

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

107th Legislative Day

May 11, 1982

Speaker Ryan: "The House will please come to order, and the Members will be in their seats. The Chaplain for today is the Reverend Carl Coker from the Trinity United Methodist Church in Kankakee, Illinois, ably represented by Representatives McBroom, Christensen, and yours truly. Representative (sic - Reverend) Coker."

Reverend Coker: "Let us pray. Eternal God who gives to us wisdom and understanding, inspire, we pray, the minds of these to whom we have committed the responsibility for government of the people of Illinois. Give them vision, and truth and justice that, by their wise counsel, the citizens of our state may work together in a spirit of true humanity. Help them to help their people to eliminate from our cities and countryside the deep causes of lawlessness and selfishness which make sin profitable and honesty difficult. Breath a new life into our great State of Illinois. Give our leaders a new spirit and set their hearts on fire with firm resolve. May this state, in its richness and diversity, be a blessing, not only to its people but to our nation and to the world. Grant us sound judgment, just laws, good education and freedom of spirit. And above all, a spirit of service which abolishes false pride and replaces it with equality of opportunity. Amen."

Speaker Ryan: "Thank you, Reverend. Representative Zwick will lead us in the Pledge today."

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

Speaker Ryan: "Roll Call for Attendance. And I might caution all of you to push your own button. Alright, after the discussion that we had yesterday concerning a quorum of the

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House, it is the intention of the Chair, or at least my thought, that we would pay a per diem based on the first Roll Call taken yesterday morning of 146 Members present. Now, there is a method, for those of you that weren't here, that had a seatmate or whoever take care of you, can get off of that Roll Call. And I would encourage those of you - and you are the only ones that know - that weren't here, to come to the well and fill out a form to remove yourself from the Roll Call. And, I have no other way of doing it, and I think that is a fair way. So, we would encourage that you would come to the well and fill a slip out taking yourself off of the Roll Call if you're on there. The Clerk's got a copy of the Roll. Take the record, Mr. Clerk. With 157 Members answering the call...the Roll, a quorum of the House is present. ...Committee Reports."

Clerk Leone: "Representative J. J. Wolf, Chairman from the Committee on Appropriations, to which the following Bills were referred, action taken May 4, 1982, and reported the same back with the following recommendations: 'do pass' House Bill 2066; 'failed' House Bill 2192; 'reported out in error' House Bill 2465."

Speaker Ryan: "Representative Griffin, for what purpose do you seek recognition?"

Griffin: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like your attention just for a couple of minutes, please."

Speaker Ryan: "Could we have a little order for the Gentleman, please?"

Griffin: "Contrary to what some of the general public thinks about Legislators, I know all of us realize the next few weeks, all the way down to the end of June, are going to be very demanding ones on all of us. And, we've been through some of these Sessions before where our physical and mental reserves are often taxed, sometimes almost to the breaking

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point. So, it has been our idea that we could offer to all Members of the Legislature, their staffs, and to lobbyists, anybody working in the legislative process, a chance to do some rather thorough fitness testing. So, with the cooperation of the Governor's Council on Health and Fitness, with the Secretary of State and with the General Assembly Leadership; we are going to be setting up, tomorrow morning from 8:30 until 2:00, some tables and some devices for testing fitness and exercises we can use to keep ourselves in better physical condition from now until June, and hopefully beyond. So, I would like to invite everybody here, tomorrow, on your way up here. If you could stop for a few minutes on the first floor outside of room 118, you can talk to some of the people here who have a number of different exercise programs going, get some literature, take some of the tests. There are grip tests, fat tests, tests of...bicycle odometer. The YMCA is providing us with equipment. A lot of people have worked hard on this, and we would appreciate very much a good turnout from the General Assembly. Two last comments on this. When we had this before, I was told that they had the...the YMCA had a grand total of three Legislators turn up for Fitness Day last year. What we're hoping to do this time is at least double that. And, if we can get six Legislators down there, we feel we have made great...great strides. If we can go beyond that, so much the better. One last thing, please don't bring golf clubs, golf balls, anything like that, because we're not going to be involved in any of that down there. These are other forms of exercise and activity. Thank you for your attention, and please turn out and ask your secretaries and staff to come out as well. The Employee Fitness Day last week had a tremendous turnout. The other state employees came on in

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great numbers. Please let's make a good showing for the General Assembly. Thank you very much."

Speaker Ryan: "Representative Getty, for what purpose do you seek recognition?"

Getty: "Mr. Speaker, just prior to Representative Griffin's comments, I believe I heard the Clerk reading a Message or a Committee Report. I didn't quite catch it all. I wonder if you would ask the Clerk to be kind enough to read it. The noise level was rather high in here."

Speaker Ryan: "It's a corrected Committee Report, I think. Have it for you in a minute. They sent it upstairs. They'll have it back in a minute for you. Can I get back to you?"

Getty: "I..."

Speaker Ryan: "They've already sent it upstairs."

Getty: "Oh, I see. Fine."

Speaker Ryan: "We've got to get it back down here to read it for you."

Getty: "Thank you, Mr. Speaker."

Speaker Ryan: "Do you have any excused absences, Representative? None? Representative Telcser, do you have any excused absences?"

Telcser: "Mr. Speaker, could the Journal please show that Representatives Stearney and Barnes are both absent because of illness, and that yesterday Representative Wikoff was absent because of a death in the family?"

Speaker Ryan: "The record will so indicate. Representative Topinka, for what purpose do you seek recognition?"

Topinka: "Yes, Mr. Speaker and Members of the House, I think if you will look on your desk today you will notice that there is a poppy on your desk. In the past, I think the House has always been under the assumption that this little patriotic flower only grew in the 18th District represented by our colleague, Representative DiPrima. Judging by the

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meeting that we had last week with the veterans' groups, I think this was further enhanced that poppies only grow in the 18th Legislative District. I would like the House to know, at this time, that poppies also grow in Republican districts, because Republicans also like to help veterans in their quests, and these are Republican poppies that come from the 7th Legislative District and were donated to the House by Cicero Post 1485 of the Veterans of Foreign Wars. I know that Representative DiPrima will be very happy that Republican poppies have now joined his Democratic ones."

Speaker Ryan: "Mr. Getty, the Clerk has the Committee Report. Read the Committee Report, would you, Mr. Clerk?"

Clerk Leone: "The Clerk, on May 4, 1982, reported out of Committee and had made an error. She failed to report 'do pass' House Bill 2066. House Bill 2192 should have been reported out as failing in Committee, and House Bill 2465 was reported out in error. So it will not be reported out of Committee."

Speaker Ryan: "Representative Getty."

Getty: "Do I understand that House Bill 2066 should have been reported out of Committee but was not? Is that correct, Mr. Clerk?"

Clerk Leone: "As I understand it, the Committee had a hearing. There was a vote. The Committee Clerk failed to file, with the Clerk, that number on her Committee Report. She fills out the Committee Report. She filed the Bill...the number...the Roll Call, but she failed to type in the report that I read this number. Therefore, it was left off of the report that I read into the record."

Getty: "Alright, was...but was it reported, and was it put on our Calendar, subsequently, or not? Has it appeared on our Calendar?"

Clerk Leone: "I do not see it. No, it has not...for that reason,

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because it did not appear in the report that she types up that I read on the floor, and only those Bills that the Minutes Clerk jots down would appear in the Calendar."

Getty: "Was that a report 'do pass' or 'do pass as amended'?"

Clerk Leone: "I have it on the report today as 'do pass'."

Getty: "Alright, then as to 2192, that was reported out, you said, in error?"

Clerk Leone: "Representative, all I have here today is that House Bill 2192 failed. I am afraid I do not know the specifics on that. I can check."

Getty: "Alright, that's alright. Then, that would be a 'do not pass'. Is that correct? If it stayed in Committee, it just failed to pass in Committee. It would stay in Committee and would not have to be reported. So, I would assume that it was a 'do not pass'; and therefore, it would need to be reported to the floor."

Clerk Leone: "I believe, in this case, it was reported out as passed, and what we are doing is we are correcting the record to indicate that it did not pass."

Getty: "Alright."

Clerk Leone: "I do not believe it was reported out 'do...do not pass'. I just believe that it was reported out 'do pass'; but, in fact, it should not have been reported out."

Getty: "So then it should still be in Committee. Is that correct?"

Clerk Leone: "There was a 'do pass' Motion. It failed, and it stayed in Committee. However, the report that I had received showed it as 'do pass'. So...so what occurred was it was a 'do pass' Motion. It failed in Committee, and we're just trying to correct the record...the transcripts."

Getty: "Alright, then fine as to that. 2465 is the final one, and what is the disposition as to that?"

Clerk Leone: "In the case of House Bill 2465, there was no

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hearing on the Bill at all. It was not voted one way or the other. However, it appeared on the report as 'do pass'. So, it was reported out in error."

Getty: "And then it...so that is still in Committee. Is that correct?"

Clerk Leone: "Yes, Sir."

Getty: "Thank you very much, Mr. Clerk."

Speaker Ryan: "On the Calendar on page five under the Order of House Bills Second Reading appears House Bill 2096, Representative Tate. The Gentleman in the chamber? The Gentleman wants the Bill taken out of the record. Out of the record. House Bill 2102, Representative McAuliffe. Out of the record. House Bill 2147, Representative Reilly. Want to...Do you want to move your Bill, Representative Reilly? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2147, a Bill for an Act concerning nursing home care alternatives, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any Amendments from the floor?"

Clerk Leone: "Floor Amendment #2, Bowman, amends House Bill..."

Speaker Ryan: "Representative Bowman on Amendment #2. You ready to go on your Amendment, Representative? Representative Bowman."

Bowman: "Yeah, Mr..."

Speaker Ryan: "Amendment #2 to House Bill 2147, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like leave to withdraw Amendment #2. Withdraw, withdraw."

Speaker Ryan: "Withdraw Amendment #2. Further Amendments?"

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Clerk Leone: "Floor Amendment #3, Bowman, amends House Bill..."

Speaker Ryan: "Representative Bowman on Amendment #3."

Bowman: "Yes, thank you, Mr. Speaker. I will proceed with Amendment #3. Amendment #3, basically, makes a couple of...a couple of changes. One is deleting the nursing home authorization to provide in-home services. It also puts a limit on the amount of fees that can be charged to individual beneficiaries, and the...deletes the provision that would disqualify a person from services for the Department...of the Department of Aging or the Department of Rehab Services if they were, otherwise, eligible for Medicaid. That is what the Amendment does. I'd be happy to answer questions. Be happy to hear from the Sponsor."

Speaker Ryan: "Representative Reilly."

Reilly: "Thank you, Mr. Speaker. I would rise in opposition to the Amendment for basically two reasons. Number one, it seems to me that it takes the wrong approach in this area. We ought not be mandating the establishment of a pilot program. And, I say that for two reasons. Number one, I think we know enough about this situation that we're ready or nearly ready to go on a statewide basis. But, number two, what we need to direct and make sure that the Department does is to apply for the Medicaid waiver. What this all deals with is home health care services for senior citizens so that they can stay in their own homes as long as possible. The key thing here is to apply for the waiver, and we will eventually get, I hope, to Amendment #6, which will put the Bill in the shape that I would wish it to be in, which does direct that the Department apply for the waiver, and then gives them the authority to establish the pre-screening program. I also am not convinced that we ought to be as rigid, as this Amendment is, in terms of fee schedules and so on. My second reason

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is, frankly, sort of a personal one. Representative Preston, on the other side of the aisle, had, earlier, another Bill dealing somewhat with the same subject. I had some questions about that; but, as a courtesy to him, I let him put that in the form he wanted and then, indeed, helped him pass that Bill. I would hope, both, because this is a bad Amendment, and because I would appreciate that courtesy being done to me, that we would reject this Amendment and all others and adopt #6. So, I would ask for a 'no' vote on Amendment #3."

Speaker Ryan: "Further discussion? Representative Bowman to close on Amendment #3."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would only say that the Gentleman did not really address himself to the question of fee limitations. There is, at the present time in the Bill he proposes, no such limitation; and I think that is an important consideration; and I think it would be useful that the...for the House to express its view on that subject. So, that is why I persist with this particular Amendment."

Speaker Ryan: "The question is, 'Shall Amendment #3 to House Bill 2147 be adopted?'. All in favor will signify by saying 'aye', all opposed 'no'. The 'nos' have it, and the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Bowman, amends House Bill 2147..."

Speaker Ryan: "Representative Bowman on Amendment #4."

Bowman: "Okay, Mr. Speaker, Amendment #4 may be moved if subsequent Amendments are adopted. However, Amendment #4 is important insofar as it modifies the Bill in its present form. So, should something go wrong further down the road, I think we need to take care of this at this point. The Bill, as it was amended by Amendment #1, provides that

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nursing homes may provide these in-homes services. That seems, to me, to completely subvert the...the whole notion of in-home services as an alternative to institutionalizations, in putting the fox in charge of the chicken coop, so to speak. And...and I think that we ought to get that language out of there in case something goes wrong with subsequent Amendments. I would now offer and move adoption of Amendment #4."

Speaker Ryan: "Is there any discussion? Representative Reilly."

Reilly: "Well, Mr. Speaker, I am pretty confident that something...nothing will go wrong with further Amendments, but I agree with Representative Bowman. Let's put this one on and go on our way."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #4 to House Bill 2147. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Reilly, amends House Bill 2147..."

Speaker Ryan: "Representative Reilly on Amendment #5."

Reilly: "I withdraw Amendment #5."

Speaker Ryan: "Withdraw #5. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Reilly, amends House Bill 2147..."

Speaker Ryan: "Representative Reilly on Amendment #6."

Reilly: "Thank you, Mr. Speaker. Amendment #6, which is a product of some extensive negotiation which has included the home health care people, which has included the administration and included a variety of players in this game, is the form of the Bill that I would like to go to Third Reading. It mandates the Department of Public Aid to apply for the waiver, and that is really the key. We need to get authorization to use Medicaid money for this

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purpose. Until we do that, there is really nothing to talk about. It then authorizes the Department...the Departments, I should say, collectively, to establish the pre-screening program that is a necessary part of the waiver, but would only lead us to that if, in fact, the waiver is granted in the first place which is the only time it would make any difference. It goes on to provide eligibility requirements and the possibility of a fee based on the ability to pay. This Amendment puts the Bill in the form I would like. I'll be glad to answer questions, but I would move the adoption of Amendment #6."

Speaker Ryan: "Is there any discussion? Representative Bowman."

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

Speaker Ryan: "Indicates he will."

Bowman: "Representative, this is a friendly question, but I think it is based on our conversations to support and to establish legislative record on this point. As you know, I have been concerned about the words in there that provide this service to the target population that is in imminent danger of institutionalization. I am concerned that that will be a limitation and that we may, in fact, find that if this Bill is passed and signed into law, that people who are currently receiving home health services, who are not in imminent danger of institutionalization, may suddenly find those services withdrawn, and...and they are left without help. And I would appreciate if you could respond as to your intent with regard to that particular phrase."

Reilly: "Thank you, Representative Bowman. It is not the intent of this phrase to indicate that services cannot or should not be provided to those who don't need or are not in imminent danger of institutionalization. It is simply the intent to indicate that that is the target, the focus, the thrust; that those are the people that...that, in a sense,

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primarily, you might say, that we are looking at. But certainly it is not my intent at all to cut off those who are currently receiving those services or, indeed, who might receive them in the future. It does seem to me that we have an obligation to make a finding to state the thrust of this policy, so that we don't get into the kind of situation that the Departments have gotten into in other cases in which something comes to be seen as being an entitlement program for an entire group, rather than one where we can do some targeting based on budgetary considerations. But, it is certainly not intended to cut anyone off; and, in my opinion, will not have that effect."

Bowman: "Very well. One other question about a different part of the added language where you speak of encouraging the use of what might be called natural support systems: family, friends, local community organizations; on a volunteer basis. I am concerned, there, that that language might be used as a statutory basis for rule making authority which would, perhaps, give the Department a basis for arguing that, if there is a blood relative living in the household, that the elderly person in that household is ineligible for home...in-homes services; or the blind and/or disabled person living in the household is ineligible for in-home services because there is a blood relative, and it is a state policy to encourage the use of natural support systems. Would you...would you please clarify your intention with respect to that language?"

Getty: "Yes, thank you, again, for the question. It is not our intention to indicate that; and, certainly, if the Department would ever adopt such a rule, I will join with you as hyphenated Chief Sponsors of an attempt to...to repeal that. I...and I don't think it has that effect. I don't think that is what the language means. What we

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saying, again, is that the state ought not be replacing, somehow, the family or replacing community groups that are currently in place, but rather supplementing and adding to them. But, certainly, in no sense, should this be interpreted, nor, in my opinion, would it be interpreted to mean that if there is a family member in the home, however poorly equipped to take care of the senior citizen or the handicapped person, that that would, by itself, be reason for denial of services."

Bowman: "Alright, thank you for your offer to...to cosponsor legislation if things go wrong further down the road. My concern, and I will make this as my concluding remark then, is that in the past we have prodded the Department on Aging to provide additional in-home services. The last General Assembly...last two General Assemblies appropriated more money for that function than the Department has chosen to spend. And...and so I am concerned that more than...than budgetary restraints may be motivating the Department to restrict intake or to restrict the scope of the program. I am also concerned that the Department has not yet applied for the waiver, despite nudging by the General Assembly to do so. So, I am further concerned that when the waiver arrives, that we expand in-home services to the maximum extent possible. And I would hope that you, in your concluding remarks, would also be able to support that position as well. Thank you."

Speaker Ryan: "Is there any further discussion? Representative Oblinger."

Oblinger: "Mr. Speaker, may I ask the Sponsor several questions?"

Speaker Ryan: "It is certainly alright with me, Representative, and he indicates it's alright with him."

Oblinger: "I have a couple of questions that I know that Representative Bowman that has referred to. The first one

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is the waiver by the Department of Public Aid. I serve on that Advisory Council. We have been hearing, for months now, that they are going to do it. The last one was, yeah, they might do it in 45 days. What assurance do you have that they are going to apply for it?"

Reilly: "That is why...I share your skept...could we have, maybe, a little quiet here? I share your skepticism. That is why the Amendment directs them to. If this Bill becomes law, they won't have any choice. They have got to do it. I personally think they will anyway, but I share your reasons for being skeptical. And, that is why I framed the Amendment in terms of a mandate."

Oblinger: "Second question. In the next paragraph you say the Department may establish a nursing home and may use home and community services. Representative Reilly, is it not true that they now can do this and have chosen not to?"

Reilly: "Apply for the waiver?"

Oblinger: "No, in the next paragraph. They may establish a nursing home pre-screening program, and they may use home and community services. May they not do this now?"

Reilly: "Some have argued that they can, and it may, indeed, be true that they can. I think, if I were them in terms of rule making that they might have to do in order to establish that process; I would think that the Departments would certainly be on stronger ground if they had explicit statutory authority to do so. It may be that they can anyway."

Oblinger: "That is why I wondered why it doesn't say 'shall'. You're having them apply for the waiver. Why is there not 'shall' in this?"

Reilly: "If they get the waiver they must. That is a condition of the waiver. They don't have any choice on that. I don't want to have, in law, a provision that says they must

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establish this pre-screening process and then find out that they can't get the waiver anyway, because then they would have to go through that long process and do an expensive administrative process of pre-screening only to find out it didn't help them anyway."

Oblinger: "Further question. I know Representative Bowman referred to the imminent nursing home care for these people. When House Bill 969 passed this House, it was supposed to apply to three groups of senior citizens: those who needed very little care but would keep them out of this precarious situation, those who were returning from hospitals for a period when they could have recuperation, and then those in imminent institu...danger of institutionalization. Why do you pick out just one of those in derogation of the other two?"

Reilly: "It isn't in derogation of those, as I explained to Representative Bowman. But, it does seem to me...and it doesn't exclude those. Those are still target...they are still groups that can be helped, and there is nothing in this wording that would prevent them from being helped. It does seem to me, however, that when we've never been able to come up with funding to do more than a small fraction of the total needed service here, that it is a responsibility of the Legislature to indicate that we have some priorities. That is not to say there aren't other important groups; and as funding is available, certainly they should be serviced, too. The second point is that the Department has four times, within the last 12 months, been sued under language such as we are trying to change. And four times they have lost, and four times the Federal Court has said that that kind of language turns this into an entitlement program in which every person, in those three classes you mentioned, are entitled to service, no matter

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what the state's budget, no matter what kind of considerations of budgetary policy there may be. I don't want the Federal Courts making law for the state. I don't want the Federal Courts ordering us to do those kinds of things. And to avoid that, it seems to me we have to indicate that there are priorities and that, at least, we can take into account what budgetary factors we have."

Oblinger: "Those questions have all been leading up to these ques...the question. Eligible for medical assistance. Are you now going to substitute the Department of Public Aid's eligibility standards for those in the Department on Aging, which is a Title XXI, where..."

Reilly: "That is taken out. That is not in Amendment #6."

Oblinger: "Yes, it is."

Reilly: "Well, would you call it to our attention please?"

Oblinger: "Well, it is in line 14 and line 15."

Reilly: "Oh, Representative, that is in the Public Aid Code."

Oblinger: "Yes, I know it. That is what I am asking about. You're substituting the Public Aid Code for now what we've been doing in the Department on Aging."

Reilly: "No, we're amending all...we're amending all...at different places in this Amendment, we're amending all of those Acts. It's just that...it's just that within the...this existing language in the Public Aid Code needs these additional words that we're putting in. We're not substituting a public aid determination for the current determinations by the Department on Aging at all."

Oblinger: "May I speak to the Bill, Mr. Speaker?"

Speaker Ryan: "Proceed."

Oblinger: "Members of the General Assembly, you voted unanimously for 969, which put the responsibility for in-home care for the handicapped and the aging, in the Department on Aging where it belonged. This Bill is an attempt to put it back

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in Public Aid. People would have to have their determination made by the Department of Public Aid. The senior citizens have refused to go there for their determination. You're going to cut this program off. I think this is a very bad Bill, and I would urge you to vote against it."

Speaker Ryan: "Is there any further discussion? The Gentleman from Cook, Representative Preston, on House...Amendment #6 to House Bill 2147."

Preston: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Ryan: "Indicates he will."

Preston: "Representative Reilly, I share Representative Oblinger's concerns, and I have one of my own that you may have touched on when Representative Bowman was asking you questions. I see that there is a new criteria for assistance, under your Amendment, and that that new criteria may exclude people who are right now, today receiving that type of assistance. Is it your intent, by virtue of Amendment #6, to indeed do that, to redefine the criteria necessary to receive this assistance so that it is conceivable that people now getting this assistance may be cut off?"

Reilly: "No, Representative Bowman. Excuse me."

Preston: "No, Bowman is the one with the beard."

Reilly: "Representative Preston, it is not. And I don't think the word target can be read in the English language that way. I think what we're saying is that that's a priority, but certainly is not, in any way, exclusive. And that is my intent. The record will so show that."

Preston: "Well, Mr. Speaker, may I speak to the Bill?"

Speaker Ryan: "Proceed."

