up students within their School Districts. So

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actually, I'd move for your favorable consideration."

Speaker Ryan: "Is there any further discussion? The Gentleman from Cook, Representative Getty."

Getty: "Mr. Speaker, I'd ask that the Chair rule on the number of votes required to adopt...or to pass this Bill."

Speaker Ryan: "We're looking at that right now, Representative. It requires 107, Representative. It's an express limitation on home rule powers and requires 107 votes."

Getty: "Thank you, Mr. Speaker."

Speaker Ryan: "The Gentleman from Cook, Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I don't have any fault with this Bill. I think he's.. the intention is right. But what I'm concerned about is if there is a faulty vehicle, if there's something wrong, will that municipality be held liable for not regulating or inspecting those busses?"

Huskey: "Representative Conti, these busses are regulated and inspected by the State of Illinois..."

Conti: "Yes, I understand that..."

Huskey: "...mandatory by the state..."

Conti: "...But will the municipality be held liable in a suit, in any litigation?"

Huskey: "The municipalities have no way to inspect and license busses. Can you tell me... Can your municipality properly inspect..."

Conti: "Absolutely not. But I just want to make sure. I think it's a good Bill. I think it's a good Bill, but I just don't want to be party of any litigation in case something is wrong with the bus."

Huskey: "All right."

Speaker Ryan: "Is there any further discussion? The Gentleman from Cook, Representative Huskey, to close."

Huskey: "I'd just move for... It's a good Bill as Elmer Conti

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said, as he's also Mayor of a town so he should know. And I'd just move for favorable consideration."

Speaker Ryan: "The question is on the Gentleman's motion. Shall this Bill pass? All in favor will signify by voting 'aye', those opposed by voting 'no'. It requires 107 votes. The Doorkeeper has turned in to me a set of keys, that were found in front of the Stratton Office Building. It's a key chain. Looks like car keys and office keys for anybody that may have lost them. They'll be here at the podium. Have all voted who wish? Have all voted who wish? Representative Bradley, to explain his vote."

Bradley: "Yes, thank you, Mr. Speaker. That's what I intend to do. This piece of legislation I...certainly warrants 107 votes up there. In fact, what the Gentleman is saying is that the state shall be the one that will license and regulate the busses and that's the way it should be in my opinion. It's a good piece of legislation. I don't know why we don't get the 107 votes up there. And this thing will keep from four or five different stickers being necessitated to be put on a school bus and it should be simply the state that does it and I agree with the Gentleman. We ought to have 107 votes on the board."

Speaker Ryan: "Representative DiPrima, do you seek recognition? Representative DiPrima?"

DiPrima: "No, I'm sorry. No."

Speaker Ryan: "Turn him off. The Gentleman from Cook, Representative Conti, to explain his vote."

Conti: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, the only doubts I had about the Bill, as I said, is the municipality becoming a part of the legality...any litigation rather, in case there was a faulty bus. But we find that's in so many instances, such as the real estate brokers. They're licensed and regulated by the State of

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Illinois. Now most of these municipalities are charging them a license and a fee again. And it seems kind of ludicrous to me to have one taxing body within the municipality taxing another taxing body. I think that this Bill is a good Bill and we should give them the 107 votes and as long as the state is regulating and licensing them, I can't see the duplication of the licensing fee, especially now-a-days when most of these transit systems are going broke. I find that we have that problem in Elmwood Park and I find it in most municipalities in Cook County are having that problem. And anything we can do to ease the burden, to keep the transportation moving for the school children, we should have the 107 votes up there."

Speaker Ryan: "Have all voted who wish? Take the record. On this issue there are 113 'ayes', 24 'nos' and 4 voting 'present'. And this Bill, having received the Constitutional three-fifths Majority, is hereby declared passed. House Bill 31, Representative Polk. Out of the record. House Bill 55, Representative Chapman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 55, a Bill for an Act to define the nature of all transactions relating to procuring, furnishing, donating, processing, distributing and using of human blood. Third Reading of the Bill."

Speaker Ryan: "The Lady from Cook, Representative Chapman."

Chapman: "Mr. Speaker and Members of the House, House Bill 55 extends the date for the repeal of the law relating to liability in the furnishing of human blood, human blood derivatives in human organs from July 1, 1981 to July 1, 1985. We have extended this repealer three times before and I believe it is necessary again and will continue to be necessary until such time that scientific and medical advances are made in detecting and preventing hepatitis in

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blood transfusions. This provides a protection for hospitals and for other providers' blood from a liability which would be unfair under these circumstances. I ask your support."

Speaker Ryan: "Is there any discussion? Is there any discussion? The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Ryan: "She indicates she will."

Brummer: "I guess it's a different approach, but why don't you just repeal the liability portion completely until such time as we have accurate tests to detect hepatitis and the other things you're concerned about rather than coming in with legislation every two or three years and moving back the date?"

Chapman: "I think that if we're going to protect patients at such time that it will be possible to have the scientific and medical advances that make it possible for providers to do this, then it might be difficult to get such a Bill passed, Rich. And I think that this is a far better approach."