Preston: "As I mentioned, I share Representative Oblinger's

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concerns that the Department of Public Aid would be involved in provision of these services where we have already spoken, and spoken correctly, in trying to take services out of the Department of Public Aid and putting them into the Department on Aging where, by right, they ought to be. I am also concerned about the language in the Bill that does set this new criteria. I have no problem, whatsoever, with the Sponsor of this Amendment's intent or his motives, which I think are the finest. And, I know he has worked extremely hard on this, and we've talked on many occasions. But the Bill, I don't think, does what Representative Reilly had intended it to do. As a very minimum, I think there is a potential that it may be construed to do otherwise. And for that reason, I find it very difficult to be supportive of the Bill...of this Amendment. Thank you."

Speaker Ryan: "Representative Reilly. Any further discussion? Representative Hallstrom."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I am a hyphenated Cosponsor of House Bill 2147. This has been a very important issue to me and to the people in my Legislative District, as well as to people all over the state. I wanted you to know that I have checked with the Council on Home Health Services. They have been the group that have been pushing for the fact that people do not get pushed into nursing homes, if they can stay at home. This is our chance. Please, everyone please vote for this Amendment. They are...I have read the Amendment to them. They are for it. They do not see all the dangers that everyone is talking about here. They are experts in this particular field; and in the hearing that we had, we had people, one after the other, come up and say, 'Please give us a chance to stay in our homes and get support

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instead of putting us in nursing homes'. I urge you to vote for this Amendment. Thank you."

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

Reilly: "Thank you, Mr. Speaker. In addressing some of the concerns that have been raised, the wording of this Amendment was worked out with the Department on Aging. The Department on Aging, originally, with an earlier version, had the same concerns that one of the Members expressed here today. This wording came, and has been approved, and signed off on by the Department on Aging. It does not, in any way, shape or form, transfer the program to the Department of Public Aid. What the problem is that the Department of Public Aid must apply for the waiver, because that is where the...it is through them that the federal funds flow. But, this wording is clear, at least, to the Department and its experts; that is the Department of Ag...on Aging and its experts, that it leaves the program in the Department on Aging. That will be the effect. That is the intent. It does not establish new criteria. The word 'target' is not an exclusive word. You won't find it listed exclusively in any dictionary. What this does is put the Bill in reasonable form that establishes some meaningful legislative policy, quite consistent with what we have done before, and I would ask for a favorable vote on Amendment #6 to House Bill 2147."

Speaker Ryan: "The question is, 'Shall Amendment #6 to House Bill 2147 be adopted?'. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Representative Van Duyne, for what purpose do you seek recognition?"

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Van Dwyne: "Thank you, Mr. Speaker. I'd just like to make an announcement. My seatmate and your colleague from the 43th District is celebrating his 16th...is it the 16th birthday today? And I know everyone would want to wish Ray Christensen a happy birthday."

Speaker Ryan: "Happy Birthday, Representative Christensen. House Bill 2102, Representative McAuliffe. We're going to go back and pick that up. Representative Preston, for what purpose do you seek recognition?"

Preston: "Thank you, Mr. Speaker. For a point of order."

Speaker Ryan: "State your point."

Preston: "Mr. Speaker, on House Bill 2147, Amendment #6, before you had stated that the Bill had passed, I had...the Amendment had passed, I had asked for a Roll Call vote."

Speaker Ryan: "Well, I didn't hear you, Representative, and according to the way I heard the sounds, there were more 'nos' than 'ayes', and that is the way I ruled, and so we'll proceed now with..."

Preston: "Well, I know you try your best, Mr. Speaker, but..."

Speaker Ryan: "...House Bill 2102. Representative McAuliffe on 2102. Read the Bill."

Clerk Leone: "House Bill 2102, a Bill for an Act to amend the Criminal Code, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Kosinski - McAuliffe - Levin, amends House Bill 2102 as amended."

Speaker Ryan: "Representative Darrow, for what purpose do you seek recognition?"

Darrow: "Thank you, Mr. Speaker. I was just wondering how we got on this Order of Business, if you're skipping around

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the Calendar or how did we back up to get this Bill?"

Speaker Ryan: "Well, the Gentleman asked me, Representative Kosinski and Representative McAuliffe both asked me to go back. Representative Kosinski had said that he was a Cosponsor, and was on the floor, and would have been willing to move the Bill. And I didn't realize that at the time, so we're going back. If you don't want me to do that, Representative, I'll take it out of the record, and we'll proceed with the next Bill."

Darrow: "Would you ask...no, but I believe we should follow the rules and ask leave of the House before you do this."

Speaker Ryan: "Well, I thought I...maybe I didn't ask for leave, but I said the Gentleman has asked to go back. Do you object to this procedure, Representative?"

Darrow: "I don't object. I object if you're not going to ask for leave. I think we ought to follow the temporary rules."

Speaker Ryan: "Well, if you object at this point, Representative, we'll take the Bill out of the record and proceed."

Darrow: "I...I object if you're not going to ask for leave."

Speaker Ryan: "Take the Bill out of the record, Mr. Clerk. Proceed with House Bill 2153."

Clerk Leone: "House Bill 2153, a Bill for an Act to amend an Act to provide..."

Speaker Ryan: "Out of the record. House Bill 2242, Representative Barkhausen. Read the Bill."

Clerk Leone: "House Bill 2242, a Bill for an Act to amend the Criminal Code, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Are there any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Barkhausen, amends House Bill 2242..."

Speaker Ryan: "Representative Barkhausen on Amendment #1."

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Barkhausen: "Mr. Speaker and Ladies and Gentlemen of the House, last week when this Bill was overwhelmingly voted to be taken from the table, I had agreed with Representative...Representatives Getty and Cullerton to amend the Bill to put a limitation on parental responsibility, which is consistent with the state Parental Responsibility Law. That is precisely what Amendment #1 is doing, and I would ask for its adoption."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to House Bill 2247 (sic -2242). All in favor signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Johnson, amends House Bill 2242..."

Speaker Ryan: "Representative Johnson on Amendment #2."

Johnson: "Okay. The Amendment, Mr. Speaker and Members of the House, it simply conforms Representative Barkhausen's Bill to what the state of the law is. I realize at this point of a Session it, getting into hypertechnical legal explanations, is not what the Membership wants to hear, but I think it is important. Representative Barkhausen's Bill provides, and I support the concept, that shoplifters, people who steal from retail merchants, can be liable for punitive damages and for other damages connected with the theft. The problem is, they are liable right now. The common law in Illinois clearly provides that people who commit a tort of conversion are liable for exemplary and punitive damages. I am afraid what Representative Barkhausen is doing, in good faith, by his Bill, is he is putting a ceiling on how much punitive damages you can recover against the shoplifter. Right now, the sky is the limit. Somebody can recover whatever the court thinks is

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appropriate in those circumstances. So, my Amendment simply conforms the law...the Bill to what the law is; and in addition, as Representative Barkhausen's Bill already does, allows the recovery of attorney fees against a person who is civilly convicted, so to speak, for shoplifting. I support Representative Barkhausen's concept, but I think his...I know I do. I think, I am certain that his Bill just doesn't...doesn't reach the status of what the law is. And for those reasons, I think think this is a technical Amendment. I guess Representative Barkhausen said he is going to oppose it, but I don't know why he'd oppose it, and I urge you to vote 'yes' on the Amendment."

Speaker Ryan: "Is there any further discussion? Representative Getty."

Getty: "Mr. Speaker, I have not discussed this with Representative Johnson. In fact, I just had an opportunity to look at it quickly. However, it would appear that in view of the adoption of Amendment #1, that Amendment #2 would now be out of order."

Speaker Ryan: "Your point is well taken, Representative Getty. Is there any further...the Amendment's out of order. Any further Amendments?"

Clerk Leone: "No..."

Speaker Ryan: "Out of order."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2286, Representative Telcser. 2286, Representative. Second Reading. Read the Bill."

Clerk Leone: "House Bill 2286, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Are there any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Terzich, amends House Bill 2286

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on page two..."

Speaker Ryan: "Representative Terzich on Amendment #1 to House Bill 2286."

Terzich: "Yes, Mr. Speaker. Amendment #1 simply puts in a deadline of approximately two weeks from January 1 to January 15 to allow for the transfer, and I would move for its adoption."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the... Representative Johnson, do you seek recognition on this Amendment? Any further discussion? The Gentleman moves the adoption of Amendment #1 to House Bill 2286. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Terzich, amends House Bill 2286..."

Speaker Ryan: "Representative Terzich on Amendment #2."

Terzich: "Amendment #2 amends the Sanitary District Pension Code, and the Bill simply clarifies that the compulsory retirement age is age 70 instead of 67, which is in compliance with the Age Discrimination Rule. And I would move for its adoption."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #2 to House Bill 2286. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Representative Getty."

Getty: "Mr. Speaker, I was rising to a point of parliamentary inquiry before you moved this from the Order of Second Reading to the Order of Third Reading. My parliamentary inquiry would be, has there been a pension impact statement

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filed by the Pension Laws Commission, as required by the statute?"

Speaker Ryan: "Mr. Clerk? Representative Telcser."

Telcser: "Yes, it has been filed, Representative."

Speaker Ryan: "Mr. Getty."

Getty: "Well, Mr. Speaker, is it in the control of the Clerk at this time?"

Speaker Ryan: "I think the Clerk is checking. You doubt Mr. Telcser?"

Getty: "No, I certainly wouldn't doubt the Gentleman, but I know he is a very busy Gentleman, and he may possibly have this confused with some other. I just would like to have it clearly in the record that it has been received by the Clerk."

Speaker Ryan: "The Gentleman has filed the request, Representative. It is here in the control of the Clerk. Representative Getty."

Getty: "Did I hear the Speaker say that a request has been filed?"

Speaker Ryan: "No, no, the note has been filed."

Getty: "By the Pension Laws Commission."

Speaker Ryan: "Yes. Both the State Mandate Act fiscal note has been filed, and the Pension Impact Note has been filed."

Speaker Ryan: "Alright, thank you, Mr. Speaker. One more...one more thing, then. Was there a impact note filed concerning either one of the Amendments that were just adopted, prior to adoption, or has of the Amendments, or has the Sponsor of the Amendments or the Sponsor of the Bill now submitted a...a note regarding the Amendments?"

Speaker Ryan: "Yes, Representative Getty. The part that will affect the Pension Code has been filed in...with regards to the Amendment."

Getty: "As to both Amendments that were just adopted."

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Speaker Ryan: "It is my understanding, Representative, that the first Amendment was only a technical Amendment and didn't impact on the Pension Code. The second one did, and there is a note filed on the second Amendment."

Getty: "Thank you, Mr. Speaker."

Speaker Ryan: "Certainly. Third Reading. House Bill 2366, Representative Birkinbine. Read the Bill."

Clerk Leone: "House Bill 2366, a Bill for an Act in relationship to legislative commissions, service agencies and standing joint committees, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Are there any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Birkinbine, amends House Bill..."

Speaker Ryan: "Representative Birkinbine on Amendment #1."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #1 to House Bill 2366 would add the Joint Standing Committee on the judiciary to the eight proposed Standing Committees in this Bill. The point was brought up by Representative Leinenweber in Committee that there seemed to be a gap involving the judiciary, civil - criminal procedures, laws, courts, things such as that; and I said I would, indeed, amend it on Second Reading to add such a commission. And that is what this Amendment does."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to House Bill 2366. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2384, Representative Hoffman. Out of the record. House Bill 2416, Representative Rigney. We'll take it out of the record for

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you, Representative. Out of the record. 2437,
Representative Karpziel. Read the Bill."

Clerk Leone: "House Bill 2437, a Bill for an Act to amend an Act
in relationship to zoning, Second Reading of the Bill.
Amendment #1 was tabled in Committee. Amendment #2 was
adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to
Amendment #2?"

Clerk Leone: "No No...no Motion...No...Motion to table. 'I move
to table Amendment #2 to House Bill 2437'. Motions have
been filed by Representative Getty and Representative
Karpziel."

Speaker Ryan: "Representative Karpziel on your Motion to table
Amendment #2. The Lady moves to adopt the Motion to table
Amendment #2 to House Bill 2437. All in favor will signify
by saying 'aye', all opposed 'no'. The 'ayes' have it, and
the Amendment's tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Karpziel, amends House Bill 2437
as amended."

Speaker Ryan: "Representative Karpziel on Amendment #3."

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

Speaker Ryan: "Withdraw #3. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Karpziel, amends House Bill..."

Speaker Ryan: "Representative Karpziel on Amendment #4."

Karpziel: "Yes, Amendment #4 now becomes the Bill, and there was
quite a problem with the original Bill. I'm sure many of
you have heard from your local counties, and I don't blame
them. It was a pretty broadly drawn Bill. The Amendment
simply provides that in the Environmental Act that there
would be the same language as in the Municipal Code,
allowing municipalities to object to the siting of a
proposed regional pollution control facility, if it is
within a mile and a half of their boundaries. And if they

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object in writing, and the county still approves the siting, they must do so by a three-quarter vote of the County Board. I move the adoption of Amendment #4."

Speaker Ryan: "Is there any discussion? The Lady from DuPage moves the adoption of Amendment #4 to House Bill 2437. All in favor signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2448, Representative Daniels. Out of the record. House Bill 2450, Representative Daniels. Out of the record. House Bill 2474, Representative Telcser. Read the Bill."

Clerk Leone: "House Bill 2474, a Bill for an Act to amend the Illinois Health Finance Authority, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "Motion. 'I move to table Amendment #1 to House Bill 2474'. Representative Sam Vinson."

Speaker Ryan: "Representative Vinson on your Motion to table Amendment #1."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1, which was adopted in Committee, is an Amendment which creates, if possible, more inequities than the Bill...the law originally creates. Under Amendment #1, a number of small hospitals would be exempted from rate regulation by the Health Finance Authority. Those small hospitals may be located next door to a large hospital which is subjected to rate regulation by the Authority. You have a competitive situation where one hospital is treated one way, another treated another way, despite the fact that they provide the same services, despite the fact

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that they serve the same population, despite the fact that they are in a truly competitive situation. Now, Mr. Speaker, that is an unfair situation. That is an inequitable situation. In addition to that, however, we see what this legislation really is designed to do in the second part of the Amendment. What Amendment #1 does, in addition to it's the grand theory of exempting small hospitals, is to remove from the law any requirement that small hospitals be cost reimbursed. Now, what happens when you remove the requirement that, for Medicaid purposes... Mr. Speaker, Mr. Speaker, Mr. Speaker, I would ask that people not entitled to the floor be removed from the floor for the purposes of this discussion. Mr. Speaker."

Speaker Ryan: "Are you addressing the Motion, Representative?"

Vinson: "Yes, I am."

Speaker Ryan: "Proceed."

Vinson: "And I am also asking you to clear the floor of people who are not entitled to the floor."

Speaker Ryan: "Representative Darrow, for what purpose do you seek recognition?"

Darrow: "Parliamentary inquiry, Mr. Speaker. On Motions on page 19, this Bill is listed with Mr. Vinson's Motion. It is my understanding that this would precede debate on this Bill. For, if Mr. Vinson is successful on the Motion listed under Motions, this Bill would technically be dead. My question is should we not take that Motion first prior to taking the Bill on Second Reading."

Speaker Ryan: "The Gentleman has made a Motion to table Amendment #1, Representative Darrow. So your point's not well taken. Representative Vinson on...proceed on the Motion. Representative Darrow."

Darrow: "Well, I call your attention to Rule 61...temporary rule, where it says, 'While a question is under debate, no Motion

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may be entertained except', and there has, 'to postpone to a day certain'. And it would seem that that takes precedence over the Bill being called on Second Reading."

Speaker Ryan: "Representative Conti, for what purpose do you seek recognition?"

Conti: "Purpose of an introduction. Mr. Speaker, Ladies and Gentlemen of the House, we have the...Downers Grove is hosting the Rotary Club, and they are chaperoned by Mr. and Mrs. Ralph 'Gates', Mr. and Mrs. Dennis 'Willming'...are the chaperones, and we have 30 students from 14 foreign countries. And Herb Huskey, in his cooperation, hosts them every year down...when they come down to Springfield. They are in the back gallery. Let's welcome them to the State of Illinois."

Speaker Ryan: "Welcome to the Illinois House. Representative Darrow, your point's well taken. We will now consider the Motion to postpone consideration on Second Reading until May 25, 1982 pursuant to House Rule 61B-1. Representative Vinson on that Motion."

Vinson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The purpose of this Motion is to postpone consideration of this Bill to May 25. The effect of the Motion is to permit individual Members, who have Bills that they want heard, to be considered without being interfered with by the logjam of Amendments on this Bill. There are some 50 or 60 Amendments. Some, I understand, currently being prepared and filed right now by the Reference Bureau, with regard to this Bill. Those Amendments are going to guarantee a long, perhaps two day discussion, of House Bill 2474. A variety of Members have prepared and have considered those Amendments and feel that they are very important. However, other Members have legislation on the Calendar of this House which will be delayed and may,

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conceivably, be lost if this Bill is considered at this time, and the time of the House is used up in this manner. We can delay House Bill 2474 for full consideration until the time after Members of the House have had the opportunity to have their individual Bills heard, which will extend two Members of the House the real opportunity to control the flow of the Calendar. I filed this Motion to extend that courtesy to Members of the House. I would, of course, urge, first of all, that Representative Telcser join me in the Motion and delay consideration of the Bill until May 25. If he should cease to do that, I would urge that everybody vote for the Motion, delay consideration of the Bill until that time so that individual Members, who have individual Bills on the Calendar, will not have those Bills destroyed by the schedule and by the Sponsor's attempt to move House Bill 2474 at this time."

Speaker Ryan: "Now, is there any discussion on the Gentleman's Motion? Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, there is no question in my mind, nor am I sure that there is in the minds of any other Member on this floor, when I say that the Gentleman who has put this Motion is one of the more prolific Members of the House. The Gentleman has a wide variety of interests and a number of legislative matters that continually wind their way throughout the legislative process. But, Mr. Speaker and Members of the House, I think it is apparent that the Gentleman opposes this Bill. Knowing that, I also think that the Members of the House, when viewing this Motion, will agree that all of us like to be fair and equitable to each other. All of us want a chance, at least, to have our Bills introduced, and heard and then be voted up or down when they get to Third Reading. Now, it is kind of noisy on the floor, Mr.

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Speaker and Members of the House..."

Speaker Ryan: "Let's try to give him a little attention. Could we have a little attention please?"

Telcser: "And I may have...I may not have heard all of the Gentleman's remark as he put the Motion. But, as I understand it, the Gentleman has put a Motion to postpone hearing of this Bill until May 25. And, I think what he neglected to tell the Members of the House is that the deadline for hearing House Bills in the House is May 23, and he has asked me to join with him in this foolish Motion to stand by and let my own Bill die, pursuant to the rules of the House. Now, Mr. Speaker and Members of the House, I think this should tell you something as we debate this Motion, and if I prevail, the subsequent Motions that have been filed. And that is, you ought to listen to the debate closely and understand what is in the Amendments, because sometimes when Members put Motions or file Amendments, there is more to be learned from those Motions or Amendments when something is omitted about them, than when something is stated. Mr. Speaker and Members of the House, whether or not you support the legislation or not, I think it is simply unfair to file a Motion to put off a Bill until after the Calendar deadline and not even let all of the Members of the House know just what is happening. Mr. Speaker and Members of the House, this happens to be a critically important issue for millions of Illinois citizens. And I say to you, Mr. Speaker and Members of the House, that this Bill is entitled to be heard, just as every Members' Bill is. And I, therefore, Mr. Speaker and Members, suggest and hope that you will vote 'no' on the Gentleman's Motion."

Speaker Ryan: "Any further discussion? The Gentleman from Peoria, Representative Schraeder."

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Schraeder: "Thank you, Mr. Speaker, Members of the House. It isn't a question of whether or not you support or oppose this particular piece of legislation; but if you look at the Calendar, you will see that there is roughly 20 pages of Bills, and Motions and constitutional changes. If we take this approach to suspending the rules and allow this one single Bill special consideration, then we've thwarted the constitutional mandate that we have to give everybody equal consideration. We have other Bills on it. Let the Bill be called in its proper order. Let us debate it, accept or reject the Amendments and then do what we will with the Bill in its final stage. I think this Amendment...this Motion ought to be defeated very rapidly and with a large vote. Thank you."

Speaker Ryan: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I reluctantly interject myself in what is obviously a family feud on that side of the aisle. We all are accustomed to family feuds and domestic squabbles, but I think our Majority Leader is on point in opposing Representative Vinson's Motion to delay consideration. Representative's Motion, at the best, is dilatory. It is specious. It is frivolous. It should be defeated. It should be thrown out. Representative Vinson well knows the state of the economy in Illinois. He well knows the intent of this Bill is to save money. He well knows the intent of the Bill is to deal with the quality of life in our state, and I can think of no other priority at this time, Representative Vinson, than to save money in the state and prove the quality of life. And I think we would be taking a giant step in that direction if we vote 'no' on this frivolous Motion, this specious Motion, and I am ashamed at you, Representative Vinson, that you'd take up the time of

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this House to treat the Majority Leader in that fashion. He is an honorable man. I think you'd do well to learn from Representative Telcser and Representative Daniels. I've had great respect for you through the years, and I don't know why you'd do something like this on this day in the Legislature. Let's vote 'no'."

Speaker Ryan: "Any further discussion? The Gent...the Lady from Cook, Representative Chapman."

Chapman: "Mr. Speaker and Members of the House, the Majority Leader is correct. I would urge you to vote with the Majority Leader on this Motion. I happen to favor the Majority Leader's Bill and hope that we will have an opportunity to vote on it on Third Reading in a form that is satisfactory and responds to the need. But, whether you favor the Bill or not, certainly every colleague of ours should have an opportunity to have his Bill heard and voted upon according to the rules. Now, we want the Majority Leader to have his turn to have his Bill voted up or down. The effect of the Motion will be to deny to him this right. I ask you to vote 'no' on this Motion."

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

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

Speaker Ryan: "The Gentleman moves the previous question. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Motion prevails. Representative Vinson to close on your Motion."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It had been my intent, by way of this Motion, to guarantee the rights of other..."

Speaker Ryan: "Representative Bradley, for what purpose do you seek recognition?"

Bradley: "I guess on a point of order, Mr. Speaker. During the

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debate, there was a mention as to the number of Amendments that were on 2474, and I think, in order to help us make a decision in casting a vote, could the Clerk tell us how many Amendments have been filed to 2474?"

Speaker Ryan: "I think that request is out of order and not timely, Representative. Proceed, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is...had been my intent, in posing this Motion before the Body, to try to preserve the rights of individual Members, to protect their right to have their legislation considered in the Spring Session. It is apparent, after discussion on the Motion, that Members most want to proceed to a debate and a discussion on this particular Bill. And I believe that this Bill is of tremendous importance. I have no problem with that as long as individual Members understand that their...had the opportunity to preserve their right to have their Bill called. And as a consequence of that and as a consequence of Mr. Telcser's insistence that his Bill be heard at this time, I would withdraw the Motion."

Speaker Ryan: "The question is, 'Shall the Motion to postpone consideration...Oh, you withdrew the Motion? The Gentleman withdraws the Motion. Representative Collins, for what purpose do you seek recognition?"

Collins: "Thank you, Mr. Speaker, for the purpose of an introduction. I'd like to introduce the 44 members of the Brookfield Senior Citizens' Club from Brookfield, Illinois, which is in the 7th District represented...represented by Representatives Topinka, Kociolko and Pechous. They are in the rear gallery."

Speaker Ryan: "Welcome to the Illinois House. House Bill 2474 on the Order of Second Reading. Representative Darrow, for what purpose do you seek recognition?"

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Darrow: "Mr. Speaker, according to the rules, he must have leave to withdraw his Motion. I just call that to your attention. I'd ask that from now on you ask leave on these points. Somewhere down the line it may get heated around here, and it would be helpful if we had the rules to follow and followed them."

Speaker Ryan: "Now, Representative Vinson, we're on your Motion. Representative Findley, for what purpose do you seek recognition?"

Findley: "Mr. Speaker, to make an introduction please. To our right, in the gallery, I'd like to introduce on behalf of Representatives Mays and McClain, the fourth grade students from the Mason City Grade School who are taught by Mr. Hoffman and Mrs. Bell. Welcome to the General Assembly, students."

Speaker Ryan: "Welcome. Now, do we have any other introductions? Do you have an introduction, Representative Kane?"

Kane: "No, Mr. Speaker, but just to point out, as we are going into May and June, with a lot of groups in the galleries and so forth, is that the rules provide for introductions only by the Leadership."

Speaker Ryan: "Your point is well taken, Representative, and I wish the Members would keep that in mind when we proceed. House Bill 2474, Representative Vinson. You have a Motion filed on Amendment #1."

Vinson: "Thank you, Mr. Speaker. My Motion on Amendment #1 is to table Amendment #1. What Amendment #1 does is to exempt a large number of small hospitals around the state from rate regulation by this authority. Now, at the same time that it would exempt...exempt a large number of small hospitals around the state, it would con...would continue rate regulation for a large number of medium sized and large hospitals around the state. You can have a situation where

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one particular small hospital is exempted from rate regulation and is located immediately across the street or down the block from a hospital which is subjected to rate regulation. You can have a situation where that small hospital offers the same services as that large hospital, which is subject to rate regulation and serves the same population. You can have a truly competitive situation where government, by one set of...by one law, is advantaging one hospital competing with another hospital that is disadvantaged. I ask you, is that a fair or equitable result? Number two, I would ask you to take a look, particularly at page six of the Amendment. Those small hospitals, by this Amendment, while they may be benefitted in respect to rate regulation, are deeply disadvantaged with regard to public aid reimbursement. What the Amendment would do is to remove the requirement of reasonable cost from public aid reimbursement to every small hospital in the State of Illinois. Any of you who have a small hospital located in your district, by this Amendment, that hospital is being denied reasonable cost reimbursement from the Department of Public Aid. That is the price, in other words, that the Sponsors of the Amendment, that the Sponsors of the Bill would exact from a hospital for exempting that hospital from rate control. They take away, on the one hand, that which they would give, on the other hand. I would urge you to consider that. I would urge you to consider what that means in terms of the philosophy of the total Bill, because what that means, that they are suggesting...what that suggests, is that they...they ultimately, in going at the public aid question, want to use this as a vehicle to deny all of your hospitals reasonable cost reimbursement from Public Aid. Now, some of you have been lobbied by various groups who

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feel that they are...that their hospitals and their groups are being overcharged, because the state is underpaying on public aid. The one point I would make is that Amendment #6 demonstrates...or Amendment #1, rather, demonstrates unequivocally to you that the Sponsors of this Bill understand and tolerate a situation where they will underreimburse hospitals for their costs and force costs upon private insurers. So the people who are arguing that you should vote for this Bill and for this Amendment on the grounds that it is going to provide a fair cost situation to private insurers in this state, are just wrong, because it's already the demonstrated intention of the Sponsors not to do that. I would urge that you vote 'yes' on the Motion to table."

Speaker Ryan: "Is there any discussion? Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, two-part answer.

First part, let me simply say to the Members of the House that the...the thrust of what the Sponsor of this Amendment is talking about is exempting out from the Bill those facilities that generate \$7,000,000 a year or less in annual revenue. The reason for that thought is to remove some of the objections that the agency has had over the years. This is an attempt to ameliorate and help those smaller institutions who find that they cannot, necessarily, keep up with that type of regulation which it had with the authority. I would also like to point out to the Members that the smaller institutions' rate-of-cost increase is considerably less than that of the larger institutions who would still be covered under the Health Finance Authority Agency. I would also like to mention to the Members of the House that the Sponsor of this Amendment has left you with the impression that there are many, many situations throughout Illinois where a small hospital may

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be across the street from a larger one. That simply is not the case. Yes, there may be one or even two situations throughout the entire State of Illinois where that may exist. I am told of situations where a specialty type of institution is located near a larger hospital. Those two type of facilities do not necessarily even look at the same markets. So, I say to you, Mr. Speaker and Members of the House, that the reason that the Gentleman offers the Motion is to further cloud the chances of the legislation on Third Reading. Second part of the answer. Mr. Speaker and Members of the House, we just went through a debate on a Motion to put off consideration of this Bill until May 25. I made it clear in my remarks that what this would do is effectively kill the Bill, because it would take us until after the deadline for hearing House Bills in the House. Well, Mr. Speaker and Members of the House, the Sponsor of this Amendment, again, again, omitted to tell you all of the facts. What he has neglected to tell you is that Amendment #1 is the entire Bill. Now, I think it would have been much more forthright to file an Amendment to strike the enacting clause; because if we adopt the Gentleman's Motion, we are, in effect, tabling the entire Bill. As the Bill stands right now, Amendment #1 is the Bill. So, Mr. Speaker, Members of the House, to repeat myself; one, we have taken out the small hospitals, because their rates of cost acceleration is far less than larger institutions. Secondly, the competitive disadvantage, which the Gentleman refers to, simply does not exist in anywhere near the magnitude he would like to have us believe; and thirdly, you ought to be aware of the fact that Amendment #1 is the Bill. I sincerely appreciate a 'no' vote so that we can move forward and consider the remaining Amendments."

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

Alexander: "Thank you, thank you, Mr. Speaker. Will the Representative answer to a question, please? Either one, anybody on that side that may have the answer, but it is directed to..."

Speaker Ryan: "We're on a Motion to table, Representative."

Alexander: "Alright, thank you."

Speaker Ryan: "The Gentleman has a Motion to table Amendment #1. Do you...did you wish to ask him a question about that?"

Alexander: "I wish to ask the Sponsor a question, and I don't know if it is the proper question or not, but I wanted to know. On the Motion to table, do we know where these House Bills are located that you're moving for?"

Speaker Ryan: "Representative Vinson."

Vinson: "Yes, Representative. We are...the Motion to table is to table Amendment #1 to this Bill right here in front of us."

Alexander: "Alright."

Vinson: "Just this Bill, 2474. It would table Amendment #1 which was adopted in Committee to that Bill, and that is the only thing it would do."

Alexander: "But, do we know what hospitals are involved before we accept that Motion to table?"

Vinson: "Yes, the...the small hospitals in the state, and they define 'small' in the Amendment by the amount of revenue that the hospital takes in."

Alexander: "Are they located in any particular geographical location in the state?"

Vinson: "They are all over the state. There is a small hospital in my home town of Clinton, Illinois. There are numerous small hospitals in your home town of Chicago. They are all over the state."

Alexander: "Thank you. I've just received a copy of the list."

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Thank you."

Speaker Ryan: "Representative Daniels in the Chair."

Speaker Daniels: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Friedrich: "How long has this agency, that we're talking about, been in operation?"

Vinson: "This agency was created in my first year in the Legislature, Representative, which was 1978."

Friedrich: "Have they promulgated any rates at this point?"

Vinson: "Nary a rate, not one rate."

Friedrich: "What is the cost, then, to the health service agencies, the hospitals and so on. I understand they pay the cost of financing this organization and staffing. Is that true?"

Vinson: "Yes, the cost is somewhere in excess of \$3,000,000 now."

Friedrich: "And apparently, that has been added on to the cost of health care in the State of Illinois then and not provide any health care."

Vinson: "Well, of course. No...nobody...no hospital spends that money on their own. They pass that on to the consumer of health care."

Friedrich: "So, as a matter of fact, this agency is already increasing the cost of health care."

Vinson: "That is correct."

Speaker Daniels: "Further discussion? The Gentleman from Sangamon, Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, the maker of this Motion indicates that or would have us believe that there is a great deal of competition among hospitals in this state for patients and competition in rates. And he is saying that a small hospital is going to compete against

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large hospitals and so forth. Well, you know as well as I do that there is no competition in the health field for patients in this state or in any other state. And this gets to the crux of the matter of whether or not we have to have some kind of rate regulation. You know that when you're sick or when anybody is sick, the first thing they want is to go to...they call a doctor. The doctor puts them into a hospital, the hospital that the doctor is affiliated with. Nobody who is sick starts shopping for rates among hospitals. If you're...if you have an emergency situation, you call the ambulance. The ambulance takes you to the nearest hospital. You don't sit up and say, 'Hey, driver, check the rates'. So that we're faced in a...with a situation in health care in which there is no real competition; and where there is no real competition, there has to be some kind of rate regulation. I would urge that we defeat this Motion."

Speaker Daniels: "Further discussion? The Lady from Cook, Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to support the Motion and to correct something that the Sponsor of the Bill said. I'm sure he did not mean to mislead anyone, but he said that the effect of this Motion would be the same as the Gentleman's previous Motion, because this Amendment is the Bill; and if you put this Amend...if you take this Amendment off, you might as well delete the enacting clause. The Gentleman knows perfectly well that this Amendment beefs up the language in the Bill, but that if this Amendment is tabled, the Bill reverts to its original form which is not noting. It simply extends the date, the sunset date, for the Health Finance Authority. The Gentleman knows perfectly well that removing this Amendment would not defeat the Bill. I urge

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you to vote for this Motion to table this very bad and inequitable Amendment that will cause some hospitals to have competitive advantages over others that are no longer going to be regulated. Thank you."

Speaker Daniels: "The Gentleman from McLean, Representative Bradley."

Bradley: "Mr. Speaker, I have a parliamentary inquiry."

Speaker Daniels: "Proceed."

Bradley: "I understand that the Amendment is now the Bill, the Majority Leader said. And, we are making a Motion now to table the Amendment. If the Motion prevails, are the rest of the Amendments then, which I have #51 in my hand, are they out of order, and, in effect, are we killing the Bill at this time with this Motion if it prevails?"

Speaker Daniels: "Well, your question is anticipatory, and we'll have to wait until we get to that point before we answer that. So, let's see what happens on the pending Motion. Further discussion? The Lady from Cook, Representative Chapman."

Chapman: "Mr. Speaker and Members of the House, I am a little bit nervous as I find myself agreeing with two Members on the other side of the aisle with whom I do not frequently find myself in agreement. But, I believe Amendment #1 should be tabled. I happen to like the Bill as it was originally introduced. And, I believe that Amendment #1 is not consistent with the purpose of the original Bill. The...the purpose of the Bill, which extends the life of the Illinois Health Finance Authority, the purpose of the Authority is to provide for rates that are fair, not only to the...the hospital, but also are fair to the payer, whether it is the State of Illinois or some private citizen in the State of Illinois. What Amendment #1 does that is much more important than the impact which is a minor one on

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the small hospitals, what Amendment #1 does that really requires it to be tabled, I believe, is that it removes the determination on basis of reasonable cost from the Bill. This is a...a basis that, I believe, is an important basis to continue to include. Otherwise, we are giving to the Department of Public Aid the power of life and death over many of our hospitals, because in setting rates, they will not need to use this standard of reasonableness. Now, the hospitals tell us that right now, the proposals of the Department of Public Aid would cut their reimbursements by about 30%. Let's vote with what is fair for hospitals and vote with Mr. Vinson to table Amendment #1."

Speaker Daniels: "The Gentleman from Cook, Representative Zito."

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

Speaker Daniels: "The Gentleman has moved the question. The question is, 'Shall the main question be put?'. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Gentleman, Representative Vinson, to close on the Motion."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am absolutely appalled by some of the things that the Majority Leader stated in regard to this Amendment, and I think it is important that you understand, factually, what the Motion will do. The Motion is a Motion to table Amendment #1. If Amendment #1 is tabled, the effect will be that the Bill will be back in its original posture as introduced. It will extend the life of the Health Finance Authority for some four or five years. The Motion does not castrate the Bill. What the Motion does do, is the Motion removes the efforts of the Sponsors to create a most inequitable situation by exempting some hospitals and trying to buy their support and by covering some hospitals whom they want to step down on hard with their heal. Now,

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in addition to that, what the Amendment does, and what you will be doing if you vote against the Motion; what the Amendment does is to remove the responsibility of the Department of Public Aid to reimburse, for reasonable costs, those small hospitals, the hospitals that you're probably closest to in your districts. Now, if you vote for the Motion to table, then what you will be saying is; number one, we ought to treat all hospitals in the state on the same fair and equal basis; and number two, we should not discriminate on public aid payments among categories of hospitals. For those reasons, I would urge you to vote for the Motion to table, put the Bill back in its original form so that we can have one flat-out vote on whether we ought to continue this concept which has cost hospital customers three and a half million dollars in the past year...past three years and not benefitted them for one dime. I urge a Motion to vote 'yes'. I would urge you, vote green on this Motion."

Speaker Daniels: "The Gentleman from DeWitt, Representative Vinson, has moved to table Amendment #1. The question is, 'Shall Amendment #1 be tabled?'. All those in favor of the table Amendment will vote 'aye', opposed will vote 'no'. The voting is open. The Gentleman, Representative Bullock, to explain his vote."

Bullock: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I urge a 'no' vote on the Motion to table Amendment #1. The Sponsor or the mover of this Motion stated, and I think inadvertently so, that this legislation is intended to give an unfair advantage to large hospitals. To the contrary, this Amendment accepts the real facts that in the health care industry some institutions are smaller, some institutions do need special consideration. I urge you to vote 'no' on this so that we can, in fact, support

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the Governor, support the President and support the consumer, which, in effect, say that we need health care cost containment. Vote 'no'."

Speaker Daniels: "The Gentleman from Lake, Representative Deuster, to explain his vote. The timer's on, Sir."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, as long as I have been a Member of this House there have been many Members talking about equal rights and equality. All this Amendment does is to provide that all hospitals in the State of Illinois are going to be treated equally. If something is good for the goose, it ought to be good for the gander. If you believe that government regulation and red tape is a wonderful thing that is going to benefit all of our hospitals, let's vote on that, and let's apply that legislation to all hospitals big and small. This is simply a vote...a green vote for the concept of equality. Too often, in Illinois law, we exempt somebody because the law is obnoxious, and we think by exempting the little fish, or Cook County or some other area, that we will enhance the passage of bad legislation. This is bad legislation for our hospitals, but at least let's apply it to everybody. If you believe in equal rights, equal responsibility and equal laws for all of the hospitals in Illinois, vote 'yes'. Vote green."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are...record Representative Johnson as 'aye'. On this question there are 59...Representative Huskey 'no'. Johnson 'aye'. Huskey 'no'. On this question there are 59 'aye', 103 'no', 3 voting 'present'. The Gentleman's Motion fails. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Vinson, amends House Bill..."

Speaker Daniels: "Representative Vinson, Amendment #2."

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Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is the mirror image of Amendment #1. Under Amendment #1, the...certain hospitals would not be subjected to the rate-making authority of the agency. They would not be subjected to that rate-making authority, because obviously in the minds of the Sponsors, they should not be. It is not fair to do it. Under Amendment #2, what the result would be would be that the...all of the hospitals would be exempted from rate-making authority under this Act. So, if some of you voted against Amendment #1...against the Motion to table Amendment #1 on the theory that you might be hurting small hospitals. Because of that, you can safely vote on Amendment #2. You can vote safely on Amendment #2, because no hospital, if Amendment #2 is passed, will be subject to the agencies rate-making authority. It is a blow for freedom, if you will. It is a blow for competition. It is a vote against government and against the kind of Department of Public Aid pricing policies which you've seen in the hospital field. I would urge that you vote 'yes' on Amendment #2."

Speaker Daniels: "Any discussion? The Gentleman from Cook, Representative Telcser."

Telcser: "Well, Mr. Speaker and Members of the House, I think Amendment #2 speaks for itself. What Amendment #...what...what Amendment #2 does...would purport to do would be to take from the Authority the ability to set rates. Now, that is the purpose of the Authority, to set rates so to contain hospital costs so that the 11,000,000 people whom we represent can have some reasonable hope that hospital costs would be somewhat contained. Amendment #3, in my judgment, would once again cut out the heart of the legislation and would leave it virtually meaningless. So, Mr. Speaker and Members of the House, I would sincerely

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appreciate a 'no' vote on Amendment #2."

Speaker Daniels: "Further discussion? The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Satterthwaite: "Representative Vinson, what would you see the purpose of the Authority being if this Amendment went on the Bill?"

Vinson: "Well, Representative, the Authority has a variety of other functions, some of which are certainly substantially less objectionable. It might, in fact, be desirable. One function that the Authority has is the requirement...is the ability to require a uniform system of accounting among hospitals. I have, for a long time, long before the Authority was created, felt that that was a desirable objective, that we ought get to a uniform system of accounting so that we can look at hospital accounts and compare them together. That Authority would not..."

Satterthwaite: "What would be the purpose of having that uniform accounting, however, if it were not useful for setting rates?"

Vinson: "Well, it...it would be useful in determining what the state would reimburse hospitals for when we buy our own health care."

Satterthwaite: "So you're saying simply in terms of...of the group insurance that we provide for state employees, it would be helpful for us to have this whole mechanism in force and have the hospitals pay so that the state can have the information to decide where it was going to purchase its group care plan."

Vinson: "No, Representative, it would be useful for that purpose. I don't view that as an adequate purpose actually. I think that the...the more important purpose would be in the

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Medicaid field where we...where the state does a great deal of purchasing. In...in the Medicaid field, we're spending hundreds of millions of dollars and...to have some kind of uniform system of accounting so that the state, when it determines where it is going to purchase hospital care for Medicare and Medicaid recipients, that would be useful in determining, in those instances, where the purchasing would be."

Satterthwaite: "Do you feel that we really can expect the patient, however, to go to a particular place to get this care?"

Vinson: "Well, Representative, one of the things that I would have no objection to doing which could be a subsequent Amendment to this Bill or could be a subsequent statute is requiring patients to choose low-cost facilities, for instance, or disallowing high cost facilities from Medicaid reimbursement. I wouldn't have a problem with that. There are a variety of ways in which that information could be used to minimize the cost to the state in the Medicaid Program."

Satterthwaite: "Thank you."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Huff."

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to oppose this Amendment; because, as I understand it, the Amendment does nothing more than give license to what the Authority has consistently done over the last four years - nothing, and I think it is deserving of our 'no' vote."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, would the Sponsor yield to a question?"

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Speaker Daniels: "Indicates he will."

Ewell: "Mr. Sponsor, I was checking the first 43 Amendments, and I see that you have 13 of them. Is that correct?"

Vinson: "Well, I don't know what the exact number is. I am more interested in concepts than numbers, Representative."

Ewell: "Well, very briefly to the Bill, Mr. Speaker...or to the Amendment. I do believe that Representative Vinson stood...or the Sponsor stood before the Body and told us how he wanted to save time and what all he wanted to do for the Bill. But, I believe what we are witnessing in this effect is nothing more than a blatant attack upon another Member's concept or a concept of a Bill. Now, I believe that Representative Vinson has got the right to introduce his own legislation, write his Bill in exactly the form that he wishes to purvey and to argue to the Membership either up or down; but, for him to put 13 Amendments is totally unrealistic. It amounts to a savage and vicious attack on the concept of the Bill. It is a waste of the Members of this Body's time. And I think he ought to consider it in that manner. And I think not only this first Amendment that he has, but when a Sponsor is this insincere, I don't believe he deserves a vote on any of the Amendments that he would attempt to put to the Bill. Thank you."

Speaker Daniels: "Further discussion? Being none, the Gentleman from DeWitt, Representative Vinson, to close."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I will not compare my record in wasting time with that of the previous speaker on appropriate occasions. I will simply say that we're debating an important question. We're debating the future of the health care industry in Illinois. We are debating whether that should be conducted under competitive market conditions or whether that should

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be conducted under a strategy and a theory of government regulation. Now, I think that Members have looked at the performance of government in recent years. I think Members have seen what government has done successfully and unsuccessfully. And I don't believe any of you can say that government is going to successfully control costs. Anytime government gets into something, costs go up. That was the history of the situation under the wage and price controls in the Nixon administration. It has been the inevitable here...the inevitable result of government regulation of prices. A number of Members are involved in other fields of business, in other fields of private endeavor. How would you like to have government come in and regulate your rates? It isn't appropriate, and it wouldn't result in something desirable. What this Amendment says is that we're going to deregulate the hospital industry with regard to cost. Now, I would call to your attention to a couple of occasions in recent years where we have deregulated industries. Number one, I would call to your attention the situation in regard to the air travel industry. We deregulated air travel. The results were competitive price wars on all of the major routes of air transportation in this country. As a result of deregulating the cost...the air control industry, the air travel industry, we have saved American consumers millions of dollars. I would suggest that you might have a very similar situation in the health care industry. Let me suggest to you the situation in the energy industry. We deregulated the price of oil about a year ago. The result has been the price of oil, the price of gasoline has dropped steadily at the pump in the past year. That's because the forces of supply and demand of competition came to bear on the price of the product. Now, I am going to

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suggest to you, as other Members will, I totally will agree with the idea that there is no pure competition in the health care field. That is obvious. It is obvious that that is the case because of laws that we and the Federal Government have passed, but there is also very little competition, I think most of you would suggest, in the oil industry. And if by getting the heavy hand of government out of the regulation of price in the oil industry, you get prices to go down, then why in the world would you not expect prices to go down if you get government price regulation out of the health care industry? I would move for Amendment #2 and urge an 'aye' vote on Amendment #2."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #2. All those in favor signify by saying 'aye', opposed 'no'. The Gentleman requests a Roll Call. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are...on this question there are 52 'aye', 98 'no', and 4 voting 'present'. The Gentleman's Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Vinson, amends House Bill 2474..."

Speaker Daniels: "Representative Vinson, Amendment #3."

Vinson: "Mr. Speaker, just so that Members of the Body will know the purpose. Amendment #3 was drafted in such a fashion that, if Amendment #2 were declared non-germane or out of order, that Amendment #3 would be in order. I am withdrawing Amendment #3, not because of opposition to the Bill..."

Speaker Daniels: "Withdrawn. Further Amendments?"

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Vinson: "...Or because of an intention not to proceed with other Amendments. But, I will withdraw Amendment #3."

Speaker Daniels: "Further Amendments?"

Clerk Leone: "Floor Amendment #4, Vinson, amends House Bill 24..."

Speaker Daniels: "Representative Vinson, Amendment #4."

Vinson: "Mr. Speaker, Amendment #4 addresses the same subject as Amendment #2. It was drafted by the Reference Bureau in the event that it were...Amendment #2 were out of order. And because of that, I'll withdraw Amendment #4."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Vinson, amends House Bill 2474..."