Speaker Ryan: "Is there any further discussion? The Lady from Cook, Representative Chapman, to close."

Chapman: "I renew my request for a...for passage of this Bill, Sir."

Speaker Ryan: "The question is, 'Shall House Bill 55 pass?' All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Record Representative Vinson as 'aye'. Have all voted who wish? Take the record, Mr. Clerk. On this issue there are 138 voting 'aye', 1 voting 'no' and 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 99, Representative Abramson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 99, a Bill for an Act to provide for

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appeals by the State of Illinois in certain cases. Third Reading of the Bill."

Speaker Ryan: "...The Gentleman from Cook...The Gentleman from Cook, Representative Abramson."

Abramson: "Mr. Speaker, Ladies and Gentlemen of the House, this is the Bill that amends the State Immunity Act and the Workmen's Compensation Act to allow the parties to appeal to the courts after a decision of the Commission. Right now, this is a vestage from the sovereign immunity in the Act that neither party is able to appeal the decisions of the Commission to the court. This Bill stemmed from the Tribune investigations last summer regarding certain Commission employees getting exorbitant awards. It's supported by the Attorney General's Office and the Industrial Commission. Ask for a favorable Roll Call."

Speaker Ryan: "Is there any further discussion? The Gentleman from Cook, Representative Jaffe."

Jaffe: "Mr. Speaker, Members of the House, I rise in support of this Bill. As Representative Abramson said, this Bill arose because of questionable practices raised by the Chicago Tribune. What had happened was that certain arbitrators of the Industrial Commission made claims for injuries that they received and they were awarded thousands and thousands of dollars for their alleged injuries. And there was no method to really overturn these decisions. Now, when you talk about the trouble with workman's comp., I think we ought to start talking about what's wrong with the Industrial Commission. And if we talk about what's wrong with the Industrial Commission, I think this Bill really highlights what's wrong with the Industrial Commission. The Industrial Commission is really a closed corporation for a few lawyers for certain insurance companies and what they do is they really run the Workman's

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Comp. Law in this particular state. So, if we really want to be serious about workman's comp., I think what we ought to do is pass this modest step forward because all it is is a modest step forward. And then I think what the House ought to do is we ought to create a Commission to study the practices of the Industrial Commission. I suggested that in Committee. I suggest that on the floor of the House. I think that the Industrial Commission is really a terrible body the way it's conducted at the present time. I'm sorry to see that the administration doesn't do something to move forward and clean it up, but I think this indicates part of the problem with the Industrial Commission and I think we, as Legislators, have a duty to go move in there and start to clean up the Industrial Commission and that should be our first step toward workman's compensation reform. And I would urge an 'aye' vote on this particular Bill."

Speaker Ryan: "The Gentleman from Whiteside, Representative Schuneman."

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

Speaker Ryan: "Indicates he will."

Schuneman: "Representative Abramson, does this Bill eliminate the Industrial Commission?"

Abramson: "All this Bill does is give the state or the petitioner the right to appeal to the Circuit Court from the decision of the Commission, the same right that any other employer or any other petitioner in the state has."

Schuneman: "So, this does nothing about cleaning up the irregularities in the Industrial Commission then really, as indicated by the last speaker's comments...My other question has to do with how this....The synopsis indicates that this Bill would permit the state to appeal to the courts. Now, does that mean the State of Illinois?"

Abramson: "That's correct. At the present time, if the state

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receives what they think is an unfavorable decision from the Industrial Commission, they do not have the right to appeal to the court like any other employer in the state does..."

Schuneman: "...As private employers have. Okay. Fine. Thank you very much."

Speaker Ryan: "Is there any further discussion? The Gentleman from Cook, Representative Abramson, to close."

Abramson: "Ask for a favorable Roll Call."

Speaker Ryan: "The question is, 'Shall House Bill 99 pass?' All in favor will signify by voting 'aye' and all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this issue there are 143 voting 'aye', 2 voting 'no' and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 116, Representative Vinson. Out of the record. Consent Calendar, Second Reading, Second Day."

Clerk Leone: "House Bill 137, a Bill for an Act to amend an Act to revise the law in relationship to township organizations. Second Reading of the Bill. House Bill 165, a Bill for an Act to amend the Illinois Horse Racing Act. Second Reading of the Bill."

Speaker Ryan: "Third Reading. Consent Calendar, Third Reading. Read the Bills, Mr. Clerk."

Clerk Leone: "House Bill 190, a Bill for an Act in relationship to alcoholic liquors. Third Reading of the Bill. House Bill 197, a Bill for an Act to amend the Fish Code. Third Reading of the Bill."

Speaker Ryan: "This is the Consent Calendar. The question is, 'Shall House Bills 190 and 197 pass?' All in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On

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this issue there are 142 voting 'aye', 1 voting 'no' and 2 voting 'present'. And these Bills, having received the Constitutional Majority, are hereby declared passed. Introduction and First Reading of House Bills."