Speaker Daniels: "Representative Vinson, Amendment #5."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 is on a different subject. We discovered, in the course of Appropriations Committee hearings on the Health Finance Authority, that the Authority had acquired, in some case, more than two calculators per employee. Now, I want everybody to understand that. They had gone and, through their purchasing department, bought more than two calculators per employee. Now, that meant that some employees had to be ambidextrous. In fact, every employee would have had to have been ambidextrous to use those two calculators. I ask you, should any agency of government be allowed to buy more than two calculators per employee? The purpose of the Amendment is to enact that simple standard. It would prohibit the Authority from acquiring more than two calculators per employee. It's a...Voting for this Amendment is a vote against government waste and extravagance, and I would just urge that you vote in favor of this Amendment."

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Speaker Daniels: "Gentleman from Cook, Representative Telcser."

Telcser: "Well, Mr. Speaker and Members of the House, I'm not quite sure how to respond to the Gentleman's Amendment which, obviously, I oppose. I think the subject matter, in of itself, indicates the depth of its importance. I don't really think it's overly relevant to the Bill. I don't know the... I'm not quite sure the etiology of the two calculators per employee. If the employee happens to travel about the state and work in three to four offices, or just why it's been introduced altogether. Obviously, I rise and oppose Amendment #5. I really don't think it's of any great importance to the legislation."

Speaker Daniels: "Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask the Sponsor a couple of questions, please."

Speaker Daniels: "Proceed. He indicates he'll yield."

Pullen: "Representative, how many offices does the Health Finance Authority have?"

Speaker Daniels: "Representative Vinson."

Vinson: "My understanding, Representative, is the Agency only has one office, at the present time."

Pullen: "So, if these employees are traveling around the state, going from office to office where they have their calculators, whose offices are they using where they have their calculators?"

Vinson: "It's beyond me to even theorize whose offices they might be using. In any event, they would have to be leaving the calculators at some office other than their own, and it would suggest to me that that's irresponsibility of the state property."

Pullen: "Suppose they're taking them home?"

Vinson: "Well, they might be taking them home. That's a fair guess, too."

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Pullen: "Representative, would you characterize this Amendment as a cost-containment measure?"

Vinson: "As a cost-containment measure? Yes. It's certainly a cost-containment measure. Beyond that, it's just a measure of common sense. I don't see why we ought to fund any government agency to have more than two calculators per employee. I can't understand how anybody can argue with that concept. There's a lot of things you can argue with on the theory of cost-containment, on the theory of how you regulate the rates in the hospitals, but how in the world can you argue that any agency of government should have more than two calculators per employee? I just don't understand it."

Pullen: "Representative, did you Sponsor this Agency's budget last year?"

Vinson: "I... I don't believe so."

Pullen: "Gosh, I thought you did. Was there..."

Vinson: "I think what you're having reference to is that, in a Conference Report, they forced it on me. I never sponsored the original Bill."

Pullen: "Okay. I can't remember my other question. So, I'll end. Thank you."

Speaker Daniels: "Gentleman from Cook, Representative Piel."

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

Speaker Daniels: "Question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Gentleman, Representative Vinson, to close."

Vinson: "Mr. Speaker, this is a pretty simple Amendment. It just says that the Agency can't buy more than two calculators per employee. Now, I don't understand how anybody can vote to let an agency buy more than two calculators per employee; but, if you can, you can, and apparently, the

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Sponsor of the Bill feels that it's appropriate. I don't know what level he would suggest; three, four, a hundred. I af... I'm afraid that he would suggest that the Agency shouldn't be limited on this at all. I'm just suggesting that there be... should be a limit, and their limit should be two calculators per employee. I'd ask for a 'yes' vote on Amendment #5."

Speaker Daniels: "Gentleman moves the adoption of Amendment #5. All those in favor signify by saying 'aye', opposed 'no'. The 'nos' have it and... Is the Gentleman joined by five people to request a Roll Call? Gentleman requests a Roll Call. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 53 'aye', 82 'no', 7 voting 'present'. This Motion to adopt Amendment #5 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Vinson, amends House Bill 2474."

Speaker Daniels: "Excuse me. For what purpose does the Lady from Champaign rise?"

Satterthwaite: "An inquiry, please. Do I understand that Representative Wikoff is absent today because of a death in the family? Is Representative... Oh, I'm sorry. Excuse me."

Speaker Daniels: "Representative Satterthwaite. Representative Wikoff, would you stand up? This is Representative Wikoff. Have you two met before? I know you'll be meeting again several times. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Vinson, amends House Bill 2474..."

Speaker Daniels: "Representative Vinson, on Amendment #6."

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

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Amendment #6 was drafted in the alternative of it, in the event the Parliamentarian might make a ruling that Amendment #5 was out of order or nongermane; that Amendment #6 would be in order and/or germane. And, because of that and because it deals with the same substance, and because this House has, apparently, decided that it wants more than two calculators per employee at the Health Finance Agency, I would withdraw the Amendment at this point."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #7, Vinson, amends House Bill 2474..."

Speaker Daniels: "Representative Vinson, Amendment #7."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This also deals with the question of two calculators per employee. It was also drafted with the same purpose in mind; and, because this House has expressed its will on the subject of two calculators per employee, I would withdraw this Amendment at this time, Mr. Speaker."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #8, Pullen, amends House Bill..."

Speaker Daniels: "Representative Pullen, Amendment #8."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, I ask for your very serious and positive consideration of this Amendment. The Amendment restricts the Authority from approving any hospital rate which would have the probable effect of reducing the hospital's revenues, sufficiently to decrease its debt instrument rating by the financial community. I think this is a very serious concern that the Authority might not take into consideration, in its zeal, to contain rates, not costs, the problem of hospitals' financing, sometimes their operation, sometimes capital projects, with bonds. We are always very careful, presumably, to keep from affecting the State of Illinois'

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bond rating. We are always very proud of our AAA bond rating that the state has; and, as the legislative Body of the state, we take into account that rating when we make some decisions. The Authority has the ability, under the legislation as it exists now and under this Bill, to take from the boards of the hospitals, that are responsible for the conduct of the financial operation of those facilities, many of the decisions that the boards, normally, would make. They're responsible to the hospitals. It has the authority, without this Amendment, to, in fact, so curtail a hospital's rates that the hospital's debt rating, debt instrument rating, might be jeopardized. This Amendment would require the Authority to take that problem into consideration and would prevent the Authority from approving a rate that would be mindless of the affect on the bond ratings of the hospital. I am very sincere about this Amendment. I think it improves the legislation, and I urge its favorable consideration."

Speaker Daniels: "Any discussion? Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, I, frankly, share the Lady's concern about a hospital's ability to maintain its access to credit; and, in order for any institution or any business to maintain that access, it has to have a logical flow of revenue so that the bond awarding services can feel assured of awarding the proper rating. I would like to point out to the Members of the House, however, that that is, basically, already a part of the law. If one looks at Section 9.08, Rate Changes, you see a number of Sections devoted to... or language dealing with interest of funds that are borrowed, maintaining adequate working capital, meeting annual debt retirement needs; and, also, there is language which states that it shall establish or

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maintain the credit position required for an ongoing business to obtain borrowed or invested funds as needed. So, Mr. Speaker and Members of the House, let me first of all say that, in my view, that concept is already embodied in the law; the concept of maintaining the fiscal integrity of the institution. What I'm afraid would happen, if we adopt Amendment #8, we would be putting the Agency in the position of having to go to the bond awarding services and help those institutions fight for their bond rating. That, I think, would do the converse of what the Lady wants to be done really ultimately; that is the reduction of a bureaucracy or the inhibiting of a growth of a bureaucracy. So, Mr. Speaker and Members of the House, on both counts, I rise to oppose Amendment #1(sic, #8); the first count being that I believe the general principles already exist in the law; and secondly, I believe Amendment #8 would add to the bureaucracy and the responsibility of the Agency. Please vote 'no'."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Once again, I rise in support of the Majority Leader's remarks. He's absolutely correct. It is embodied in the legislation; but, in the event that is not substantial evidence to convince the movement of this Motion, I also call to her attention that there are two other agencies in State Government that would be able to check or to counter against this from happening. One is the Certificate of Need concept that we have in our state dealing with capital construction. A hospital would obviously have to pursue that before they expanded capital construction. The other of which we have is a separate bonding authority in the State of Illinois, the Illinois

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Health Facilities Authority, of which is intended to help hospitals who need cash for capital construction, and it merely forces them to go through the process and justify that they are competent enough to undertake such capital expansion. The whole intent of 2474, as amended with Committee Amendment #1, is to, in fact, prevent against the very thing that you argue for here, which is empire building on behalf of health facilities, particularly hospitals. And I think that we are going to have to come to the realization in this state that we're going to state, as a matter of policy, that we are not going to allow that kind of empire building that you so surreptitiously attempt to foster upon this Body. I think the Amendment should be defeated. I think the Majority Leader's absolutely correct, and I think we should move on to the next Amendment and vote 'no' on Amendment #8."

Speaker Daniels: "Gentleman from DeWitt, Representative Vinson."

Vinson: "Well, just so that Members of the House understand. What this Amendment does is to simply say that the Agency, in setting rates, have to take into account the viability of hospital bonds. If you destroy the hospital bond market in this state, there's never going to be any improvement in hospitals in this state, and what this Amendment does is direct the Agency to take that into account. I would move for adoption of the Amendment, too."

Speaker Daniels: "Further discussion? Lady from Cook, Representative Pullen, to close."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, if I did not believe this Amendment were needed, I would not be offering it. It does not have the effect of having the Authority go to anybody to go to bat for a hospital's bond rating. It has the effect of requiring the Authority to take into account the likelihood of damage to the bond

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rating, if a rate is set, that would have that effect. This is a good Amendment. It improves the legislation, and I am disappointed that the Sponsor is so anxious to have the legislation exactly the way it came out of Committee that he won't even accept a good Amendment. I urge its adoption. Thank you."

Speaker Daniels: "Lady has moved for the adoption of Amendment #8. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. 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 60 'aye', 80 'no', 7 voting 'present'. This Amendment fails. Further Amendment."

Clerk Leone: "Floor Amendment #9, Pullen, amends House Bill..."

Speaker Daniels: "Representative Pullen, Amendment #9."

Pullen: "Mr. Speaker, withdraw Amendment #9, please."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #10, Pullen, amends House Bill..."

Speaker Daniels: "Representative Pullen, Amendment #10."

Pullen: "Withdraw Amendment #10, please."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #11, Vinson, amends House Bill..."

Speaker Daniels: "Representative Vinson, Amendment #11.
Representative Vinson. #11."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #11 is simply cost containment on the Authority. It does not mandate that the Authority go out of existence. It does not mandate that it limit the number of calculators it buys. It does not mandate the number of employees that it hires. It simply will reduce the expenses on which it is calling on the hospital industry and consumers of health care to pay to subsidize it. We, currently, have a one-tenth percent of the annual operating

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expense of each hospital taxed to create this Authority. Naturally, as all of you understand, that's passed on to health-care consumers. What the Amendment would do would be to elimin... to limit that cost to one one-hundredth percent of the annual operating expense of each hospital. It simply would reduce the amount of tax that it can levy. It's a taxpayers' rights Amendment. It's an Amendment to protect the consumers of health care, and I would urge an 'aye' vote on the Amendment."

Speaker Daniels: "Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, I rise to oppose Amendment #11, what the Gentleman has offered. In effect, what this does is deny the Agency the ability to function; and, I think, could have, in theory at least, the effect of not funding the Agency at all. The Gentleman has, however, filed other Amendments numbered between 22 and 28, and I believe there are one or two of those which I would be delighted to accept so that we....and, in doing so, I would accept the Gentleman's thesis that the Agency ought to live within its means and have a little closer parameter than which to function. But Amendment #11 is not one of those. The rate which he sets in Amendment #11 is far too narrow and would cripple the Agency greatly. So, I would hope the Gentleman will... I would urge the Members of the House to vote 'no' on the Gentleman's Amendment #11."

Speaker Daniels: "Further discussion? Gentleman from Sangamon, Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, one of the objects and purposes of people who are against any kind of government activity in any field; one of their prime ways of doing things is to cripple that agency so that agency can't do anything. What we have in this state is a situation with the Health Finance Authority. It's very

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similar to the Illinois Commerce Commission, which also deals with rate regulation in an area in which there is no competition and no real competition in the economic activity. And what we have done with the Commerce Commission is to cripple the Commerce Commission so that we have, in this state, presently, probably a 30% oversupply of energy capacity, and that translates into higher rates. And the reason why we have that oversupply is, because the Commerce Commission has, historically, had to accept the figures that the utilities have given them, in terms of both future demand, and also, the cost of building the basic equipment. And, so that, when the utilities have come in and overestimated demand and underestimated costs, the utilities... the Commerce commission has had to accept those numbers, because the Commerce Commission has not had the facilities in which to check those numbers itself. So, what we have, in this situation, is this same person, who wants to cripple the Health Finance Authority, is to say, 'Okay, we'll have a Health Finance Authority, but we won't give it any... any resources. They'll have to take all of the numbers that the hospitals give them. They won't be able to check those number themselves', and so they're going to be able to come back and say, 'See, it doesn't work'. It doesn't work with the Commerce Commission, because the Commerce Commission has not been able to double check the figures of the utilities; and, if they can't check the numbers of the hospitals, then, of course, it's not going to work there either. So, I think that this is the kind of an Amendment which is designed to cripple the whole function; and, if we adopt this Amendment, we might as well kill the Agency. And I would urge a 'no' vote."

Speaker Daniels: "Further discussion? Being none, the Gentleman

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from DeWitt, Representative Vinson, to close."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When the tax eaters begin to argue that they can save a little money but not a lot, you know they can really save a lot, and that's what this Amendment comes down to. It comes down to putting a real tight limit on the tax eaters, and they've already admitted waste and extravagance in their response to this Amendment. So, I suggest to you that, rather than giving them a loose reign, we ought to give them a tight reign and pull it in on this Amendment. I would urge an 'aye' vote on the Amendment."

Speaker Daniels: "Gentleman moves for the adoption of Amendment #11. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 44 'aye', 104 'nays', 8 voting 'present'. Amendment #11 fails. Further Amendments?"

Clerk Leone: "Amendment #12, Bower, amends House Bill..."

Speaker Daniels: "Representative Bower, Amendment #12."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #12 would provide that any hospital or third-party payer that is affected by a decision of the Authority could seek judicial review in any cour...Circuit Court, in which any of the parties affected maintain an office. In other words, rather than having to come to the Circuit Court of Sangamon County, it could be held in the local area of where the hospital is located. It also establishes the burden that the Court must view, in order to decide whether or not the decision of the Authority should be upheld. I believe that this is fair and equitable and would certainly serve the best interests of our local hospitals. I urge its adoption."

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Speaker Daniels: "Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, obviously, I rise to oppose Amendment #12. I know the Gentleman's thought on the question is one which, perhaps from some point of view, has some merit. However, I'd like to point out to the Members of the House a number of considerations one should make in connection with Amendment #12. Number one, everyone is familiar with the backlog in the court system. All those cases would be wrapped up in local Circuit Courts, for God knows how long. The cost to the state and to the taxpayers, to defend or to prosecute these cases, would be enormous. The bureaucracy would be overwhelmed, and what would happen is that no one would be served. The public, whom we're trying to protect with this legislation, would not only be let down by the Agency because of their inability to function, but they would be the ones who would have to bear the burden of paying the taxes for lawyers, court systems and what have you so as to fight through the bureaucratic mess. Amendment #12 simply does not belong in this type of agency. It never was the Agency's intent. It would serve no purpose for anyone; and, Mr. Speaker and Members of the House, I rise to oppose Amendment #12."

Speaker Daniels: "Gentleman, Representative Bower, to close."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think it's only fair that the Health Finance Authority should be subjected to the same kind of scrutiny in our local Circuit Courts, that most other agencies are when it comes to judicial review. If you're for your local hospitals, you're going to be for this Amendment. I urge its adoption."

Speaker Daniels: "Gentleman's moved for the adoption of Amendment #12. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish?
Take the record, Mr. Clerk. There are 56 'yea', 90 'no', 6
voting 'present'. Amendment #12 fails. Further
Amendments?"

Clerk Leone: "Floor Amendment #13, Bower, amends House Bill
24..."

Speaker Daniels: "Representative Bower, Amendment #13."

Bower: "Withdrawn."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Amendment #14, Bower, amends House Bill..."

Speaker Daniels: "Representative Bower, Amendment #14."

Bower: "Withdrawn."

Speaker Daniels: "Withdraw 14. Further Amendments?"

Clerk Leone: "Floor Amendment #15, Ropp, amends House Bill..."

Speaker Daniels: "Representative Ropp, Amendment #15."

Ropp: "Thank you, Mr. Speaker and Members of the House.
Amendment #15 to House Bill 2474 deals with the Health
Finance Authority, stating that it shall not approve any
hospital rate, until it demonstrates, by clear and
convincing evidence, that such rate is less than the rate
which would be in effect in the absence of the rate
regulation, which means that, in a further attempt to
provide lesser cost for services to patients, that these
rates would, in effect, be reduced and that they should not
be any higher than whatever would be the normal cost of an
ongoing operation. I urge your favorable support of
Amendment #15."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, the thrust of
what Represen... the Gentleman wishes to do in Amendment
#15 is a commendable one; and, after all, his charge would
give to the Authority. But, in Amendment #15 sets forth
absolutely no standards, no rules, no method by which we

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could quantitatively carry out the functions contained in Amendment #15. The Amendment is very specious. It's... One would be absolutely in an untenable situation, if one had to live with the language in Amendment #15. In my view, Amendment #15 is simply meaningless. It carries with it no weight, no standards, no rules, no regulations, no way by which the Authority can prove up what the Gentleman wants it to do. Amendment #15 ought to be defeated, and I appreciate a 'no' vote."

Speaker Daniels: "Representative Ropp, to close."

Ropp: "Yeah, Mr. Speaker, Members of the House, thank you. I think, because of all those good reasons and good judgment, which this Amendment provides for th Health Finance Authority, that's a good reason to vote for Amendment #15."

Speaker Daniels: "Gentleman's moved for the adoption of Amendment #15. All those in favor will signify by saying 'aye', opposed 'no'. 'Nos' have it. Amendment #15 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #16, Ropp, amends House Bill..."

Speaker Daniels: "Representative Ropp, Amendment #16."

Ropp: "Mr. Speaker, please withdraw."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Amendment #17, Ropp, amends House Bill..."

Speaker Daniels: "Representative Ropp, #17."

Ropp: "Yeah, Mr. Speaker, please withdraw that."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Amendment #18, Hudson, amends House Bill..."

Speaker Daniels: "Representative Hudson, Amendment #18."

Hudson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #18 simply substitutes the terminating date. It changes... It deletes October 1, 1987 and inserts in lieu thereof January 1, 1983. Now it argues, reasonably, to us that, even if one were to agree that this

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Authority should be extended for some period of time, there is no reason to extend it for a period of five years. That is an inordinate length of time to extend the authority of an agency that has really failed to prove its proper functioning. So, this Amendment would simply cut the extension time down to three months, instead of five years, in which time, an orderly phase out of the operations of the Authority could be conducted. And, we would argue, Ladies and Gentlemen, that this is entirely appropriate. It's reasonable. It's a moderate approach, and we would urge your careful consideration of this salutary change."

Speaker Daniels: "Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, in the first instance, I think the Amendment is out of order. It does not say 'as amended'; but, nevertheless, Mr. Speaker and Members of the House, all Amendment #18 would purport to do is to extend the Agency for three months. That clearly is a pointless activity in which to engage. It does nothing for the Agency. It does less for the people of Illinois, and it certainly, in my view, does nothing to increase the credibility of this chamber. Amendment #8... Amendment #18 is of no value whatsoever and; therefore, Mr. Speaker and Members of the House, I rise to oppose Amendment #18."

Speaker Daniels: "Representative Hudson, Amendment #18."

Hudson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't agree with the previous speaker at all. I think this is a good Amendment. We have witnessed here this afternoon the adamant resistance to any change in this Bill whatsoever; changes that are necessary. We have seen proposals that would treat hospitals alike fail. We have seen efforts to deregulative this whole business fail. We have seen cost-containment measures fail. We have seen efforts to set rates; that is, to take ... take the bond

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ratings into account, fail. We have seen efforts toward a judicial review fail. We have seen almost every suggestion, no matter how good or no matter how well intended, fail to date, and it's obvious to us all that no, apparently, no changes, whatsoever, in this whole proposition are to be booked or are to be countenanced. I simply repeat, Ladies and Gentlemen, that I think we should consider this matter on its record, this Agency... review Agency, on its record, this Authority on its record, and I don't think it has been proven yet here this afternoon that it deserves to be extended. Even if it is to be extended, that it deserves to be extended for a period of five years. Certainly, a lesser... a less extension... a lesser extension of time is entirely in order. I don't think it's unreasonable. I think, as a matter of fact, it is the right action to take on this Bill, at this time, and I would urge, Mr. Chairman(sic, Speaker) and Ladies and Gentlemen of the chamber, that you vote 'yes' on this Amendment. And I would request a Roll Call on this Amendment."

Speaker Daniels: "Gentleman moves for the adoption of Amendment #18. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 38 'ayes', 97 'nos', 6 voting 'present'. Amendment #18 fails. Further Amendments?"

Clerk Leone: "Amendment #19, Johnson, amends House Bill..."

Speaker Daniels: "Representative Johnson, Amendment #19."

Johnson: "Mr. Speaker and Members of the House, this Amendment is the ultimate test of whether Members of this chamber, who have spoken so loudly on behalf of local government, really mean what they've been saying. This Bill is... This

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Amendment to the Bill would allow local units of government, home-rule units, to regulate hospital authorities. This concept is the ultimate speech, I guess, for the authority of local government; and, if there's an area that local government ought to be involved in, this is certainly the area. For those of you who spoke so loudly in favor of home rule when it came to condominiums and those of you who spoke so loudly for home rule when it came to the gun control issue, this issue, this concept is one where home rule, a hundred times over, ought to be able to be exercised. I think this is an Amendment that ought to get 177 votes, if there's that many people here, and I urge a 'yes' vote on the Amendment."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, Amendment #19, in light of the Amendments which have already been offered, is really very interesting, and I can't quite get it in my mind just what the position is of those who are offering the Amendments. You may recall, in earlier Amendments that were offered, in which the people who offered the Amendments talked about the unfair competition of nearby hospitals, some being regulated and some not be regulating. And now we come along with Amendment 19 which could, conceivably, have different rates and different types of regulation from home-rule unit to home-rule unit, and I ask you, what kind of competitive disadvantage would then exist from hospital to hospital? Amendment #19 is ... flies in the face of what the other Amendments, which were offered, purport to do. It seems to me, Mr. Speaker and Members of the House, that there ought to be a vast majority, if not the entire Body of this chamber, voting 'no' on Amendment #19. It simply makes no logical sense, whatsoever, to have

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Amendment #19 as part of this legislation. I urgently...
solicit your 'no' vote."

Speaker Daniels: "Representative Conti."

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House,
I think the author is probably referring to me, because
I've been about the most vociferous when it comes to home
rule and protecting home rule. But there are some 200
municipalities in Cook County; and, if you talk about
creating a bureaucracy in the administrative costs, this is
something we certainly don't need and something we
certainly couldn't handle, and certainly... we certainly
shouldn't have within our power. I also wish you to vote
'no' on this Amendment."

Speaker Daniels: "Representative Johnson, for what purpose do you
rise?"