Clerk Leone: "House Bill 14...437, Leverenz-Friedrich (?). A Bill for an Act making appropriations to the Office of Auditor General. Third Reading of the Bill. First Reading of the Bill. House Bill 438, Ryan, et al. A Bill for an Act to amend certain Acts in relationship to regulation of lending practices. First Reading of the Bill. House Bill 439, McAuliffe, et al. A Bill for an Act making appropriations to the Data Information Systems Commission. First Reading of the Bill. House Bill 440, Watson. A Bill for an Act to amend Sections of an Act to protect workmen and the general public from injury or death during construction or repair. First Reading of the Bill. House Bill 441, McGrew. A Bill for an Act to add Sections to the School Code. First Reading of the Bill. House Bill 442, McGrew-Schneider, et al. A Bill for an Act to grant student members voting rights to the State Scholarship Commission and the Higher Board of Education. First Reading of the Bill. House Bill 443, McGrew, et al. A Bill for an Act to amend Sections of the Nursing Home Care Reform Act. First Reading of the Bill. House Bill 444, Yourell. A Bill for an Act relating to Boards of Fire and Police Commissioner. First Reading of the Bill. House Bill 445, Breslin. A Bill for an Act to amend Sections of an Act requiring compensation for death by wrongful act, neglect, or default. First Reading of the Bill."

Speaker Ryan: "Committee Reports."

Clerk Leone: "Representative Reilly, Chairman on Committee on Elementary and Secondary Education, to which the following Bills were referred, action taken March 4th, 1981, reported

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the same back with the following recommendations: 'Do pass' as amended House Bill 290. Tabled by Rule 24-C, House Bill 106."

Speaker Ryan: "In anticipation of the Senate, we will stand in ease for a few minutes. Representative Mulcahey."

Mulcahey: "Mr. Speaker and Members of the House, while we have a little bit of a lull here, I would just like to re-introduce to most of you people somebody we're all very familiar with, and who's now retained...returned to the chamber where many of his great victories took place in the field of journalism, and over here to our right, the anchor man of news-radio 78, WBBM, Mr. Alan Crane, right here."

Speaker Ryan: "The House will be in order pending the convening of the Joint Session. And the Members will please be in their seats. All unauthorized persons please remove themselves from the floor. Mr. Doorkeeper."

Doorkeeper: "Mr. Speaker, the Honorable Senate wishes to be admitted to this House Floor."

Speaker Ryan: "House will come to order. House will come to order. The Members will please be in their seats. We must set the example for the Senate. Will the House Members please be in their seats? Would you admit the Honorable Sentors, Mr. Doorkeeper? At the hour of 12:30 designated in House Joint Resolution #11, having arrived, the Joint Session of the Eighty-Second General Assembly will come to order. Will the Members of the House and our esteemed guests from the Senate please be in their seats? Mr. Clerk, is a quorum of the House present?"

Clerk Leone: "quorum is present."

Speaker Ryan: "Mr. President, is a quorum of the Senate in attendance?"

President Rock: "Mr. Speaker, Mr. Madigan, I'm happy to report that a quorum of the Senate is present."

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Speaker Ryan: "We're certainly delighted to hear that. The quorum of the House and the quorum of the Senate being in attendance, the Joint Session of the Eighty-Second General Assembly is hereby convened. The Gentleman from Cook, Mr. Telcser, is recognized in regard to Joint Session Resolution #2."

Telcser: "Would the Clerk please read the Resolution, Mr. Speaker?"

Clerk Leone: "House Joint Resolution #2, resolved that a Committee of 10 be appointed, five from the House by the Speaker of the House and five from the Senate by the Committee on Committees of the Senate, to wait upon his Excellency, Governor James R. Thompson, and invite his address to the Joint Assembly. House Members are Representatives Bluthardt, Collins, Hoffman, Chapman and Garnisa. Senate Members are Senators Dawson (sic), Taylor, Johns, Etheredge and Thomas."

Telcser: "Mr. Speaker, I now move that the Joint Session adopt Joint Session Resolution #2."

Speaker Ryan: "You've heard the Gentleman's motion. Move the adoption, Joint Senate (sic) Resolution #2. The question is on the adoption of the Resolution. All those in favor will signify by saying 'aye'; all those opposed will signify by saying 'no'. The 'ayes' have it and the motion (sic) is adopted. Pursuant to Joint Session Resolution #2, the Escort Committee will... as appointed, escort the Governor into this chamber. The Escort Committee is made up of Representatives Collins, Bluthardt, Hoffman, Chapman and Garnisa. The Senate Members are Davidson, Johns, Taylor, Etheredge and Thomas. We have with us today in the gallery to the right, the charming First Lady of the State of Illinois, Jane Thompson. Welcome to the Illinois House, Jane. Ladies and Gentlemen, it's my honor to present to

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you His Excellency, James R. Thompson, the Governor of the State of Illinois."

Govenor Thompson: "Thank you."