Johnson: "Well, just to clarify. Representative Conti, this
Amendment doesn't mandate each one of those 200 units of
government to enact ordinances to regulate authorities.
This simply allows them to do it, if they so choose."

Speaker Daniels: "Representative Vin..."

Johnson: "I wasn't referring to you. You voted right on Senate
Bill 160, Representative Conti."

Speaker Daniels: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. I think this is a fascinating Amendment. It will,
as you recall, it parallels a Section that used to be in
the Public Utility Act in the Commerce Commission, under
which a home-rule unit, a unit of local government could
oust the regulatory authority of the Commerce Commission
and regulate rates itself, if it so desired. I think all
of you know that the rate increases for hospitals have been
comparable to the rate increases for utilities. I think
the intensity of concern about this is as substantial on

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the part of the public as with the utility issue, and I would urge people to consider to give some other agencies of government, that may have a better way of doing it and may be closer to the people, that authority. This is for home rule. This is for local government. This is a Jeffersonian Amendment, and I would urge its adoption."

Speaker Daniels: "Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I was wondering if the Sponsor would yield for a question? He indicates that, yes, he will."

Speaker Daniels: "He indicates he will."

Bullock: "Representative Johnson, do you have any idea of how many public hospitals there are in the State of Illinois?"

Johnson: "Do I have the exact number? No, I don't."

Bullock: "Do you have any idea how many private non-for-profit hospitals there are in the State of Illinois?"

Johnson: "I don't have the exact numbers on that. If... If that's information you desire, I'll be glad to procure that for you, Representative Bullock."

Bullock: "Well, there are in excess of 300 private non-for-profits and, certainly, less than a third of that number would be public. But, you know, to the Amendment, Mr. Speaker. In the event that we had 100% public institutions in the state, Representative Johnson, I think the Amendment might touch reality, but the fact that we have a large percentage of private industry institutions in the state, I don't think you would be an advocate of municipalities regulating and controlling services in private institutions. I don't think you want the City of Chicago going into Mercy Hospital telling it about its rates and... and I don't think you'd want the City of Champaign going into the hospital, private facility, telling them what to do. I think, if you rethought the process, you'd

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realize here that the Amendment does not touch on reality, and the reality is, at this point, is that the majority of the institutions are private non-profit. The state does have a legitimate role, which you as an attorney know, we cannot, even in the home rule, advocate to municipalities, and one of those is the power to tax. I think that what you're trying to do here is that you're trying to add confusion to the debate. The debate simply boils down to whether or not we want to reduce hospital rates and if we are going to allow a state authority, a state organism, to serve that function. We can't advocate, and we can't force that to the units of local government; and, for that purpose, Representative, unfortunately, I stand in opposition to Amendment #19 and would urge the Members of this Body to vote 'no'."

Johnson: "You started your comments, Representative Bullock, by framing it in terms of a question. So, since your prefaced your comments in that regard, I'll answer your question. I don't know... The thrust of your comments was that Mercy Hospital and Carle Clinic don't want to have their policies dictated by the City of Chicago. I agree with that. That's the whole purpose of this Amendment, is to allow individual units of government to regulate, according to the particular needs of their own community. I don't know... I don't see how, in the world, anybody could interpret Amendment #19 to allow the City of Chicago to tell Mercy Hospital and Carle Clinic how to run their operations. One of the problems is that's what's happening right now. We're having state authority in the City of Chicago telling downstate hospital authorities how to run their own business. It's exactly the opposite. You've made the most eloquent argument, as you always do; but,

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unfortunately, you made the argument in favor of the Amendment, rather than against it."

Speaker Daniels: "Further discussion? Representative Johnson, did you just close?"

Johnson: "No, I'll close. Mr. Speaker and Members of the House, this is not an Amendment to be taken lightly, nor is it an effort to try to destroy the Bill. Representative Telcser's comments were interesting, only they weren't addressed to me. I haven't played any active role, and I don't intend to on the various Amendments that have been offered to this Bill. But it's interesting to notice that the Majority Member... Majority Leader and other Members of this chamber, who stood out so strongly against Senate Bill 160 and other preemption measures, are now reversing their thinking process and saying, 'Well, this is an area that we should have statewide control in. If there's an area where individual communities, individual units of government ought to be able to direct themselves towards, it's this area. Each community differs. Cairo, Illinois differs dramatically from Chicago, in terms of needs, in terms of costs, in terms of the provision of health care; and, for those reasons, units of government, in those particular areas around the state, ought to be able to address themselves to unique needs of the community. This is not an Amendment that is intended to destroy the Bill. It's an Amendment that directs itself to some real problems, in terms of the provision of health services in the State of Illinois today. If you really believe in home rule, if you really believe in local government, then this ought to be the easiest vote of any Amendment or any Bill that we have before us on the Calendar. I urge a 'yes' vote."

Speaker Daniels: "Gentleman's moved for the adoption of Amendment #19. All those in favor signify by voting 'aye', opposed

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by voting 'no'. The voting's open. Representative Satterthwaite, to explain her vote."

Satterthwaite: "Well, Mr. Speaker and Members of the House, I really wanted to ask a question of the Sponsor. My concern is that this really does not parallel the other instances of local home-rule authority. I would assume that, if this Amendment were to be adopted, we would end up by each home-rule authority being able to demand from the Medicaid system any rate of reimbursement that they choose to set for a particular service. I'm not sure that the state can afford to have that kind of rate setting mechanism, and I vote 'no'."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 37 'aye', 115 'no', 6 voting 'present'. Amendment #19 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #20, Johnson."

Speaker Daniels: "Representative Johnson, Amendment #20."

Johnson: "I would move to withdraw #20, even though this vote was so close."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Amendment #21, Johnson."

Speaker Daniels: "Representative Johnson, Amendment #21."

Johnson: "Well, again, I would move to withdraw Amendment #21."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #22, Vinson, amends House Bill..."

Speaker Daniels: "Representative Vinson, Amendment #22."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think Members are becoming increasingly acquainted with the operation of this Authority and with the purpose of the Authority. The purpose of the Authority is to regulate hospital rates, and the way in which it does it is that it does not do it. It hasn't enacted a single

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rate yet, as every Member knows, but it has imposed a tax of some three million dollars on the consumers of health care in the State of Illinois, on the consumers of hospital care, particularly. Now, what this Amendment would do would be to reduce the cost of that tax. It would cut the tax in half, in about a third, I'm sorry, reduce it by about two-thirds; so that the consumers of health care would not have to, in addition to paying the exorbitant prices that health care providers charge in this state, would not have to subsidize some regulatory agency... I beg your pardon... which has done nothing more than add three million dollars of cost to their health care. Now, if this Amendment had been in effect from the existing of the... from the beginning of the existence of the Authority, what the result would have been would have been that consumers would have been charged one million dollars, rather than three million dollars, and there would have still been no regulation of rates. I think...I think, if you look at those three years, and you had to pay one million dollars to get nothing; that's a better deal than having to pay three million dollars to get nothing, which is what you, in effect, did. And so I would move for adoption of the Amendment."

Speaker Daniels: "Any discussion? Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker, as a point of information, let me simply say that the Agency has never exceeded a rate of .035 yet. So, the Gentleman's remarks are simply not accurate. They could go to a higher limit, but they haven't. I'd like to point out to the Members and to the Sponsor of this Amendment that he has filed Amendments 22, 23, 24, 25, 26, 27 and 28, all which deal with the same subject matter; that is, putting a ceiling on the maximum amount which the

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Agency could charge. I would be delighted, in the interest of time, although, with somewhat reluctance, to accept Amendment #27, which reduces the maximum from 1.0 to .075, even though the Agency has never yet exceeded .035, in the interest of time. There are a lot of Amendments filed to this Bill. Other Members want their matters heard. I want to inform the Gentleman that I will take Amendment #27 so that, if he wishes, he could withdraw or table the other Amendments; and, we can go on to Amendment #29."

Speaker Daniels: "Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, in response to the Gentleman's offer, you would accept Amendment 27, which would have a rate of .075. Would you consider accepting Amendment #28 instead, which would have a rate of .05? Now, you admit you have not exceeded the rate of the current Amendment, .035. Could we just work out a deal here where you compromise a little bit more?"

Speaker Daniels: "Gentlemen. Representative Telcser."

Telcser: "I got a counter offer? I will take 28, if you'll table all the rest of the Amendments. Withdraw them all. Finish it up. I'll take 28. Everybody else withdraw their Amendments. We go home. We've got a deal."

Vinson: "Mr. Speaker, I'll make you this deal and a better offer yet. You accept Amendment 22, which you've never exceeded the cost of before, and I'll take..."

Speaker Daniels: "Excuse me. Representative Vinson. Representative Vinson, excuse me, Sir. While the two of you walk next to each other to the aisle there, I will recognize Representative Darrow, who's screaming at his seat, because he wants to object to what you're doing. Representative Darrow."

Darrow: "Speaker, we are on Amendment 22. They are not addressing that. I wish you would have them address Amendment #22.

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If they wish to discuss this, we could take it out of the record."

Speaker Daniels: "Representative Telcser."

Telcser: "The Gentleman is quite right. I had simply attempted to save the Members of this Body some time by informing them that we would be delighted to take Amendment #27, thereby eliminating the need to debate each Amendment individually. If the Gentleman doesn't wish to take that Amendment, let me simply rise then in opposition to Amendment #22. Amendment #22, in my opinion, would unnecessarily constrain the ability of the Agency to function. This is an Amendment which was similar to Amendment #11, which this Body defeated a few minutes ago. This would have the effect, almost, of having an Agency and, yet, not giving it the proper funding mechanism. And so, Mr. Speaker and Members of the House, I rise to oppose Amendment #22, again, pleading with the Gentleman to withdraw the other Amendments so we could take #27."

Speaker Daniels: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have now successfully reduced the breadth of our disagreement on this issue. So I'll withdraw Amendment 22 at this point."

Speaker Daniels: "Gentleman withdraws #22. Further Amendments?"

Clerk Leone: "Floor Amendment #23, Vinson."

Speaker Daniels: "Representative Vinson, #23."

Vinson: "Okay, Mr. Speaker, I'd withdraw Amendment #23 at this point."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Amendment #..."

Speaker Daniels: "Do you want to withdraw all the way up to 27, Sir or 28?"

Vinson: "Yeah, up to 27, I'd be willing to withdraw."

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Speaker Daniels: "Gentleman withdraws all the Amendments up to Amendment #27. Amendment #27. Read the Amendment, Mr. Clerk."

Clerk Leone: "Floor Amendment #27, Vinson, amends House Bill..."

Speaker Daniels: "Representative Vinson, Amendment #27."

Vinson: "Alright, Mr. Speaker, this is the one the Gentleman said he would accept, and I won't lecture at length on this one, if he continues with his willingness to accept it."

Speaker Daniels: "Representative Telcser."

Telcser: "Well, as I said earlier, I will... we would take Amendment #27. Fine with me."

Speaker Daniels: "Representative Robbins."

Robbins: "I guess somewhere along the line I got lost. If they've never had to use 0.... over .035, why should we double it?"

Speaker Daniels: "Representative Vinson."

Vinson: "We shouldn't. It's just that they got hammer over our head, Clyde. Now, if the... I would move for the adoption of Amendment 27."

Speaker Daniels: "Gentleman moves for the adoption of Amendment #27. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #27 is adopted. Further Amendments?"

Clerk Leone: "Amendment #28, Vinson, amends House Bill 24..."

Speaker Daniels: "Representative Vinson, Amendment #28."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think Amendment #28, particularly coming on the heels of Amendment #27, is a highly desirable Amendment. It, in part, answers Representative Robbins question. It would further reduce the potential cost of this Agency, very substantially. It is a taxpayer Amendment. It's an Amendment for the consumers of health care, and I would move for the adoption of Amendment #28."

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Speaker Daniels: "Representative Telcser."

Telcser: "Well, Mr. Speaker and Members of the House, I'm sorry the Gentleman didn't withdraw 28 along with the rest. We agreed to 27, reluctantly, in accepting the Gentleman's concept. Amendment #28 would constrain the Agency much too closely; and, just as in Amendment #11 or Amendment #22, would be, in effect, creating an Agency and not giving it the tools with which to work. We've adopted Amendment #27. I would, therefore, urge you to vote 'no' on Amendment #28."

Speaker Daniels: "Further discussion? Representative Pullen."

Pullen: "I'd like to ask the Sponsor a couple of questions, please."

Speaker Daniels: "Proceed. He indicates he'll yield."

Pullen: "Are you aware that this Agency has come into the appropriations process of the Legislature seeking a 77% increase again this year in its budget?"

Speaker Daniels: "Representative Vinson."

Vinson: "Representative, I had not seen the budget this year. I certainly share with you the tragedy of that performance."

Pullen: "Did you hear the Sponsor of the Bill to say that the Agency has not spent more than .03%, in any given year at this stage?"

Vinson: ".035, I believe it what he said."

Pullen: ".035. Right, I'm sorry. So, the .05% cap that you propose in this Amendment would not cripple the Agency or roll back any of its already awful expenditures but would allow them to have some unfortunate expansion, without crippling it for the sake of those who believe in this sort of thing."

Vinson: "Yes, you're absolutely right, Representative. I might even point out to you, I believe I remember the House heard this this. At one point, Representative Telcser said to

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me, in discussion of these Amendments, that he would be willing to accept Amendment 28, if other Amendments were tabled. Now, while I certainly can't speak for the other Members who have other Amendments, so I was not able to accept any deals like that. But I think the relevant point from his offer is that they can live with Amendment #28. They can live with Amendment 28 with no problems. It's a fiscal thing. He offered a deal which said that they would live with Amendment 28, if they didn't have to live with the other Amendments. So, I can't... I just have a hard time understanding how he can oppose Amendment #28 now."

Pullen: "Do you think that, at the rate of .05%, they might be restricted in how many calculators they buy?"

Vinson: "No, they'll be able to buy all the calculators they want with this one. We lost the calculator fight way back there in the single figures on the Amendments."

Pullen: "Well, at least this is better than nothing. Thank you."

Speaker Daniels: "Gentleman from Sangamon, Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, this is an Amendment that keeps the same kind of attitude alive in which we penalize a good agency, and we, essentially, say, 'If you spend the money in the past, then what we're going to do is - then you're justified in spending it in the future'. We're saying to an agency that has had a limit of one percent and has never spent more than .35% that we're going to limit them in the future. I think that what we ought to do is to reward the kind of agency that keeps their expenses down. There's absolutely no reason to say that, since you haven't spent the money in the past, you may need it in the future. I think that, if they need it, we ought to give them the resources. They showed... They've showed us that they are responsible, and I think that we ought to defeat this Amendment."

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Speaker Daniels: "Representative Robbins."

Robbins: "Question of the Sponsor."

Speaker Daniels: "Indicates he'll yield."

Robbins: "Is it my understanding that .035 is all that has been levied in the past?"

Vinson: "I don't believe they've ever exceeded .035, according to their testimony."

Robbins: "And how many other agencies have the right, under today's budget, to increase their levy one-third?"

Vinson: "I'm not aware of any that do, Representative."

Robbins: "Are you aware of any units of local government that are in position to increase their levies one-third?"

Vinson: "I'm not aware of any. There may be a few wild examples, but I'm sure not aware of any."

Robbins: "What did you say this Agency has accomplished so far?"

Vinson: "Nothing."

Robbins: "I just want to thoroughly understand this. We're leaving this set up so they could increase the amount by one-third on this, so that they can accomplish three times as much nothing. Is that correct?"

Vinson: "That's the rationale, and they say ... they say it's too tight to do this with."

Robbins: "I...I don't know, but I think you should withdraw this Amendment. They're doing a real good job of doing nothing. Let's leave them alone."

Speaker Daniels: "Representative Vinson, to close."

Vinson: "Thank you. I think Representative Robbins elucidated the issue, Representative Pullen, quite well. The Agency wants to spend more money to accomplish nothing more. This Amendment will tighten their statutory authority to do that. It will restrict them, somewhat, in their extravagance, and I would urge adoption of the Amendment."

Speaker Daniels: "Gentleman moves for the adoption of Amendment

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#28. All those in favor signify by voting 'aye', oppose by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 46 'aye', 92 'no', 7 voting 'present', and Amendment #28 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #29, Hallock, amends House Bill..."

Speaker Daniels: "Representative Hallock, #29."

Hallock: "Thank you, Mr. Speaker, Members of the House. Amendment #29, I believe is a good compromise to the ideas heard here before it today. What the Bill suggests is the repeal date of January 1, 1985 and deletes, therefore, the 1987 date. I would suggest to you that, if you believe that we need this Agency, should vote for this compromise, because I think it's the best way this Bill will pass. I ask your support."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, let me first thank the Gentleman for offering Amendment #29 simply, because he, as many others, have accepted the notion that the Agency's life ought to continue, at least for a reasonable length of time. But I'd like to point out to the Members of the House that the Federal Government; that is Medicare/Medicaid, have entered into a five-year agreement starting in this year, 1982, with the Agency for the purpose of setting rates; and, in order to maintain that uniformity for that five-year period, I would have to rise, reluctantly, to oppose Amendment #29 so that we could extend the Agency's life to be uniform with that agreement from the Federal Government. And so, Mr. Speaker and Members of the House, I would hope and urge a 'no' vote on Amendment #29."

Speaker Daniels: "Representative Hallock, to close."

Hallock: "Thank you, Mr. Speaker. This Agency, so far, has spent

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about three million dollars and done nothing. I would say to all of you here today that, if you believe we should give this Agency one more chance, the only way to give it a chance is to give it a two-year extension and no more. If you believe this is a good idea, I ask for your support. Thank you."

Speaker Daniels: "Gentleman, Representative Hallock, has moved to adopt Amendment #29. All those in favor will signify by voting 'aye', opposed by voting 'no'. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 66 'aye', 80 'no', 8 voting 'present'. Amendment #29 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #30, Roland Meyer, amends House Bill..."

Speaker Daniels: "Representative Meyer, withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #31, Roland Meyer."

Speaker Daniels: "Representative Meyer, withdrawn. Further Amendments?"

Clerk Leone: "Amendment #32, Roland Meyer."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #33, Topinka."

Speaker Daniels: "Representative Topinka, Amendment #33."

Topinka: "Yes, Mr. Chairman (sic, Speaker), Members of the House, I would like to propose this Amendment, because I think it's self-explanatory in that it does not allow any member of the Authority to except gifts, subscriptions, donations and all those goodies, which make like worthwhile. I think the Authority, if it is to remain above suspicion at any given time, should not have to feel that it can take these kinds of little perks. I also don't feel that, if you're going to have an Authority setting rates, that there should

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be any question that maybe the fox is in the chicken coop, and I would ask for the passage of this Amendment."

Speaker Daniels: "Gentleman, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, Amendment #32, the essence of which is very good, and I would... 33? The Clerk has to change it up on the board then."

Speaker Daniels: "3... Is it 33, Mr. Clerk?"

Telcser: "The idea of the members of the board of not having a conflict is a good one and one which I think every Member of this House subscribes to. There's one problem with Amendment #33, however, and that is that this board contains four non-voting members. There are two members from the hospital industry and two members from the insurance industry, both industries of which are very intimately involved in the every day function of this Agency. These four members do not vote, but they are a part of the process for obvious reasons. Now, the four of them, I'm sure, derive their livelihood from receiving compensation from either a hospital or from an insurance company. If you're Amendment cover only the voting members, that would be fine, and we would be delighted to take the Amendment; but, if we take your Amendment including the non-voting members, then the very industries, which are being regulated or effective...affected, lose their representation. And, unfortunately, for that reason, I'm going to rise to oppose Amendment #33 and should this Bill... should this Amendment fail and the Bill pass, I'd be delighted to work with you to have it adopted at some later date in the Senate. But the way the Amendment is drafted now, I would have to rise reluctantly to oppose it."

Speaker Daniels; "Gentleman from Cook, Representative Leverenz."

Leverenz: "The Sponsor yield for a question?"

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Speaker Daniels: "Indicates she will."

Leverenz: "Could you explain what types of gifts or things of that nature the members have received that precipitates the Amendment?"

Topinka: "I think gifts are gifts are gifts. I think we've seen, in recent articles in the newspaper that have been very critical of people who have made very point-blank statements of what they have taken, what they not have taken and the value therein; there was fault found in that which I thought was utmost honesty. Gifts, in general, I think, covers a broad range of things. I'll leave it up to your imagination."

Leverenz: "What have they received already was my question?"

Topinka: "I would not like to embarrass them at this time."

Leverenz: "At what time might you embarrass them?"

Topinka: "If the Amendment is not accepted, I suppose we could get down to brass tacks."

Leverenz: "Does the Amendment provide for a hundred dollar limit or floor or a ceiling?"

Topinka: "No, it does not."

Leverenz: "It has no limits like that?"

Topinka: "No. Gifts are gifts are..."

Leverenz: "Is this a party position across the board?"

Topinka: "A party... I think this is just a people position. I don't think it has anything to do with the partisan type of nature."

Leverenz: "Would this be the only agency of State Government with this type of limitation to it?"

Topinka: "I don't know."

Leverenz: "Could you..."

Speaker Daniels: "Gentleman from Cook, Representative Ewell."

Ewell: "Mr. Speaker, I think that a large number of officials in the state accept gifts and gratuities, starting from the

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Governor; and, if it's good enough for the Governor, I think it ought to be good enough for the members of the board. And I would not separate them from the Governor. Thank you."

Speaker Daniels: "Representative Topinka, to close."

Topinka: "As I said, I think the Amendment speaks for itself. I would ask a favorable vote. It's my intention, too, in answering my colleague here who is presenting the Bill, that we would be covering the voting members; and, if you could accept that, I think we could work that out."

Speaker Daniels: "The Lady moves for the adoption of Amendment #33. All those in favor signify by saying 'aye', opposed 'no'. The Sponsor has not requested a Roll Call. Do you wish a Roll Call, Representative Topinka?"

Topinka: "Yes, I'd like a Roll Call. That would be fine. Thank you."

Speaker Daniels: "Okay. We'll have a Roll Call. All those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 99 'aye', 46 'no', 10 voting 'present', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Amendment #43(sic, 34), Barr, amends House Bill 2474."

Speaker Daniels: "34. Amendment #34, Representative Barr."

Barr: "Yes, withdraw Amendment #34, Mr. Speaker."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Amendment #35, Barr, amends House Bill..."

Speaker Daniels: "Representative Barr."

Barr: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #35 is consistent with the purpose and policy behind House Bill 2474. Rather than being antagonistic to the Bill, it seeks to further the purpose of the Bill, as

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it now stands. House Bill 2474 provides for continuing the life of this Commission; the purpose and duty of which is to establish and approve rates for certain hospitals in the State of Illinois. And what Amendment #35 provides is that, after the Commission, if it ever does, get around to the business of, in fact, establishing and approving hospital rates, it shall, on the request of any hospital whose rates have been established also step in, in the case of that particular hospital, and to set and establish the compensation to be paid by such hospital to its nonprofessional employees. It further provides, by the way, that the Commission will not have the authority to interfere, in any way, with the collective bargaining contracts. So, this Amendment, if adopted, would not interfere with any collective bargaining agreement, but what we're saying here is that, if we... if this Commission is going to set rates, then it must also have the power to set costs because; otherwise, the hospitals are caught in an impossible position. I urge this House to approve Amendment 35. It is consistent and furthers the purpose of House Bill 2474; and, in fact, makes it possible for a hospital to function under the provisions of this Bill."