Speaker Ryan: "Representative Madigan, for what purpose do you arise?"

Madigan: "Mr. Speaker, do you have copies of the Governor's speech for distribution?"

Speaker Ryan: "I was under the.. We didn't get them? I thought we did. No, we haven't got them. They'll be in your mailbox later this... after the speech. Governor Thompson."

Governor Thompson: "Thank you. Mr. Speaker, Mr. President, Members of the Eighty-Second General Assembly, my fellow constitutional officers, honored guests and the people of Illinois. As we meet today to begin our debate over the dollars and cents of the business of the people of Illinois, the bottom line of my message to you, and to the people we serve, has already been written by forces quite beyond our control. And those forces are strong and sure. First, our own revenues, battered by the winds of national recession, are down for the first seven months of the current year. Corporate income tax receipts are down ten percent; sales tax receipts are down two and a half percent; and individual income tax receipts are up just seven percent, well below the average of recent years. Unemployment has averaged over nine percent for the period. Second, recession has forced state spending up. State Government, therefore, must apply the brakes and cut back growth and expenditures across a whole variety of programs to meet revenue declines. New programs must be postponed or cancelled. State employment must be forced down. Expenditures too casually labeled in the past as 'uncontrollable' must be re-examined. But one obligation is clear. Our first priority must be to make sure that no

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resident of our state goes without food, clothing, shelter, or essential medical services. For young or old, black, white, or brown, educated, or ignorant, urban or rural—these are basic human needs, and a compassionate people, which we are, regard them, and rightly, as basic human rights. This is not to say that waste or fraud or negligence or error cannot be wrung from the application of our compassion. They can be. This is not to say that we cannot separate needs from wants. We must. It is to say, however; that when men, women, and children, without fault, come to our door and ask us for help to fend off hunger, cold and disease, we must help. This budget does so. You will find within its pages a clear delineation between spending for needs, up sharply in this year of recession, and spending for wants, restrained within our ability to pay. Third, the gravy train from Washington has been halted before reaching our borders this year. And next year it isn't even going to leave the station. Federal aid now comprises 25 percent of our State's budget. And when I stand here next year, no matter what Congress does to or about the Reagan budget, that will not be true. And we might as well face that fact, here and now. This is the first year in a decade that we will receive no general revenue sharing from the Federal Government. That is a net loss of \$113 million federal dollars which have flowed each year without restriction into our Treasury. Now they are gone, and I believe, they're not coming back. For the plain, harsh truth is when the Federal debt is a trillion dollars, and we're only five million away from that, and when the budget deficit of the Federal Government is \$80 billion a year, the Federal Government isn't sharing revenue any longer. It's sharing debt. And the result of the Federal Government's efforts to satisfy every voice

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crying for more has been to run the printing presses on triple shifts, crowd the job-producing private sector out of the credit markets, cheapen the dollars of wage earners and pensioners, all of us, enshrine ruinous interest rates and double digit inflation as a way of life, push us up the steps of the OPEC gallows and leave us twisting slowly in the wind of energy dependence. In short, to destroy the American dream. And we are all in part responsible. We have pretended that Federal dollars come from some mythical treasury to which we, ourselves, do not contribute. We have chosen to believe that we could buy our way out of every social problem. We have chosen short term profits while foreign competitors have chosen long term technological investment and long term rewards. We have chosen to become the 'I want mine' generation instead of the 'I'll earn mine' generation, and the result has been acceptance of a productivity and savings rate that are an embarrassment, if not a shame, among the advanced nations of the world. In November of last year, we gave a new President and a new Congress a mandate to change; and change they will. Not just because it is right, though it is. Not just because we must, though we must. But because our people demand it as is their right. And they will not let go. And if we, the elected representatives of the people, do not quickly get them to the bottom line of economic stability, fiscal prudence, a lean government that delivers 100 percent on the taxpayer dollar invested and leaves the maximum possible in the taxpayers pocket for themselves and their families, we will be let go. Fourth, and finally, we cannot look for a quick up-turn in our economy. Steel, housing, autos, farm machinery, construction equipment, many of our economic mainstays in Illinois are down. If the nation follows a prudent course,

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relative prosperity will return. But the climb back will be slow. The road may well dip down again before it turns up and progress along our nation's path to economic recovery will be challenging and painful. So this is how we begin the new budget year, with lower rates of growth in state resources, increased human needs that drives spending, declining Federal resources and no quick end in sight to recession. These, plainly, are our weaknesses. And they must be faced. But they must also be viewed in perspective. For with the exception of the states of the energy belt, which have essentially escaped recession, these weaknesses are shared by almost all our Sister States of the Union, those with Democratic as well as Republican Governors, those with Republican as well as Democratic Legislative Majorities. But if we start the new year weakened by national economic forces, reality compels us to recognize our strengths as well, for it is on our strengths and not our weaknesses that we must build for Illinois' future. First, for all our troubles, we are still an incredibly strong, wealthy, growing, and resourceful state and people. We are in the top rank of manufacturing. We are first in soybeans, second in corn. We feed and equip the world without peer. We are the 'Heartland of the Heartland' and our transportation mix is second to none. We bear a tax burden lower than the national average. Our business climate has improved in the last four years. State Government has become a smaller but better part of our people's lives in the last four years. And we are a strong, proud, confident people who are unafraid of our future and I believe, willing to work, really work, to achieve it. Second, while other states spent when times were good as though there was no tomorrow, in the last three of four years we lived within our means and put our

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surplus away in the bank. As a result, we have not had to cut services across the board as have our neighbors. We have not had to break promises to the poor as have our neighbors. And we have not had to pick the pockets of our school children as have our neighbors. During the current fiscal year, we will spend more than we will take in. But we plan to. The budget is unbalanced for this year, but only because we, you and I, thought it made sense to spend down our bank account to get us through recession without slashing needed services or raising general taxes. I continue to believe that we can and will get through recession without having to do either. But next year's budget, the budget I present to you today, must be balanced. We must keep enough in the people's savings account to pay our bills and provide for emergencies. The Prairie State is not going to become the 'Deadbeat State', under this administration. Third, this budget does not cut back. It moves Illinois forward. In some critical areas, on a fast track. In areas of lesser priority, at a slower pace. But everywhere, forward. Not as fast as some might like, not as quickly as some will demand, but forward within the limits of our resources and the tolerance of our taxpayers. Fourth, while other states have halted tax relief, or imposed new general taxes, two things are clear in Illinois. In the first five years of this administration we will have given more than 1.2 billion dollars in tax relief to our people. No administration in the history of this state has ever done that since 1818. And in Fiscal 1982, this coming year, whose budget I present today suggests more than \$500 million in tax relief in just one year and a year of fiscal crisis at that. No administration and no General Assembly has ever delivered that much tax relief in one year in the history of this

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State. Central to the success of this budget is controlling the growth of appropriations and spending next year. This budget proposes appropriations from all funds of \$14.9 billion, a growth of just two percent over last year. And while appropriations in the General Funds are increased seven percent over last year, when public aid is excluded, increases in General Funds appropriations total 4.9 percent. General Funds spending as opposed to appropriations, is forecast at 5.5 percent over this year or 4.5 percent if public aid spending is set apart. Unless the economy goes further awry, we hope to end Fiscal 1981 with a balance of \$225 million in the General Funds, collect and spend \$8.8 billion in Fiscal 1982 and end Fiscal 1982 at that same mark. Now some caveats are in order. First, the Economic and Fiscal Commission has for the first time since I have been Governor, forecast lower revenues for next year than has the Bureau of the Budget. If they are correct, spending must be cut yet another \$200 million from the document I present today, or taxes must be raised in the same amount or tax relief of that magnitude must be avoided or we will be bankrupt within one year. Second, the Comptroller of the State recently testified that he believes that a balance of \$200 million in the General Funds is our necessary safety net. I agree. An assumption of a \$225 million opening and closing balance for Fiscal 1982 therefore, leaves little room for error or economic volatility. Last month, as has been my practice for five years, I disclosed those amounts of increased spending for education that I would recommend in my budget today. For elementary and secondary education, \$90 million in new General Revenue funds spending for a total of \$2.27 billion in State aid from that source. For higher education, \$60 million in new General Funds spending for a

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total topping \$1 billion, for the first time in our history as a State, from that source. In the last decade, elementary and secondary enrollment has declined 20 percent while State aid has doubled in that same period. On a per pupil basis State aid this year will increase by 6.9 percent versus a General Revenue Fund increase totalling 4.5 percent for all other agencies combined, excluding public aid. State support for higher education will increase by 6 percent without tuition increases and is sufficient to support the highest priority of the Board of Higher Education, a salary increase of 8 percent plus 2 percent 'catch-up' for university faculty and staff for a total of 10 percent. In fact, taken over the last two fiscal years, increases in State support of higher education in Illinois are unmatched, unmatched by any other comparable state in the nation. And more than this, we cannot do. I commend to the General Assembly the subjects of cost containment and formula reform in school transportation funding. Under present law, many School Districts are treated unfairly and none have any incentive to contain costs. Moreover, the time has come to seriously consider removing the mandates that have grown up in education in the last several years. If we in Springfield know better than Washington how to stretch and spend precious federal aid dollars, then is it not true as well that Rockford and Peoria and Carbondale may know better than we? If our aims are to balance this budget, provide tax relief, attend to the needs of our people and avoid bankruptcy, then it is clear that four bottom lines must be adhered to. (1) We must limit spending growth to 5.5 percent over last year. Since last year, we increased spending by 12 percent over 1980, that will not be easy. But, these days, nothing is easy. (2) We must contain the

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costs of Medicaid. On page 51 of the Budget Book, I have listed several steps we must take to contain the incredibly escalating costs of medical assistance for people in need. None of these steps, I repeat, none of these steps which I have ordered taken and which are assumed in this budget will deprive any indigent person of essential medical services. Some states in fact have never offered as many optional services as we have. Those, like Illinois, which have, are now rapidly backing away. And no wonder, in the coming year, Medicaid alone will account for \$1.6 billion of the public aid budget. The cost of hospital care alone will exceed the cost of the entire AFDC program. Since the Federal Government plans to cap Medicaid reimbursement at 1981 levels, plus 5 percent, amounts expended in excess of this figure will be for the first time 100 percent State dollars. We cannot afford a Cadillac Medicaid program when a Chevrolet will get us there and it's as simple as that.