Speaker Daniels: "Any discussion? Gentleman from Kane...or Sangamon, Representative Kane."

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

Speaker Daniels: "Indicates he will."

Kane: "Representative Barr, what percentage of total hospital costs does the salaries of nonprofessional employees, that are not covered by collective bargaining agreements, comprise?"

Barr: "Of course, it's impossible to answer that question, Representative Kane; because, in some hospitals where there are collective bargaining agreements covering all

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nonprofessional employees, the answer is none. And, of course, this Amendment would have no effect. Other hospitals, which... where the employees are not covered by collective bargaining agree... agreements, it would be a very substantial portion of the cost, and it would vary from hospital to hospital."

Kane: "Well, would you give us a ball park figure for, say, an average size hospital that is not covered by collective bargaining agreements? What percentage of the costs are we talking about here for nonprofessional employees... their salaries?"

Barr: "Representative Kane, it would differ from hospital to hospital..."

Kane: "Can you give us a range then?"

Barr: "No, Sir, I can't. ... would be a substantial part of the cost."

Kane: "What do you mean by substantial; 5%, 15%? Mr. Speaker, Ladies and Gentlemen of the House, I think that its clear that what the proponent of this Amendment is saying is that he doesn't know anything at all about what the costs of hospitals are. He doesn't know what percentage are salary costs. He doesn't know what percentage goes to professional employees and to nonprofessional employees. And why does he single out a one particular type of employee? Why doesn't he cover the professional employees? Why doesn't he cover the capital costs? One of the major reasons why health costs are going up so high is, because we have a tremendous oversupply of equipment, beds and all of those other kinds of things, and he is simply, in this Amendment, giving us something that means absolutely nothing and will have no major effect; and, I would think that we ought to defeat this Amendment soundly."

Speaker Daniels: "Representative Stuffle."

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Stuffle: "Yes, Mr. Speaker, would the Sponsor of the Amendment yield to a question? Representative Barr, two questions, in fact; first of all, along the line of questioning of Representative Kane. I didn't hear the first part of it. Let me ask you this, with regard to your Amendment, what is the recourse of the nonprofessional employee not covered by a contract or collective bargaining agreement, if indeed these rates are set with regard to these people? What recourse do they have if the rate is set at a low... at a low level, to challenge those rates set by the Authority?"

Barr: "Well, I ... I think, Representative Stuffle, what you're asking is not a question directed to this Amendment, but a question directed to the Bill itself; and, it appears that a majority of this House is supporting this Bill and resisting Amendments. And so, I suggest you direct that question to someone who is supporting this Bill, perhaps, the principal Sponsor of it."

Stuffle: "Well, Representative, I don't think that's true. I think, if you read your own Amendment, it says, 'after the rates of a hospital have been established and approved by the Authority, pursuant to this Act, the Authority, on request of such hospital, shall also set and establish the compensation to be paid by such hospital to all nonprofessional employees'. My question was, if that's the case and the hospital requests you to set the rates of compensation for those nonprofessional employees, then, if that is done at some low level, what recourse do those nonprofessional employees have with regard to the rate-setting mechanism?"

Barr: "Alright, Representative, it appears to me that that's a different question you asked the first time, but my answer to your question, as rephrased is, that the nonprofessional employees caught in that problem would have the same rights

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that the hospital now has when the rates were being set and; that is, to go before the Commission and plead with it for a reasonable result."

Stuffle: "The second question is, this sort of front-ends the thing. The hospital can make the request at any time to set these compensation levels. Correct?"

Barr: "That's correct, if the rate has been previously been established for that hospital, yes."

Stuffle: "The nonprofessional employee, on the other hand, say, there is a group but not recognized under a collective bargaining agreement; they don't have the ability, initially, to go to that... to the rate-making authority and ask for that setting of the compensation standards. The only one that does is the hospital. Is that right?"

Barr: "Yes, that's correct, Representative, and there's a good reason for that. It's the hospital that gets caught in the bind. It's the hospital to whom the Commission says, 'This is the rate that you must charge'; and, if that rate is set without any attention being paid by the Commission to the necessary costs that that hospital must incur, then I believe this Amendment is only fair and proper. It gives that hospital an opportunity to say, 'Alright. If you're going to set our rate at this level, we have a problem paying fair compensation to our nonprofessional employees. Alright, Commission, if you no more about the hospital business than we do, you step in and set the compensation for employees as well.'"

Stuffle: "Thank you. Representative Barr, to the Amendment. Let me merely say that I think you have a well-intentioned Amendment; although, I think, as Representative Kane indicated, I think it is one sided. I think it goes too far in one direction. I don't think, necessarily, that the recourse is there that you suggest, and it may be. But I'm

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not so sure, even if is it, that it goes in the right direction. I think it is skid in such a way as to ... as to work against one particular set of employees at the expense, possibly, of that set of employees who aren't covered under the Bill, in the same way, or under the current situation in the state that professional employees would be. These tend to be the lowest-paid people in the first place. I think they deserve to have a protection. They're in the worst set of circumstances, rather than the best. They're not in the position of being able to negotiate. They're not covered by a contract. They're not in the collective bargaining agreement. They're, basically, not obviously in the union or they probably would be in one of those situations, and they're singled out for special and, I think, adverse attention. And I think, for those reasons, this Amendment should be defeated."

Speaker Daniels: "Gentleman from Cook, Representative Bullock."

Bullock: "Well, Mr. Speaker, Representative Barr and I discussed this and I think he's going to withdraw it. I hope he withdraws it. He's knows it's not fair. He know's that hospital costs are not necessarily personnel costs. Hospital costs are diagnostic costs. He knows, as Representative Stuffle has indicated, the percentage of employees that would be covered by this provision, in the event it went on the Bill, are nil to none. And I think that he would serve the cause well if he'd follow the example of Representative Vinson and withdraw it; otherwise, I urge a 'no' vote."

Speaker Daniels: "Gentleman from Cook, Representative Telcser."

Telcser: "Are you going to withdraw your Amendment, Representative? No, the Gentleman...Mr. Speaker, Members of the House, I rise to oppose Amendment #35. I'm sure

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that those Members who have risen in opposition have already told you why it's a bad Amendment. I don't see why this Agency should be plunged into labor negotiations that would, again, only add to the cost and the bureaucracy. It's not a function of the Agency to do this, and it does not serve the taxpayers in Illinois, in one single iota, to make this Agency some kind of bargaining agent with the various labor unions. I, therefore, rise to oppose, strongly oppose, Amendment #35."

Speaker Daniels: "Gentleman, Representative Barr, to close."

Barr: "Thank you, Mr. Speaker. Just let...let me say that it is true that this Amendment deals only with one aspect of costs, and I think, to that extent, the remarks of Representatives Kane and Stuffle are well taken. There, certainly, are other costs, and I think perhaps additional changes would need to be made in this Bill to permit this Authority, that's going to run the hospitals of Illinois, to run the cost side as well as the rate side. The remarks of the Majority Leader that Representative Telcser just delivered clearly illustrate what's wrong with this Bill in the first place. They clearly illustrate, as he said, what we're setting up here is a costly and ineffective bureaucratic mechanism, which can do nothing but be harmful to the health delivery systems and the hospital systems in the State of Illinois. And for those reasons, I urge a 'yes' vote on this Amendment."

Speaker Daniels: "Gentleman moves for the adoption of Amendment #35. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Gentleman, Representative Deuster, to explain his vote. Timer's on, Sir."

Deuster: "Well, it's a good Amendment. Those who think you can create a government bureaucracy and somehow control the

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costs of operating a hospital or any other entity in our society are just fooling themselves. If you are going to have this bureaucracy put a lid on costs, you'd ask yourself, 'Where's the money coming from to run the hospital? From Santa Claus?'. No, somebody...there's got to be some control and some sacrifice, and that's what this Amendment does."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 42 'aye', 106 'no', 7 voting 'present'. Amendment #35 is lost. Further Amendments?"

Clerk Leone: "Floor Amendment #36, Barr, amends House Bill..."

Speaker Daniels: "Representative Barr."

Barr: "Withdraw Amendment 36, Mr. Speaker."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #37, Ralph Dunn."

Speaker Daniels: "Representative Dunn. Ralph Dunn, Amendment #37. Gentleman on the floor? Representative Telcser, your pleasure, Sir."

Telcser: "Mr. Speaker, Gentleman is not on the floor to offer his Amendment, so I think the Parliamentarian has ruled that we have to move to table those Amendments."

Speaker Daniels: "Gentleman moves to table..."

Telcser: "No, Mr. Speaker, I move to table Amendment #37. What it does is move the date from October 1, 1982 to Oc...to July 1, 1982, which would end the Agency's life in about six weeks. Therefore, I move to table Amendment #37."

Speaker Daniels: "Gentleman moves to table Amendment #37. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #37 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #38, Tate, amends House Bill 24..."

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Speaker Daniels: "Representative Tate, Amendment #38."

Tate: "Yeah, Mr....Mr. Speaker...Mr. Speaker, Amendment 38 is a...an Amendment I am confident that every downstater would support, but rather than taking up the time of the House, I withdraw the Amendment."

Speaker Daniels: "38 is withdrawn. Further Amendments? How about 39 and 40? Are you going to withdraw those, too, Sir? Withdraw 39. Withdraw 40. Further Amendments?"

Clerk Leone: "Floor Amendment #41, Nelson..."

Speaker Daniels: "Representative Nelson, Amendment #41."

Nelson: "Thank you, Mr. Speaker, Members of the House. I rise to urge your support of Amendment #41 to House Bill 2474. It is my belief that the Authority should have some flexibility in their approach to a large teaching hospital as opposed to those of our community hospitals in the State of Illinois. What the Amendment says is that in addition to any other necessary rules, procedures and regulations, the Authority shall promulgate one set of regulations governing teaching hospitals and another set governing non-teaching hospitals; which regulations shall take into account the differences in the kinds of services provided by those two types of hospitals. Teaching hospitals provide us with our young doctors. They are, necessarily, more expensive to run. I believe that it's a reasonable proposition to allow this amount of flexibility. I urge your support of Amendment #41 whether you are for or against the continuation of the life of the Health Finance Authority, and I urge adoption of Amendment #41."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, I rise to oppose Amendment #1 (sic - 41), simply because it is my belief that the Agency currently handles the rules and regulations for those institutions. The teaching hospitals, as the

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Lady said, have a different function than do other hospitals. The Agency has taken that into consideration and, in my view, there is really no necessity for putting into the statute something for which there is no real necessity. The Agency has recognized the differences in different types of institutions, and has taken that into consideration while promulgating rules. For that reason, Mr. Speaker, I rise to oppose Amendment #41."

Speaker Daniels: "Representative Nelson to close."

Nelson: "Thank you, Mr. Speaker and Members of the House. I find the Majority Leader's position very odd, in view of his Amendment 50 to House Bill 2474, which will be coming down the line very soon. That Amendment, if you read it, gives a great deal of flexibility to the Authority; and, instead of dividing the line between large teaching hospitals and community hospitals in our state, it allows flexibility in many, many different kinds of instances between small hospitals, which are defined very specifically in his Amendment #50, and other hospitals in our state. I think flexibility is a good thing, and I would urge your support of Amendment #41. Thank you."

Speaker Daniels: "Lady moves for the adoption of Amendment #41. All those in favor will signify by saying 'aye', opposed 'no'. The 'nos' have it. Amendment #41 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #42, Nelson, amends House Bill..."

Speaker Daniels: "Representative Nelson, #42."

Nelson: "Withdraw Amendment 42, please."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #43, Nelson."

Speaker Daniels: "#43?"

Nelson: "Withdraw Amendment 43, please."

Speaker Daniels: "Withdrawn. Further Amendments?"

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Clerk Leone: "Floor Amendment #44, Macdonald, amends House Bill..."

Speaker Daniels: "Representative Macdonald, Amendment #44."

Macdonald: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I feel that Amendment #44 is, indeed, very important, particularly in view of the impact that we are having with our welfare payments to hospitals. This Amendment requires the Authority to submit to the Speaker of the House and the President of the Senate, the General Assembly, a written report of each fiscal year, estimating the increased cost to the Department of Public Aid caused by the regulation of hospital rates, pursuant to this Act. I think the Amendment speaks for itself in terms of its importance; and certainly, for those of us who are on the Legislative Advisory Committee, we know that it is imperative for the...for government to know what kind of impact this is going to cause. So, I urge your 'aye' vote on this Amendment."

Speaker Daniels: "Any discussion? Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, I've looked over Amendment #44, which the Lady has offered, and we will take her Amendment, unless there's any opposition to it from someone."

Speaker Daniels: "Representative Macdonald moves for the adoption of Amendment #44. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #44 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #45, Macdonald."

Speaker Daniels: "Representative Macdonald, Amendment #45. Withdrawn. And also #46. Further Amendments?"

Clerk Leone: "Floor Amendment #47, Hannig, amends House Bill..."

Speaker Daniels: "Representative Hannig, Amendment #47."

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Hannig: "Yes, thank you, Mr. Speaker and Members of the House.

The whole gist of this legislation is to try to address the problem that the Legislators on that side of the aisle and this side of the aisle feel is a problem here in Illinois. And that is that hospitals are overcharging the consumers of the State of Illinois and the State of Illinois itself. Now, what this Amendment does is basically not to penalize those small hospitals, those not-for-profit hospitals which, by their very definition, are not making any money off of any of our consumers. What this Amendment does is exempt not-for-profit hospitals from this Act. So, I have no problem with seeing the big, bad hospitals who are out there trying to grab all the money they can off the poor and sick people of this district being regulated, but I don't think that those hospitals, which are set up in many cases as religious hospitals that are not-for-profit by their definition, I don't believe that they should be included in this Act, and that's the purpose of this Amendment. And I would move for its adoption."

Speaker Daniels: "Any discussion? Gentleman from Cook, Representative Telcser."

Telcser: "Well, Mr. Speaker and Members of the House, Amendment #47, as the Gentleman I think indicated, would take out what amounts to some 90 percent of the hospitals. This Amendment would do just what some of the earlier Amendments purported to do. It would take out the heart of the legislation; and, again, leave hospital costs rising at an accelerated rate and, thereby, not protecting the people of whom we represent. So, Mr. Speaker and Members of the House, while Amendment #47 may sound good, it is simply the same old thing. It's a bad Amendment. It guts the intention of the legislation, and I sincerely rise to oppose Amendment #47."

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Speaker Daniels: "Further discussion? Gentleman from Cook, Representative O'Connell."

O'Connell: "Question of the Sponsor."

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

O'Connell: "Representative, the Amendment itself exempts any hospital that does not charge any patient purchaser or third party for its services. Is there a distinction between a not-for-profit organization and an organization that doesn't charge anything?"

Hannig: "The language which runs at the end of the Amendment, 'except any hospital which does not charge', is underlined only because its offered and would be new language in the statute. That language is also, if I understand correctly, in the original Telcser Amendment #1. The real changes that I propose are on line 7, where we simply strike 'not-for-profit'."

O'Connell: "So a not-for-profit organization still can charge people for its services."

Hannig: "Yes, that's correct. It would be set up, though, as a hospital which is not in the business of making a profit, but is in the business of trying to provide a service for the community, at a fee."

O'Connell: "Isn't it true that, even though they don't make a profit, that the...the surpluses which accrue at the end of each year can be invested back into the hospital and still maintain its not-for-profit status?"

Hannig: "Yeah, that's correct. And, in fact, that's one of the advantages of a not-for-profit hospital, is that basically, by their definition, they will reinvest any type of earnings that they have as opposed to giving that money to their stockholders or paying it to other individuals."

O'Connell: "Nevertheless, the fees that are being charged to the individual patient can be the same as they are for a profit

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organization. May they not?"

Hannig: "Any hospital, at the present time and under this proposed Amendment; that is, a not-for-profit, would have the right to set their own rates."

Speaker Daniels: "Further discussion? Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I read the Gentleman's Amendment, Amendment #47 lines 12 through 14, basically what he's saying is that if any agency...if a hospital doesn't charge for the care of the patient, then the hospital ought not be regulated by the Authority, and I think that's fair. The only purpose of the Authority is to regulate hospital rates. And, in this case, where he says that, 'except for the hospital which doesn't charge the patient', well, obviously if you don't charge a patient you don't have rates to be regulated. So, I would urge for adoption of the Amendment."

Speaker Daniels: "Representative Hannig to close."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. The purpose of the legislation that we are addressing today and will be addressing in the future is to try to keep the hospital costs down; but, more than that, I think it is the intention of this General Assembly to see that none of the tax dollars of this state and the monies that our citizens pay are, in some way, being used by big business in an unfair fashion. What we're simply saying by this Amendment is that those hospitals which, by their definition, are not-for-profit, who are not in the business to rip off anybody, not in business to make money for their stockholders; and, for that matter, they're not in business to make any money. They're simply in business to serve the community. We're saying that those hospitals would be

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exempt from this rate-making procedure, which will only add to the cost of their rates. And I would move for its adoption and ask for a Roll Call vote."

Speaker Daniels: "Gentleman moves for the adoption of Amendment #47. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Take the record. At 48...49 'aye', 85 'no', 11 voting 'present', Amendment #47 lost. Further Amendments?"

Clerk Leone: "Floor Amendment #48, Hannig."

Speaker Daniels: "You want to withdraw 48 and 49? 48 and 49 withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #50, Telcser, amends House Bill..."

Speaker Daniels: "Representative Telcser. Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #51, Barkhausen - Vinson..."

Speaker Daniels: "Representative Barkhausen, Amendment #51."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, I think of all the Amendments that have been heard and considered this afternoon on this Bill, I think House Bill (sic - Amendment) 51 is different than the rest; and in my opinion, better, for what it tries to do is to change, to some extent, the emphasis and direction of the Illinois Health Finance Authority, by promoting competition in the Illinois health care industry, in two major respects. First, it would have the Illinois Department of Public Aid provide three separate plans for a recipient of various Medicaid services; and, secondly, it would require all employers within the State of Illinois, who have employer paid health insurance programs, to provide for three separate plans. In this way, it would attempt to expand and stimulate competition within the industry; the idea being that the quality of health care would improve and it,

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eventually, through an increase in supply and an increase in competition, that prices of health care, which we all know have gotten way out of hand and which we all seek in one way or another to bring down, would, in fact, come down. The Amendment has some other provisions, and I'd be happy to try to explain them."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Bullock."

Bullock: "Inquiry of the Chair...I mean, inquiry of the Clerk. Has this Amendment been printed and distributed?"

Speaker Daniels: "Will one of the Pages on the Democrat side please take to Representative Bullock Amendment #51? Representative Kane."

Kane: "Yeah, Mr. Speaker, I would raise a point of order. This is an 18-page Amendment that has been given to us in the last 15 seconds, and I think that this is doing a disservice to the Membership, to even be considered at this time."

Speaker Daniels: "Gentleman is within his rights to present an Amendment. There are no rules that provide how long an Amendment has to sit on your desk."

Kane: "Well, then I would ask him, instead of saying. There are a few other provisions in this Amendment, if you'd go through it page by page and explain to us what it is."

Speaker Daniels: "You may inquire of him if you wish, Sir. Will the Gentleman yield to a question? Representative Barkhausen?"

Barkhausen: "I will, Mr. Speaker."

Speaker Daniels: "Representative Kane."

Kane: "I would raise the question of germaneness."

Barkhausen: "Is he asking me that question, Mr. Speaker?"

Speaker Daniels: "No, I guess that's addressed to the Chair."

Kane: "To the Chair, yes."

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Speaker Daniels: "All right, Sir."

Kane: "It's an Amendment to the Public Aid Code, and I don't think that it has anything to do with the subject of the Amendment...subject of the Bill."

Speaker Daniels: "Representative Vinson, on the point."

Vinson: "On the point, I would make the point that Amendment #1, which was adopted and which has remained in the Bill, amends the Public Aid Code, changed the title of the Bill and dealt with the very substance of hospital reimbursement that this Amendment does. It clearly changed the scope of the Bill; but, after it did that, this Amendment is clearly relevant to that enhanced scope of the Bill."

Speaker Daniels: "Representative Kane, on the point."

Kane: "I believe that the previous Gentleman misstates himself. The Amendment #1 doesn't have anything at all to do with the Public Aid Code. It's still limited to the Health Finance Authority Act, and I would renew my question of the germaneness of Amendment #51."

Speaker Daniels: "Representative Vinson."

Vinson: "Yeah, Mr. Speaker, the Gentleman is flatly wrong. Amendment #1 explicitly amends the Public Aid Code in the areas where it affects and changes the definition of what's required for Medicaid reimbursement for the small hospitals, which are exempted from this Act."

Speaker Daniels: "Representative Kane."

Kane: "Yes, I think that if the Gentleman will look at it it says, 'An Act to amend Sections 313, 14 and 20 of Section 10-10.03 of the Illinois Health Finance Authority Act'. And there is nothing at all in here that has anything to do with the Public Aid Code."

Speaker Daniels: "Representative Barkhausen, on the point."

Barkhausen: "Mr. Speaker, I would point out, really, that the Public Aid Code is amended only insofar as it makes

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reference to and supplements the provisions of the Illinois Health Finance Authority Act. For example, on the bottom of page 2 and the top of page 3, 'containing and inserting a definition for health care plans'. That is added, as it says, pursuant to the provisions of the Illinois Health Finance Authority Act. And so, it is necessary to amend the Public Aid Code only, as I say, to deal more extensively with the provisions of the Illinois Health Finance Authority Act. Mr. Speaker, has it also been pointed out, as I attempted to do but, perhaps, didn't sufficiently explicitly that on page 7 and...of the Amendment, is where the Amendment to the Illinois Health Finance Authority Act takes over. So it, really, is more an Amendment of that Act than it is of Public Aid Code, and the Public Aid Code was only dealt with insofar as it's necessary to be consistent with the Amendment offered here to the Illinois Health Finance Authority Act."

Speaker Daniels: "After studying the Amendment and the...Amendment #1 and the subject of the Bill, we will rule it germane. Do you care to question the Sponsor on the Bill, Sir?"

Kane: "On page 7, you talk about a competitive health care system. Would you care to explain to us what a competitive health-care system is and what its parts are?"

Speaker Daniels: "Representative Barkhausen."

Barkhausen: "The competitive health-care system is...is meant to compare the system that this Amendment would help to stimulate, compared to what we have today, by requiring that Department of Public Aid and employers in the state to provide each of them various plans. The idea is that...that more health-care providers would exist or at least those which...those of us who have some misgivings about the Illinois Health Finance Authority, we feel that

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the Illinois Health Finance Authority, through its regulation, is going to put many of the providers, in time, out of existence. We...We want to stimulate competition, not...not foreclose it."

Kane: "Isn't one of the basic driving forces behind the increase in health costs the oversupply of...just the oversupply of health care, and the power within the economy for those costs to be passed on to recipients?"