(3) We must suspend for one year additional, additional sales tax relief to individuals and businesses. I do not propose to retreat on sales tax relief granted before this Calendar year, though the public perception is that we have taken only pennies off, the fact is that the sales tax on food and drugs for example has been cut in half. Failure to suspend the third penny here and failure to roll back the penny removed from business equipment and machinery this January will cost the State \$182 million in this fiscal year at a time when we face, through action of the Reagan administration and the Congress, which I suspect will come pretty close to the President's bottom line, even if they re-arrange some lines in the middle, because our people are demanding that they do, when we face the loss of nearly of half a billion dollars in federal aid in the coming fiscal year alone, we cannot afford the additional

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loss of those two pennies this year. Unless we are prepared to just plain hurt poor people who have nowhere else to turn or unless we are prepared to cut the throat of education, we have no other choice but to suspend for one year those two pennies of additional tax relief. And I emphasize again that even with this one-year pause in additional sales tax relief we will still give our people more than \$400 million in on-going sales tax relief next year alone and that even with a one-year adjustment, business and industry will receive \$33 million more in tax relief in Fiscal 1982 than they had counted on and planned for when the original Bill was passed. (4) We must maximize transfers to the General Revenue Fund. Every penny that can be legitimately and prudently transferred to the General Fund has been placed there and must remain there. It would be comforting if I could assure you that the revenue and expenditure forecasts in the Budget Book this year, and they are only that, forecasts, were written in concrete. But this year, to borrow a phrase from last year's Budget Address, they are not even written in the troughs of the waves. In fact a reporter asked me last night for this year's analogy. And I said, it wasn't the troughs of the waves. It was more like a big octopus down on the bottom of the ocean floor reaching up just one of his tentacles, grabbing us around the feet and trying to pull us under. That's this year's analogy. Not floating on the surface this year. Being pulled under. To be frank, there will be five budgets this year. First, the Budget Book, which I submit to you today. Second, your action on that Budget Book is the second budget for the State of Illinois. The middle lines are not sacrosanct, but I suggest most respectfully to you that the top and the bottom lines are. Third, the detailed proposals of the

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Reagan budget which we will not learn until next week. Only some of the proposed loss of transportation funds are assumed in our Budget Book. Additional federal losses for next year alone could bring the total as I have said, to over half a billion dollars. And at this point, we just plain don't know where they're coming from. Our fourth budget, Congressional action on the Reagan budget. At the earliest, we will not know the results until the beginning of the Federal Fiscal year on October 1st and perhaps, not until much later. This is now March of 1981. The Congress has still not passed the Federal Fiscal 1981 budget which should have been passed last October. In fact, the President will be compelled to send to the Congress on March 10th his Fiscal 1982 budget and his re-working of the Carter Fiscal 1981 budget. And so we have no guarantee that there will be solid Congressional reaction to the Reagan budget proposals even by October 1st of this year, the start of the Federal Fiscal Year. And our fifth budget, the influence of the national and the Illinois economy on all of this. How long will we be in recession? I don't know. How long will recovery be? I don't know. Will our basic industries recover? I don't know. Can we re-industrialize Illinois? I don't know. Nobody knows the answers to these questions and I suggest that perhaps we will be lucky to have to consider only five budgets this year. That is, in essence, what I call a 'Hold tight-Hold Fast' budget for Fiscal 1982. And there you have our points of strengths and our points of vulnerability. And these days, nothing is symbolic. Everything is real. Everything is bottom line survival. We are fiercely proud of our AAA credit rating. But that is not the product of a green eye shade mentality not a nod in Wall Street's direction. The difference between a AAA credit rating and

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AA credit rating over the last four years has meant \$100 million to our taxpayers. Implementing most of the recommendations of the Cost Control Task Force has meant over \$400 million in savings and revenues in just three years. Driving down State payrolls will save nearly \$25 million this year. To a people pressed to a wall of inflation, interest rates, unemployment and higher federal taxes, these savings are real and must be fiercely protected. Later this month I will send a special message to the General Assembly on transportation. With the exception of transportation, this budget allows us to move ahead in areas of vital concern to our people. We will continue to step up our efforts to help abused and neglected children. This budget makes this program our #1 social service priority, devoting 10 percent new funding to expand child protection staff throughout the State to cope with the epidemic of cases that our statewide hotline has identified. No state is doing more and no state is trying harder to cope with this most insidious of our society's diseases. We must keep in mind the sad but undeniable fact that no system, no matter how well equipped, no matter how well staffed, no matter how finely tuned to hear the cries of a battered child, no system can respond in every case to avert every tragedy. And so we need to do more to get at the root causes of abuse and neglect. This budget will continue our commitment to that effort through counseling, homemaker and day care services and other programs designed to help families stay intact and to cope with the pressures that can lead to cases of abuse and neglect. We will also double our efforts this year to place children in permanent adoptive homes. And we will become the first in the nation to create a statewide child and youth information system which will open access to a common data base for all public