Barkhausen: "No, I don't think so, Representative, and I think it...we...we're talking...you may be talking more about the question of certificate of need and what that accomplishes or doesn't accomplish. I think where you have a system where a provider is...is guaranteed that they'll be a reimbursed their actual costs, rather than determining in advance what a person is going to have to pay for health care, I think there's a greater stimulus to inflation, to actual cost reimbursement than through the plan that we're attempting to offer."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I would urge a 'no' vote on this Amendment. It may have some redeeming value; but, given our time and given the situation in which we're having this dumped on our desks at this late date without the opportunity of looking at it, I would urge a 'no' vote."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, I rise to, also, oppose Amendment #51 to House Bill 2474. The previous speaker, I think, has stated the facts quite clearly. In addition to that, let me remind the Members, this, in effect, is an all new Bill, some new concept; and, if the Gentleman wishes to pursue this point, I think he should introduce a new Bill, and not offer it as an Amendment in the closing moments of debate on Second Reading of 2474. I

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rise and ask the Members to please vote 'no' on Amendment #51."

Speaker Daniels: "Representative Pullen."

Pullen: "I'd like to ask the Sponsor a couple of questions, please."

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

Pullen: "Do you believe that the lack of competition in the health-care field has anything to do with the rising rates?"

Barkhausen: "I think, Representative, it is at the root of the inflationary problem that we see in the health-care sector."

Pullen: "Do you believe that the involvement, to an overwhelming extent, of third party payers with no responsibility on the part of the patient has anything to do with the rise in health care rates?"

Barkhausen: "Absolutely, and that's what this Amendment is intended to remedy. It's intended to provide incentives to control costs by the providers, rather than having a total absence of incentive, as we have right now."

Pullen: "Would you say that this Amendment takes into account the realities of the health-care system marketplace in devising a model for cost containment?"

Barkhausen: "Yes, it does, and I might say, which I neglected to say in my opening remarks, that it is not a novel concept. It's modeled after programs that have been implemented, apparently, in Minnesota and Hawaii where it's been found that, in the years that those plans have been in existence, that health care costs have, in fact, been controlled much more effectively than they could through some government-inspired regulatory scheme."

Pullen: "Have most of the Commerce Commission style rate-setting authorities in other states that do have those resulted in

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lower co...lower rates or higher rates?"

Barkhausen: "The information that I have is that the regulatory programs in existence in other states, invariably, result in higher rates."

Pullen: "And you're saying that there are two states that have tried this approach that you are proposing in this Amendment, and, in those...in both those states, the rates have actually been controlled through the competition model you have devised here?"

Barkhausen: "Yes. Controlled may...may be the wrong word. The fact of the matter is, as the supply has been stimulated, the...the net result has been that rates, if they haven't gone down, they haven't increased as fast as they have in the states that have regulatory plans."

Pullen: "So that this Amendment would provide the people of Illinois a far more effective means of addressing the problem of increasing hospital rates, than the regulatory scheme that is proposed by the Authority in the existing Act."

Barkhausen: "Yes. It has, as I see it, two benefits. One is that the cost will either not increase or won't increase at the same rate, and the second benefit is that the...that the qua...both the quality of care and the overall supply of care will be much greater, I'm sure, than it is with a regulatory plan that, essentially, discourages providers from staying in existence."

Pullen: "Mr. Speaker, I'd like to address the Amendment for a moment or two, if I may."

Speaker Daniels: "Proceed."

Pullen: "Mr. Speaker and Ladies and Gentlemen of the House, it appears to me that this Amendment, while not tinkering with the Authority, in a way replaces the approach to be taken and that it will be far more effective in addressing the

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problem of rising rates of health-care services for the people of Illinois than any regula...regulatory scheme proposed under the Health Finance Authority tent. It is a, somewhat, innovative approach that has been tried in a couple of other places and found to be much more successful than the kind of typical government interference approach that has existed, without having any effect, for the last four to five years. The Gentleman offers us, in this Amendment, an opportunity to really do something about the problem and to really do something for the health-care consumers and those people who are actually paying the bills in Illinois. It is the best Amendment of the day. It is very worthy of your consideration, and I hope that it will be adopted. Thank you."

Speaker Daniels: "Further discussion? Gentleman from DeWitt, Representative Vinson."

Vinson: "Will the Gentleman yield for a question, Mr. Speaker?"

Speaker Daniels: "He indicates he will. Proceed, Sir."

Vinson: "Representative Barkhausen, under your plan, is there an incentive to a health-care consumer to minimize the cost of health care?"

Barkhausen: "Yes, there is, Representative. And that's one of the main purposes behind the Amendment."

Vinson: "You actually provide a direct incentive to that consumer to lower the cost of health care in the state?"

Barkhausen: "Yes, I do, and it is not...it's not a system unlike the one we have at the present time where the supplier/provider is automatically reimbursed his actual cost. There is the incentive here to contain costs, by determining in advance how much money there...there is that an individual has to spend on health care. It will, therefore, have to be provided in the most efficient manner possible, rather than having the possibility of open-ended

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expenses, as we have under our present system."

Vinson: "Now, in regard to the health-care plans, which are required to be offered under this Act, are there minimum standards so that we know that individuals will not just be left with, in effect, no coverage?"

Barkhausen: "Yes, there most definitely are, and I'm sorry I didn't have a chance to get into that earlier. They're set forth in some detail, in the Amendment,; and I direct your attention to page 17 and 18 of the Amendment."

Vinson: "Would you describe what those...what those minimum standards are so that we could understand what, if this Amendment's adopted, will be the minimum situation we have?"

Barkhausen: "Yes. The Illinois Health Finance Authority is charged with the specific responsibility for setting minimum standards, and the Amendment specifically says that the standards shall include one basic health services, which shall be no less than those set forth in the...in the Health Maintenance Organization Act. Secondly, minimum catastrophic expense protection so that we don't see someone suffering from a very expensive disease or injury going through destitution as a result of being unable to provide for those health-care expenses. The third, provision for continuation of coverage, such as for a coverage for a dependent who suffers the death or termination of employment of an individual who has been the prime...primary beneficiary under an employer-paid health care insurance plan. Also, provisions for community rating, so that in areas of high risk, the risk is spread throughout all the members enrolled in a given insurance plan, and there is a prohibition of exclusion from coverage of any individual due to the age or prior medical condition. So somebody who comes into a plan and is

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suffering from some already existing disease or injury, they would not be allowed to suffer. And, finally, there would be an allowance for certain co-payments and deductible provisions, as determined by the Health Finance Authority and the various providers under the Act."

Vinson: "Now, as I understand it, we would have the availability of minimum plans with those standards in it. We would have an incentive for consumers to save money in the process, and we would not have quite as heavy a hand of government involved as we do under the current system."

Barkhausen: "No. My view is not...or my intent is not to get rid of government altogether, but for government to play the roll of a stimulant of competition rather than one who, as you say, through a heavy hand limits that competition and regulates and, eventually, increases costs."

Vinson: "I certainly would join you in support for this Amendment, and I would urge everybody to vote 'aye' on it, because it has the possibility of providing decent health care for everyone, without involving government, constantly, in the process."

Speaker Daniels: "Representative Barkhausen to close."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, as I have attempted to explain, in responding to the questions on this Amendment, the problem with our present health-care system is that there is absolutely no incentive for the consumer to seek economical care, and there are, at present, no rewards for the provider who runs an efficient operation. Most people don't pay for their health care. The bills are paid by an insurance company, an employer or the government. There are no rewards for the consumer who shops around. The consumer's bill is the same whether he receives the most expensive or the cheapest type of care. This health-care competition proposal is based on the

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theory that the consumer must be put back in control of his or her health-care spending. This Amendment requires that employers and the state, through the Department of Public Aid, offer health-care consumers a fixed dollar grant and a free choice of at least three health-care plans, including one health maintenance organization. The consumer who chooses a limited plan may pocket the difference, while the person who chooses more extensive coverage must pay for that extra care with his or her own funds. Other states have shown us that competition in the health-care field can and does work; specifically, Minneapolis and Hawaii, are the two prime examples. This Amendment has been carefully drafted, so that senior citizens and persons with, as I said, prior medical conditions are not penalized when seeking out a health-care plan. The proposal requires that community ratings or risk-spreading be used in all health-care plans. Today, Ladies and Gentlemen, we are at a crossroads in the health-care field. We can choose to turn towards more government control and tighter regulation; or we can choose, on the other hand, to move in the opposite direction toward an open market - a supply and demand approach - if you will. One needs to look no further than the Veterans Administration Hospitals or, to take an example out of that health-care field, the Post Office, to see that government cannot perform as well as the private sector. We have come dangerously close to a system of socialized medicine in this country. It is time to turn things around, to get back to the economic principles that have made this country the nations' leader. I do not want to see our health-care system turned over to bureaucrats, whether that be in Washington or Springfield. I'm not saying that government should have no place in the health-care field, but I am saying that government should

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not control the market, as the Illinois Health Finance Authority would, unless this Amendment is placed on the Bill. I ask for your support."

Speaker Daniels: "Gentleman's moved for the adoption of Amendment #51. All those in favor will signify by voting 'aye', opposed by voting 'no'. Representative Catania to explain her vote. The timer's on."

Catania: "Thank you, Mr. Speaker. Maybe the Sponsor could answer this in explanation of his vote, but I just got to page 12 and found that, while we now have four public members and one hospital trustee as the voting members, he wants to replace the four public members and one hospital trustee who vote with two third-party payers, two purchasers and only one public member. That sounds to me like we are severely abridging the rights of the public; and, unless he can explain that, I really don't think we ought to vote for it."

Speaker Daniels: "Representative Karpziel to explain her vote. Representative Barkhausen, to explain your vote. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 56 'aye', 94 'no', and 9 voting 'present'. Amendment #51 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #52, Vinson, amends House Bill 2474 on Section 1 and so forth."

Speaker Daniels: "Representative Vinson."

Vinson: "Mr. Speaker, would you ask the Clerk to read the Amendment, please?"

Speaker Daniels: "Do you have the Amendement now, Sir?"

Vinson: "I...I think the Sponsor..."

Speaker Daniels: "Representative Vinson."

Vinson: "Mr. Speaker, it is my understanding that there has been substantial discussion in the Agency, frequently, as to

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whether or not they're an agency of State Government. Many members of the Commission deny that they're an agency of State Government. This Amendment simply asserts that they're an agency of State Government, and I would urge adoption of the Amendment."

Speaker Daniels: "Any discussion? Representative Telcser."

Telcser: "Well, Mr. Speaker, Members of the House, I'm trying to figure out what is in this Amendment. I...Mr. Speaker, Members of the House, I'm going to rise to oppose the Amendment, because I don't really quite understand what the Sponsor is driving at. Everybody knows this is part of State Government. It's functioning as State Government, and so I'm simply going to rise to oppose the Amendment, because I don't quite know what the Gentleman wants to do with it; nor, has he explained why he's offering the Amendment. Please vote 'no'."

Speaker Daniels: "Any further discussion? Gentleman from Wayne, Representative Robbins."

Robbins: "I can't see why an agency of State Government that is planning on entering into contracts, which extend over five years with the Federal Government, cares to disavow being an agency of State Government. I would like to know if they are an agency of the State Government. If they are not an agency of State Government, then they should be removed from the payroll."

Speaker Daniels: "Representative Vinson to close."

Vinson: "Mr. Speaker, the Gentleman is simply suggesting that this is not an agency of State Government, when he opposes the Amendment. I don't see how anybody can accept that assertion, and so I would urge that we simply pass the Amendment and simply assert, to the members of the Authority and their employees, that they are agents of State Government; that they are an agency of State

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Government, and that they have the duties of being an agency and agents of State Government."

Speaker Daniels: "Gentleman, Representative Vinson, moves for adoption of Amendment #52. All those in favor signify by voting 'aye', opposed by voting 'no'. the voting's open. Representative Brummer to explain his vote. The timer's on, Sir."

Brummer: "Yes, I would urge more 'yes' votes on this. I don't know if there's any real serious question about whether they're an agency of State Government; but, in the event there is any dispute, we ought to certainly clarify that dispute and make sure that we clearly state in the language of the Bill that they are an agency of State Government. The significance of that, among other things, is that certainly the Auditor General of the State of Illinois would have jurisdiction, as he has over other agencies of State Government with regard to determining that that agency of State Government is complying with the State Finance Act, the State Purchasing Act and other items of auditing that occur with regard to the other agencies of State Government. This Amendment, clearly, ought to be noncontroversy and, clearly, ought to be adopted."

Speaker Daniels: "Gentleman, Representative Leverenz, to explain his vote. Timer's on, Sir."

Leverenz: "In following Representative Brummer's explanation to the people voting red, I think you are confirming that they are, in fact, not an agency of State Government. And, if that's true, I don't know what we're doing with the whole Bill."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Vinson, for what purpose do you rise, Sir?"

Vinson: "Mr. Speaker, I'm going to request a verification on this

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if it..."

Speaker Daniels: "All right. Have all voted who wish? Clerk will take the record. On this question there are 75 'aye', 80 'no', 7 voting 'present'. The Gentleman, Representative Vinson, requests a Verification of the Negative Roll Call. Gentleman, Representative Vinson, requests a Poll of the Absentees. Proceed with a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Barnes. Davis. Ewell. Flinn. Dwight Friedrich. Dick Kelly. Macdonald. Matijevich. McGrew. Peters. Richmond. Satterthwaite. Stearney. Winchester and Yourell."

Speaker Daniels: "Proceed with a...Representative Sandquist. Representative Vinson, Representative Sandquist requests leave to be verified. Does he have leave? Leave is granted. Proceed with a Verification of the Negative Roll."

Clerk Leone: "Poll of the Negative. Abramson. Alexander. Balanoff. Beatty. Bell. Bianco. Bowman. Breslin. Bullock. Capparelli. Carey. Chapman. Collins. Conti. Currie. Daniels. DiPrima. Domico. Doyle. Jack Dunn. John Dunn. Epton. Ewing. Garmisa. Getty. Giqlio. Giorgi. Greiman. Hanahan. Henry. Hoffman. Hoxsey. Huff. Huskey. Jaffe. Jones. Kane. Katz. Kociolko. Kornowicz. Kosinski. Krska. Kucharski. Kulas. LaHood. Laurino. Lechowicz. Leon. Levin. Loftus. Margalus. Martire. McAuliffe. McBroom. McCormick. McMaster. McPike. Murphy. Olson. Pierce. Pouncey. Preston. Rhem. Rigney. Saltsman. Sandquist. Schneider. Slape. Margaret Smith. Stanley. Steczo. E. G. Steele. Stewart. Telcser. Terzich. Turner. Vitek. White. Zito and Mr. Speaker."

Speaker Daniels: "Questions of the Negative Roll, Representative Vinson?"

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Vinson: "Thank you, Mr. Speaker. Representative..."

Speaker Daniels: "Excuse...Excuse me, Sir. Representative Kelly wishes to be recorded as 'no'."

Vinson: "Representative Abramson."

Speaker Daniels: "Dick Kelly. Representative Abramson. Gentleman in the Chamber? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Vinson: "Representative Balanoff."

Speaker Daniels: "Representative Balanoff is in her chair."

Vinson: "Representative Beatty."

Speaker Daniels: "Representative Beatty. He's in his chair."

Vinson: "Representative Bradley."

Speaker Daniels: "Representative, I'm sorry."

Vinson: "Bradley."

Speaker Daniels: "Bradley. Representative Bradley. Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "As voting..."

Vinson: "I'll withdraw my question on that one. Representative Bullock."

Speaker Daniels: "Representative Bullock. Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Representative Dunn, John Dunn. Record the Gentleman as 'aye'. John Dunn as 'aye'."

Vinson: "Representative Capparelli."

Speaker Daniels: "Representative Capparelli. Coach. He's here."

Vinson: "Representative Currie."

Speaker Daniels: "She's in her chair."

Vinson: "Representative Domico."

Speaker Daniels: "Representative Domico. Domico's in the back behind you, Sir."

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Vinson: "Representative Garmisa."

Speaker Daniels: "Representative Garmisa. Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Vinson: "Representative Giorgi."

Speaker Daniels: "Representative Giorgi. Right over here on the Republican side discussing Republican strategy."

Vinson: "Would you...would you direct the Gentleman to be in his seat, Mr. Speaker. I mean, we are in a..."

Speaker Daniels: "He's getting close to it."

Vinson: "Representative Huff."

Speaker Daniels: "Representative Huff is in his chair."

Vinson: "Representative Hanahan."

Speaker Daniels: "Representative Hanahan. Tom Hanahan. Gentleman in the chamber? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Remove him."

Vinson: "Representative Jaffe."

Speaker Daniels: "Representative Jaffe. Representative Jaffe. Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Representative Hallstrom."

Hallstrom: "Yes, Mr. Speaker, at the appropriate time I'd like to change my vote to 'no', please."

Speaker Daniels: "Change Representative Hallstrom from 'aye' to 'no'. Representative Hanahan has returned to the chambers. Return Representative Hanahan to the Negative Roll. Representative Vinson, further questions?"

Vinson: "Representative Kociolko."

Speaker Daniels: "Representative Kociolko. He's in his chair."

Vinson: "Representative Martire."

Speaker Daniels: "Representative Martire. He's over here on the

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Democrat side."

Vinson: "Representative Jones."

Speaker Daniels: "Representative Jones. Emil Jones. Gentleman in the chamber? He's in the aisle."

Vinson: "Representative McBroom."

Speaker Daniels: "He's up here, up front, and he says hello."

Vinson: "Representative McAuliffe."

Speaker Daniels: "Representative McAuliffe. He's in the center aisle."

Vinson: "Representative Levin."

Speaker Daniels: "Representative Levin. Gentleman in the chambers? Representative Levin. How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Vinson: "Representative Murphy."

Speaker Daniels: "Representative Laz Murphy is in his chair."

Vinson: "Representative Pierce."

Speaker Daniels: "Representative Pierce. Dan Pierce. How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Vinson: "Representative Preston."

Speaker Daniels: "Representative Preston. Gentleman in the chamber? Representative Preston. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Vinson: "Representative Stanley."

Speaker Daniels: "Representative Stanley. Representative Stanley. Is the Gentleman in the chambers? How's the Gentleman recorded?"

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

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Speaker Daniels: "Remove him."

Vinson: "Representative Steele."

Speaker Daniels: "Representative Stiehl. That C. M. Stiehl, Sir?"

Vinson: "Well, let's start with E. G. Steele."

Speaker Daniels: "Representative E. G. Steele is in the rear. Representative C. M. Stiehl. The Lady in the chamber?"

Vinson: "I'm not questioning her."

Speaker Daniels: "You are not questioning her. I'm glad, Sir. Representative Preston has returned. Return Representative..."

Vinson: "Representative Terzich."

Speaker Daniels: "Wait a second. Rep... Representative Preston, return him to the Negative Roll. Return Representative Stanley to the Negative Roll. Return Representative Garmisa to the Negative Roll. And Representative Braun wishes to change her vote from 'aye' to 'no'. You're going backwards, Representative Vinson."

Vinson: "Often have to do that. Representative Zito."

Speaker Daniels: "He's in the rear. Representative Wolf, Sam Wolf, for what purpose do you rise, Sir? Change Representative Sam Wolf from 'aye' to 'no'. Further questions, Sir?"

Vinson: "No further questions."

Speaker Daniels: "Representative Richmond."

Richmond: "Vote me 'aye', please."

Speaker Daniels: "Record Representative Richmond as 'aye'. Representative Flinn."

Flinn: "'Aye'."

Speaker Daniels: "Record Representative Flinn as 'aye'. Representative Winchester, you wish on the Roll call? Representative Winchester wishes now to be recorded as 'aye'. Representative Jaffe has returned. Return

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Representative Jaffe to the Negative Roll. There are 76 'aye', 79 'no', and the Amendment #52 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #53, Vinson, amends House Bill..."

Speaker Daniels: "#53, Representative Vinson."

Vinson: "Mr. Speaker, would you have the Clerk read the Amendment? Mr. Speaker, it's my understanding that Amendment #53 is the same thing as #52, and so I would withdraw it."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #54, Vinson, amends House Bill..."

Speaker Daniels: "Representative Vinson, #54."

Vinson: "It has the same effect, and I would withdraw it."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #55, Topinka, amends House Bill..."

Speaker Daniels: "Representative Topinka, Amendment #55."

Topinka: "Yes, Mr. Speaker, I'd like to reconsider the vote by which House Bill...or the Amendment #33 was considered before, if I might, so that we might be able to make a slight correction with that as Amendment #55."

Speaker Daniels: "Lady moves to reconsider Amendment #33. All in favor will signify by voting 'aye', opposed by voting 'no'. Voting's open. This is the Motion to reconsider Amendment #33. By voting 'aye', you are voting to reconsider that Amendment. Gentleman from Effingham, Representative Brummer, on the Motion."

Brummer: "Yes, I wonder if the maker of the Motion might indicate, in explanation of vote, what changes she wants to make from Amendment #5...33, which was adopted by a major majority."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 126 'aye', 12 'no', 11 'present', and the Motion to

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reconsider prevails. On Amendment #33, Representative Topinka."

Topinka: "Mr. Chairman (sic - Speaker), now I would ask if the group here today, now, could please vote 'no' on Amendment #33 so that, again, we could consider Amendment #55 made to change..."

Speaker Daniels: "The Lady moves to table Amendment #33. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and Amendment #33 tabled. Further Amendments?"

Topinka: "Okay, here we go for Amendment #55."

Speaker Daniels: "Excuse me, Ma'am. Excuse me. Further Amendments?"

Clerk Leone: "Amendment #55, Topinka, amends House Bill..."

Speaker Daniels: "Representative Topinka on Amendment #55."

Topinka: "Now, may I describe Amendment #55?"

Speaker Daniels: "Proceed."

Topinka: "Thank you. All it does is...is basically the same Amendment as we discussed when it was 33, but now we add that it would be unlawful for any voting member of the Authority to accept gifts. So, it's basically what you voted on before. The intention was to cover voting members. We are covering voting members."

Speaker Daniels: "Any discussion? Gentleman from Cook, Representative Telcser."

Telcser: "Well, Mr. Speaker, I rise to support Amendment #55, as I said I would during the course of the earlier debate."

Speaker Daniels: "Gentleman from McHenry, Representative Klemm."

Klemm: "Will the Sponsor yield?"

Speaker Daniels: "In...She indicates she will."

Klemm: "All right. One question you have is that it shall be unlawful to accept any subscription from a provider of health care. Does that mean subscriptions to magazines and publications such as that?"

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Topinka: "Well, if it's considered as a gift, Sir. Gifts are gifts. I mean, you know, you're..."

Klemm: "All right. So...Okay. A subscription or a publication that's a...perhaps a provider of pharmaceutical equipment or anything else sent to trustees of that would be a violation. Is that right?"

Topinka: "No, the five voting members cannot accept gifts."

Klemm: "Okay, just curious. Thank you."

Speaker Daniels: "Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Daniels: "She indicates she will."

Leverenz: "Representative, if we adopt this Amendment, will, then, both Amendments be in the Bill?"

Topinka: "No, only 55. Just, again, tightening it up to voting members. Gifts could go to the Authority, as such, for instance like subscriptions, but they could not go to individual voting members."

Leverenz: "All right. Who are the non-voting members?"

Topinka: "Any of the employees."

Leverenz: "I see. Does this have a hundred dollar limit?"

Topinka: "No it doesn't."

Leverenz: "Is this the party position?"

Topinka: "No, it is not."

Leverenz: "Would this go on to the other agencies of State Government, also? Do you intend to amend all substantive Bills this way?"

Topinka: "No, I do not."

Leverenz: "Don't you believe it is a good idea?"