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and private agencies including our courts. We will continue our commitment to providing in-home services for the elderly and the handicapped to help them avoid having to enter long-term care. We will move ahead to strengthen enforcement of quality of care standards in health facilities and to protect the rights of patients in nursing homes. We will step up our efforts to place developmentally disabled individuals in community care facilities and we will continue to enlist the private service sector as full partners in the delivery of social and health care services. This budget fully funds the new Department of Nuclear Safety and the crack down we have begun on the illegal disposal of hazardous and toxic waste. I will propose that we further strengthen our arsenal of weapons against those who would poison our environment by giving our Environmental Protection Agency more power to move against polluters on the spot, where and when they are found. This budget will enable us to open more than 1,000 new prison beds to further ease the dangerous over-crowding that threatens the security and stability of our correction system. And here again, we may have to come back earlier than we thought. Last week, the Supreme Court of the United States accepted jurisdiction in an Ohio case which squarely raises the issue of whether a minimum of 60 square feet per prisoner in essence, single-celling, is a Constitutional right. If that case is lost by the State of Ohio, every state of this nation will be faced with an extraordinary dilemma- how to single-cell prisoners within the penitentiary system when we are already bursting at the physical and financial seams of a correction system which has been extended again and again and again in the past four years at great cost to other areas of social concern. To this point, we have been willing to pay the price

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because prison confinement while expensive, at least protects society from those most dangerous among us. It takes them off the streets and puts them securely under guard. But if the Supreme Court of the United States were to decide that single-celling is a Constitutional imperative, I don't know where we would find the money to continue to protect society from those truly dangerous people who cannot be allowed to maraud among the poor, the weak, the elderly or the rich, the strong, the affluent and the secure. This budget will also enable us to do more to promote economic development, to help our industries find new export markets, and to help our communities attract new business and industries to open up new jobs for our people. And, this budget will fully fund our plans to convert three major state university power plants to Illinois coal and to conduct feasibility studies on 12 more state facilities. I commend this budget to you. I think it makes good sense. I think our people will approve. Its hows and whys and wherefors are yours to adjust. The Constitution places that great responsibility upon you. Mine is only the power to recommend. But the bottom lines are real. And there is little room for optimistic economic assumptions and no room at all for unrestrained spending or tax relief. Our people are fearful of their economic futures. But if they did not trust us to lead them, we would not be here. The work we will do this year will be the most difficult and demanding of all our years of partnership in the cause of our people. If we do it well, it will also be the most rewarding for them and for us. I stand ready to help you and I am pledged to serve them. Thank you very much."

Speaker Ryan: "Will the Committee of Escorts come forward to the rostrum to escort the Governor from the chambers. Would you remove the Lady from the gallery, please? President of

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the Senate, the Honorable Phil Rock is recognized for a motion, Senator Rock."

Rock: "Mr. Speaker, I move you that the Joint Session do now arise."

Speaker Ryan: "All those in favor will signify by saying 'aye', all those opposed by saying 'no'. The 'ayes' have it and Joint Session will rise. The House will come to order, the Members will be in their seats, please. Will the House come to order, please and all unauthorized people please leave. Members will be in their seats. Representative Katz on the floor? On the Calendar on page two, appears House Bills, Second Reading. House Bill 2, Representative Katz. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill #2, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. I understand that the Budget Books are being distributed to all the Member's offices and they'll be in your office...if they are not there now they will be there this afternoon. Are there any announcements? Change of vote?"

Clerk Leone: "Representative Margaret Smith wishes to vote 'aye' on House Bill 55."

Speaker Ryan: "Unanimous consent for the change of vote? Are there any objections? Hearing none, the vote will be changed. Representative Conti on Agreed Resolutions. Mr. Clerk read the Resolutions."

Clerk Leone: "Agreed Resolutions. House Resolution 90, Chapman. House Resolution 92, Boucek. House Resolution 93, Boucek. House Resolution 94, Pechous. House Resolution 95, Bradley. House Resolution 96, McGrew. House Resolution

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98, Giglio. House Resolution 99, Katz et al."

Speaker Ryan: "The Gentleman from Cook, Representative Conti."

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, House Resolution 90 is an award that was given to Mrs. Jackie Sinclair of Forest View for winning the bowling championship in Peoria. House Resolution 92 by Boucek congratulating Ann...Anita 'Semester' as the 1981 Citizens of the Year in Darien, Illinois. House Resolution 93 is a celebration of Reverend Robert L. Grey of the Westchester Bible Church celebrating his 25th anniversary. Anniversary Resolution 94 by Pechous, the Third Ward Women's Regular Democratic Organization of Berwyn celebrating its 50th year. Resolution 95 by Bradley to commend Mike Sager for his dedication and life-time of hard work in the field of agriculture. Anniversary Resolution 96 by McGrew, the Geneseo Republic Newspaper in Geneseo, Illinois marked its 125th year of publication in February...on February 13, 1981. House Resolution 98, Giglio, salutations to Eugene 'Culvano' celebrates his 70th birthday on March 11. I do not have House Resolution 99, but the House Resolution is a Death Resolution to...the death of Melvin E. Luke...Mr. Speaker, I move for the adoption of the Resolutions. Mr. Clerk, what is House Resolution 99?"

Clerk Leone: "House Resolution 99 sponsored by Katz et al, discusses the..."

Conti: "That's been objected to...That's objected to. Strike that from the Agreed. I move for the adoption."

Speaker Ryan: "The Gentleman has moved for the adoption of the Agreed Resolutions. All those in favor will signify by saying 'aye', all opposed by 'no'. The 'ayes' have it, and the Agreed Resolutions are adopted. Further Resolutions?"

Clerk Leone: "House Resolution 99, Katz et al. House Joint Resolution #12, Bullock et al."

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Speaker Ryan: "Committee on Assignment. Change of vote."

Clerk Leone: "Representative Zwick wishes to vote 'aye' on House Bill 195 Amendment #1."

Speaker Ryan: "The Lady asks for unanimous consent to change her vote. Are there any objections? Hearing none, the vote is changed. Death Resolutions."

Clerk Leone: "House Resolution 91, Reed et al, in respect to the memory of Melvin E. Luke. House Resolution 97, Darrow-Polk-Bell, in respect to the memory of Judge Henry Bill 'McNeal'."

Speaker Ryan: "Representative Conti moves the adoption of the Resolutions. All those in favor will signify by saying 'aye', all those opposed 'no'. The 'ayes' have it. The Resolutions are adopted. Intro...Introduction and First Reading on House Bills."

Clerk Leone: "House Bill 446, Ronan et al, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Commission on Health Assistant Programs. First Reading of the Bill. House Resolution (sic) 447, Telscer-McClain, a Bill for an Act to provide for the ordinary and contingent expenses of the office of State Appellate Defender. First Reading of the Bill. House Bill 448, J. J. Wolf, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 449, Telscer, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 450, Cullerton-Breslin, a Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. House Bill 451, Catania-Bowman, a Bill for an Act to amend Sections of the Illinois Act on Aging. First Reading of the Bill. House Bill 452, Catania-Bowman, a Bill for an Act in relationship to the establishment of tax credits. First Reading of the Bill. House Bill 453,

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Catania-Bowman, a Bill for an Act in relationship to the establishment of silver...of a silver-haired Legislature. First Reading of the Bill. House Bill 454, Bowman-Catania, a Bill for an Act concerning child care, adding, amending, and repealing certain Acts related. First Reading of the Bill."

Speaker Ryan: "The Gentleman from Rock Island, Representative Darrow."

Darrow: "Thank you, Mr. Speaker. I would like to table House Bill 191 which is a removal of a percentage on the sales tax on food and drugs."

Speaker Ryan: "Are you the Chief Sponsor?"

Darrow: "I am the Chief Sponsor."

Speaker Ryan: "The Gentleman asks leave to table House Bill 191. Are there any objections? Hearing none, leave is granted. The Gentleman from Cook, Representative Meyers."

Meyer: "For an announcement, Mr. Speaker."

Speaker Ryan: "Proceed."

Meyer: "The House Energy Environment Committee scheduled for two p.m. today has been cancelled."

Speaker Ryan: "Approval of the Journal. Mr. Clerk, read the Journal."

Clerk Leone: "Journal from Fourth Legislative Day, Tuesday, February 17, 1981, 12:00 noon. The House met pursuant to adjournment..."

Speaker Ryan: "Representative Telscer."

Telscer: "Mr. Speaker, I move that we dispense with the reading of the Journal, and that Journal #4 of February 17 and Journal #5 of February 18 be approved as read."

Speaker Ryan: "You've heard the Gentleman's motion. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it. The motion is passed. Is there any other announcements? The Gentleman from DeWitt, Mr. Vinson."

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Vinson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think the General Assembly would work much better if those television cameras and lights up there were turned off, and I would request that the Speaker do something about that."

Speaker Ryan: "If you hurry up there, Sam, you could still get on. Are there any other important announcements? The Gentleman from Cook, Representative Telscer, to adjourn."

Telscer: "Mr. Speaker, I move that the House stand adjourned until Thursday, March 5th at the hour of noon."

Speaker Ryan: "The Gentleman has moved that the House stand adjourned until Thursday March 5 at the hour of noon. All those in favor will signify by saying 'aye', all those opposed by saying 'no'. The 'ayes' have it, and the House now stands adjourned."