Topinka: "Well, it could be considered a good idea. You might consider it, as well, Representative."

Leverenz: "Certainly, I think it is an excellent idea. Thank you."

Speaker Daniels: "Representative Topinka to close."

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Topinka: "Members of the House, I think, since we went through this when it was Amendment #33 in a rather generic fashion, I would ask that we do this now in this tightened up form, as Amendment #55. I think it covers the situation well. Let's go for it. Thank you."

Speaker Daniels: "Lady moves for the adoption of Amendment #55. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #55 is adopted. Further Amendments?"

Clerk Leone: "Amendment #56, Vinson, amends House Bill..."

Speaker Daniels: "Representative Vinson, #56."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is very simple in scope. What it would do is require the Agency to maintain its principle office in Springfield, Illinois. Now, Springfield is the State Capitol of Illinois. It's the place where the action is. It's the place where government is directed from. And the purpose of the Amendment is very, very simple. It requires the Agency to maintain its principle office here; and, lest anybody be concerned about the need for the Amendment, the Agency does not now do that. I would move for the adoption of Amendment 56."

Speaker Daniels: "Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, I rise to oppose Amendment #56 for a number of reasons. First of all, it would incur unnecessary, excessive costs to the Illinois taxpayers. It would necessitate closing an office, moving it, moving the equipment or whatever records they have to Springfield, which would cost the taxpayers money. Secondly, with the adoption of Amendment #1, most of the hospitals that would be covered would be much more accessible to the City of Chicago. Those people who have to attend hearings or have business with the Agency would

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have greater access and a greater ability to come to that Agency where it has been located all this time, up in Chicago. I repeat that the Amendment we adopted has taken out some of the smaller downstate rural hospitals, and it really makes no sense, whatsoever, to cause an agency to uproot itself and to move and incur expenses for Illinois taxpayers, which is absolutely unnecessary. Please vote 'no' on this Amendment."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Cullerton: "Representative Vinson, what Representative Telcser just said confused me a little bit. Does this Authority use taxpayers' funds, or does it come from hospitals?"

Vinson: "Representative, hospitals collect the funds from taxpayers, their consumers, and pass them on to the authority."

Cullerton: "Well, is that...when Representative Telcser said that we would...taxpayers would be losing money if this Amendment passes, does that mean that...that we would have to pay directly? As taxpayers, we would have to pay directly for the moving expenses, from the City of Chicago to Springfield?"

Vinson: "Well, Representative, taxpayers would actually save money, because the cost of rental space in Springfield is much lower than the cost of rental space in downtown Chicago, where the Authority maintains its offices."

Cullerton: "Where...Where does the Authority maintain its office right now?"

Vinson: "In downtown Chicago."

Cullerton: "Do you know what building, what the rate of rent is there?"

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Vinson: "I ca...I can't tell you the exact name of the building, but I am advised by the Executive Director of the Authority, sitting next to Mr. Telcser, that they're on Park Street."

Cullerton: "Okay. Thank you."

Speaker Daniels: "Lady from Cook, Representative Pullen."

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

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

Pullen: "Can you tell me why you chose Springfield instead of Angelo's Toehead?"

Vinson: "Well, it's a hard choice. It was probably the most difficult choice of my life. I chose Springfield because Legislators from Springfield have traditionally, so aggressively defended the right of Springfield to be the seat of government and to preserve state offices for here; and, Legislators who represent Angelo's Toehead have not been adequately or commensurately aggressive. And I think we'll get more votes by moving it to Springfield than by to Angelo's Toehead."

Speaker Daniels: "Representative Vinson to close."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an attempt to save money. Everybody knows the comparable cost of real estate in Chicago versus Springfield. If the Agency is located in Springfield, we'll save money on rent; but, beyond that, Springfield is the seat of government in this state. Government ought be run from Springfield. The directors of other agencies which have to work together with this Agency to make it work, if there's ever any conceivable hope that it will work, are...have their principle offices in Springfield. The entire coordination and effort of the Agency will best be maintained if it's in Springfield, and so I would move for the adoption of Amendment #56."

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Speaker Daniels: "Gentleman moves for the adoption of Amendment #56. All those in favor signify by saying 'aye', opposed 'no'. The 'nos' have it. Roll Call? Gentleman requests a Roll Call. Those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 52 'aye', 92 'no', 6 voting 'present'. Amendment #56 fails. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "All right. For the record, there's been a fiscal note request. The fiscal note has been filed. State Mandates Act has been filed. Representative Vinson."

Vinson: "The fiscal note, I don't believe, was filed after it was amended by Amendment #55. I believe the filing date on the fiscal note is prior to Amendment #55."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Speaker, I'm not aware of any fiscal implication of any Amendments we've adopted; and, therefore, it is my opinion a fiscal note, which the Gentleman requests, is not applicable."

Speaker Daniels: "Gentleman, Representative Telcser, you are correct. Amendment #55 dealt with the request of Representative Topinka on the gifts. It is not applicable to the fiscal note, and we...the Chair rules that the fiscal note has been met. Representative Vinson."

Vinson: "Mr. Speaker, there was also an Amendment which changed the tax rate of the Authority. Amendment #27, I believe, was adopted which changed the tax rate of the Authority. Now, that clearly has fiscal note implications."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Speaker, just to remind the Gentleman of his own words a few moments ago. That rate doesn't come from the

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taxpayers. It's generated by the hospitals themselves. And what's more is his feeling it is not an actual expenditure."

Speaker Daniels: "Representative Vinson."

Vinson: "Mr. Speaker, number one, I didn't say those words. Somebody asked me to say those words, and I didn't say those words. Number two, it's not taxpayers that are defined in the Fiscal Note Act, it's revenue and revenue yield. And so, I still believe that Amendment #27 has revenue impacts on State Government and the Authority; and, as a consequence, there has to be a fiscal note filed with respect to that."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Speaker, let me simply add a few more comments to what the Gentleman just said. Amendment #27 simply put a ceiling to which the hospitals could charge. The hospitals, to this point, have not charged anywhere near the rates they could under the present law or under Amendment #27. And that being the case, I would contend that Amendment #27 has absolutely no direct fiscal impact upon the operation of the facility which, I might also repeat, is not taxpayers money but money generated by the hospitals from fees."

Speaker Daniels: "Representative Vinson."

Vinson: "Mr. Speaker, when the Gentleman believes that, as he does in this...in this instance, the statute and the rules require, not that the Chair make a ruling, but that the Speaker...that the Sponsor be joined by a majority in voting on the floor that the Fiscal Note Act in inapplicable."

Speaker Daniels: "All right. Representative Vinson, the Chair rules that the fiscal note requirements, as it applies to this Act, have been met by the filing of the fiscal note;

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and, therefore, we'll move the Bill to Third Reading.

Third Reading, House Bill 2474. Representative Vinson."

Vinson: "Was there a State Mandates note request?"

Speaker Daniels: "Yes, Sir, there was. There was a State Mandates note filed."

Vinson: "Was it filed after the Amendments to the Bill?"

Speaker Daniels: "May I suggest you just come up here, and we'll show that to you, Sir. Okay, thank you. House Bills Second Reading, House Bill 2486, Representative Bell. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2486, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Daniels: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Daniels: "Third Reading. House Bill 2489, Representative Kustra. Read the Bill."

Clerk Leone: "House Bill 2489, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Daniels: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Madigan, amends House Bill..."

Speaker Daniels: "Representative Madigan, Amendment #1. Gentleman on the floor? Representative Madigan. Representative Getty."

Getty: "I think Representative Madigan was here just a moment ago. I think he had to get called off the floor. I wonder if we could take this out of the record for just a minute so that he could get back to the floor."

Speaker Daniels: "Representative Kustra. Gentleman says he will take it out of the record, momentarily. House Bill 2501, Representative Vinson. Out of the record. House Bill 2505, Representative Robbins. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 2505, a Bill for an Act to amend the Uniform Commercial Code and the Civil Administrative Code of Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Daniels: "Any Amendments from the floor?"

Clerk Leone: "Amendment #1 was tabled in Committee. Floor Amendment #2, Robbins, amends House Bill 2505..."

Speaker Daniels: "Representative Robbins on Amendment #2."

Robbins: "Amendment #2 puts the Bill in the position that there is no opposition from any of the grain elevators or from any of the banks, and it gives the farmers prior lien on any grain that the elevator takes in. And this will prevent happening in Illinois what has happened in Missouri, and cause greater..... The...This Bill will give the grain producer the right to collect from his grain as it is owned."

Speaker Daniels: "Any discussion? Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, would the Sponsor yield? Is this Amendment printed?"

Robbins: "The Amendment was printed and distributed last Friday."

Stuffle: "Okay. I haven't had a chance to look at this. Was this Amendment the subject of an informal meeting today?"

Robbins: "Yes."

Stuffle: "Was that meeting conducted with Members of the Committee as well as people from the farm groups and the banks?"

Robbins: "Yes."

Stuffle: "Was there any opposition at all to this Amendment from any of the bank groups today?"

Robbins: "No."

Stuffle: "Was there any opposition at all from any of the farm groups today?"

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Robbins: "No."

Stuffle: "Okay, thank you."

Speaker Daniels: "Gentleman, Representative Robbins, moves for the adoption of Amendment #2. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. House Bill 2516, out of the record. House Bill 2519, Representative Ted Meyer. Representative Meyer. Out of the record. House Bill 2520, Representative Nelson. 2520. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2520, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Daniels: "Any Amendments from the floor? Any Motions filed?"

Clerk Leone: "No Motions filed to Amendment #1. Floor Amendment #2, Nelson, amends House Bill 2520 on page 1 and so forth."

Speaker Daniels: "Representative Nelson, Amendment #2."

Nelson: "Thank you, Mr. Speaker, Members of the House. Amendment #2 is an Amendment that I agreed to put on in Committee. What it says is that nothing in this Section shall be construed to give the Department of Insurance any authority to set rates. That has been a policy of the State of Illinois for a long time, and I would hope that, since I had agreed with the Committee to put on this Amendment, the General Assembly would see fit to vote 'yes' on Amendment #2 to House Bill 2520."

Speaker Daniels: "Any discussion? Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, thank you, Mr. Speaker. I was...had my light on some time ago to ask Representative Robbins a question. I really don't have any question with regard to this. Thank

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you for finally recognizing me."

Speaker Daniels: "Thank you. Lady, Representative Nelson, moves for the adoption of Amendment #2. All those in favor signify by saying 'aye', opposed 'no'. 'Ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. House Bill 2521, Representative Griffin. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2521, a Bill for an Act relating to the rights of crime victims and witnesses. Second Reading of the Bill. No Committee Amendments."

Speaker Daniels: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Griffin, amends House Bill..."

Speaker Daniels: "Representative Griffin, Amendment #1."

Griffin: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment was passed at the request of Members of the Judiciary II Committee who wanted to delete a Section dealing with the substitution of photographic evidence for real evidence in various criminal prosecutions. This Amendment substantially does that by changing some wording technically and deleting the last Section."

Speaker Daniels: "Any discussion? Gentleman from Cook, Representative O'Connell."

O'Connell: "Will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

O'Connell: "I'm sorry, Representative, I didn't hear the first part of your analysis of the Bill. Did you say that this does away with photographic evidence?"

Griffin: "Okay, the Section that we're talking about is now covered by House Bill 2617. The Judiciary II Committee did not want this Bill reported out with that Amendment on it. It doesn't affect anything in current law. It was a part of this Bill. So the deletion of that Section made this

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particular Bill more acceptable to the Judiciary II Committee, and it places that language in a new Bill, House Bill 2617."

O'Connell: "If I understand correctly, there was a...a statute...a law passed this past year which provided that certain photographic evidence could be substituted in evidence for the real property. This Amendment will not affect that statute?"

Griffin: "Absolutely not. Absolutely not."

Speaker Daniels: "Further discussion? Being none, the Gentleman, Representative Griffin, moves for the adoption of Amendment #1. All those in favor signify by saying 'aye', opposed 'no'. 'Ayes' have it. Amendment #1 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Griffin, amends House Bill 2521..."

Speaker Daniels: "Representative Griffin, Amendment #2."

Griffin: "Again, this Amendment was adopted in order to satisfy concerns of Members of the Judiciary II Committee that this particular Bill, in its current form, might prove too difficult for enforcement, particularly in larger metropolitan areas, such as Cook County. Language was deleted that would make this difficult to carry out. In effect, it allows the agency to establish the form and method of reporting. And it also does not insist on reporting each month, by deleting the language, 'not less than once per month'. So, this liberalizes the application of the...the actions of prosecutorial agencies, and makes it, I think, acceptable to those people who had problems with the Bill in Judiciary II."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves for the adoption of Amendment #2. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it."

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Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. House Bill 2531, Representative O'Brien. Representative Huff, are you going to handle that? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2531, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Daniels: "Any Motions filed?"

Clerk Leone: "No Motions filed in respect to Amendment 1."

Speaker Daniels: "Any Amendments from the floor?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. House Bill 2535, Representative Fawell. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2535, a Bill for an Act to amend an Act in relationship to the criminal identification in investigations. Second Reading of the Bill. Amendment #1 and 2 were adopted in Committee."

Speaker Daniels: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Daniels: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #3, Fawell."

Speaker Daniels: "Representative Fawell, Amendment #3."

Fawell: "Thank you, Mr. Speaker. This Amendment is one that I agreed to in Judiciary II. It tightens up the Bill so that there will only be information given out on certain criminals, and it will only be given if a conviction was within the last eight years. I would be willing to answer any questions on the Amendment."

Speaker Daniels: "Any discussion? The Lady from Cook, Representative Alexander."

Alexander: "Thank you, Ladies and Gentleman. Will the Sponsor yield for a question?"

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Speaker Daniels: "She indicates she will."

Alexander: "Representative Fawell, what is the present limitation time, now, with regard to expungement of records? And what records are involved in those expungements? Do you have that information?"

Fawell: "This Bill is a Bill that allows certain government agencies and certain industries, such as...who want to hire such people for security guards and this type of thing, to get the information to find out if they are convicted felons or convicted rapists. It came out of a case out of Avis Car Rental where a...they inadvertently hired an instructor who had a conviction as a rapist, and they had no way of getting this information. And so, this would allow this kind of industry, who needs to know who they're hiring, that kind of information to see if a person had some kind of a conviction."

Alexander: "Okay, then you are assuring me that this particular Amendment #3 has nothing to do with expungements whatsoever?"

Fawell: "No, no. No, no. It has nothing to do with that."

Alexander: "All right, thank you."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Smith."

Smith, Harry: "Thank you, Mr. Speaker. Would the Lady yield to a question?"

Speaker Daniels: "She indicates she will."

Smith, Harry: "Are these records going to be handled by the IBI?"

Fawell: "The Illinois...There is no more...There isn't any IBI anymore, I was informed."

Smith, Harry: "Okay, it will be handled by the State Police, I presume, in some capacity."

Fawell: "It will be handled by the Department of Law Enforcement."

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Smith, Harry: "Okay, and since they cannot handle fingerprints for local liquor commissioners and that sort of thing because they're overburdened already, what provisions have you made for them to handle this additional labor?"

Fawell: "This will done on a fee basis."

Smith, Harry: "Thank you."

Speaker Daniels: "Further discussion? Lady moves for the adoption of Amendment #3. All those in favor...Representative Schneider, your light's not on, Sir."

Schneider: "Yes, it is. Do you want to come down here and look?"

Speaker Daniels: "Now it is. We just turned it on. Do you care to question Senator Fawell?"

Schneider: "Just a quick question on this. Does this mean...What kind of a job does this apply to?"

Fawell: "It applies, for instance, certain industries have security guards or people that...men that enter into the homes such as public service and that type of thing."

Schneider: "If I apply for a job as a security guard for an industry, and on the application it says, 'Have you been convicted of a felony', and I answer yes or no. What is the impact of your legislation on that response?"

Fawell: "If it...They will be able to find out if you had committed a felony within the last eight years."

Schneider: "Whether I answer yes or no and they just want to check that out, they can do it?"

Fawell: "Yes."

Schneider: "Seems like a lousy idea to me."

Fawell: "You have to sign a release before they are allowed to do it."

Schneider: "I'm told by my coaches, a bad Bill but a good Amendment. Thank you."

Speaker Daniels: "Further discussion? Representative Alexander,

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you..."

Alexander: "I've spoken once, I'll ask the indulgence of the House to Representative Fawell. May I ask you, if I'm reading your Amendment correctly, you are excluding certain Sections of the statute which would not come under the giving of these information. Would one of those items be #21...Section 21-6, 'these persons records would not be given to employers if they are persons who have been convicted or not convicted of unlawful possession or storage of weapons'. Is that one of the items?"

Fawell: "I don't think so, no. Just a minute."

Alexander: "Well, according to your piece of legislation here, it says that 'for any felony', line 8, 'for any felony other than those defined in Sections...', and then go down to line 9 where it speaks of '...21-6'; which I looked up in the statute which says, 'unlawful, unauthorized possession or storage of weapons'; that that information would not be given to employers/employees."

Fawell: "That's only storage of weapons on state or federal property."

Alexander: "That is not the way I read it, Representative Fawell. They're separate. The one relating to state and federal properties is 21-6, 21-4 and 21-5, where you speak of properties relating to state, and also there's a Section relating to federal which is totally different. I may be confused. I'm asking you for clarification."

Fawell: "21-4 deals with criminal damage to state property."

Alexander: "Correct. No, I'm speaking of..."

Fawell: "21-6 deals with improper weapon storage."

Alexander: "Thank you. That's what I wanted to hear. Thank you."

Speaker Daniels: "Further discussion? Lady moves for the adoption of Amendment #3. All those in favor signify by

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saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #3 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. House Bill 2416. A fiscal note has been filed. So House Bill 2416 will be moved to Third Reading. House Bill 2563, Representative Collins. Out of the record. 2564, Representative Collins. Out of the record. 2569, Representative Barr. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2569, a Bill for an Act abolishing park districts, forest preserve districts and river conservation districts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Daniels: "Any Motions filed?"

Clerk Leone: "Motion: 'I move to table Amendment #1 to House Bill 2569', Representative Barr."

Speaker Daniels: "Representative Barr, your Motion."

Barr: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I move to table Amendment #1, which was adopted in Committee. It is my intention then to move the adoption of Amendment #2, which has been drafted by the staff and accomplishes the same purpose as Amendment #1 but in better form."

Speaker Daniels: "The Gentleman, Representative Barr, has moved to table Committee Amendment #1. Is there any discussion on that Motion? Gentleman from Cook, Representative Cullerton, on the Motion."

Cullerton: "Could you tell us what Rep...what Amendment #1, that was adopted in Committee, did?"

Barr: "Yes, Representative. The Bill, as originally drafted, did not comply with the intent of the Sponsors, Representative Collins and myself, in that, as drafted, it abolished all park districts, river conservancy districts, forest preserve districts in the State of Illinois; and, of

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course, we had no intention of doing any such thing. Amendment #1, adopted in Committee, restricts the Bill to the operation of the Chicago Park District only. The Bill, as amended by Amendment #1 and as it would be am...as it would be if amended by Amendment #2 as well, merely applies to the Chicago Park District; abolishes that body and transfers all its property, duties and functions to Cook County Board of Commissioners."

Cullerton: "What is the difference between Amendment #1 and Amendment #2?"

Barr: "I'm sorry, Representative, I didn't hear your question."

Cullerton: "What is the difference with Amendment #1 and Amendment #2?"

Barr: "Substantively, they are the same, Representative. Amendment #2 is, we believe, in better form and more properly accomplishes the purpose of Amendment #1."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Farley."

Farley: "Thank you. One of the other Members was talking to me while Representative Barr was explaining Amendment #1. Representative, is it my understanding that now, with the Motion to table Amendment #1, that the Bill would be just restricted to eliminating the Chicago Park District?"

Barr: "No, it doesn't eliminate it. It transfers its duties to the Cook County Board. But, yes, Representative, the Bill, as it now stands and has been amended by Amendment #1 adopted in Committee, does that. It's my...I have moved to table Amendment #1, but I have done that so that I can then move the adoption of Amendment #2, which would do the same thing as Amendment #1 but in more proper and better form."

Farley: "Well, Mr. S...Mr. Speaker, to the Motion. I would certainly ask the Members of the Assembly to oppose the Motion to table Amendment #1. I think what is good for the

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Chicago Park District and the transfer of the Chicago Park District to the County Board should also be for Cook County Park Districts and the other things that were originally mentioned in the Bill. So, Mr. Speaker, I would urge the Members to vote 'no' on the Motion to table, and I would ask for a Roll Call."

Speaker Daniels: "Further discussion? Being none, the Gentleman, Representative Barr, to close."

Barr: "Well, Mr. Speaker, I think Representative...the Representative doesn't understand what the Motion to table is. If you vote 'no' on the Motion to table, then you have a Bill which will go to Third Reading which abolishes the Chicago Park District and transfers all its properties, duties and function to the Cook County Board of Commissioners, and in a form which, if that Bill is adopted and signed into law, would not...would not effectively serve that purpose. What we're trying to do is put this Bill into a proper form so that then it can be debated on its merits when it's on Third Reading, and I would urge a 'yes' vote on this Motion to table."

Speaker Daniels: "Representative Farley, for what purpose do you rise, Sir?"

Farley: "Well, that was a clearer understanding than his first explanation. So I would withdraw my request to vote against Amendment #1."

Speaker Daniels: "Gentleman moves to table Amendment #1. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #1 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Barr - Pullen - Collins."

Speaker Daniels: "Representative Barr, Amendment #2."

Barr: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2, in effect, is the Bill or will be the Bill if

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adopted. And what it provides is that the Chicago Park District commissioners, which is a corporate body created by special...special Act of this Legislature many years ago; that that appointed Board be abolished and that all of the property, duties, functions and powers of the present Chicago Park District commissioners be transferred to the Cook County Board of Commissioners which is an elected body, rather than an appointed body, and which will then administer these properties and perform the duties of the present Park District Board for the benefit of all the people of the City of Chicago and the County of Cook. And I urge a favorable vote on the adoption of Amendment #2."

Speaker Daniels: "Any discussion? Gentleman from Cook, Representative O'Connell."

O'Connell: "Question of the Sponsor."

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

O'Connell: "Representative, with regard to the taxing power of the County Board, is there an effective shift of the taxing powers from the Chicago Park District to the Cook County Board?"

Barr: "Yes, under this Amendment, all the powers and duties of... The Park District Board would be abolished as of the effective date of this legislation, as of the date of its becoming a law. And the power to tax, which the Chicago Park District Board presently has, would be transferred to the Cook County Board of Commissioners."

O'Connell: "Would there, similarly, be a shift in the administrative powers of the Chicago Park District to the Cook County Board of Commissioners?"

Barr: "Yes."

O'Connell: "What will be the cost that will be shifted from the City of Chicago to the entire County of Cook pursuant to such an Amendment?"

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Barr: "I would say, as far as cost is concerned, there should be very little change in cost, but the change should be beneficial to the taxpayers in that the present duplication and waste, wasteful management and wasteful procedures of the Chicago Park District, would be eliminated. An additional board, and the commensurate staff and all that goes with that would be eliminated. So, I would expect there would be some saving to the taxpayers in the City of Chicago if this Bill, as amended, were eventually to be adopted."

O'Connell: "Mr. Speaker, may I speak to the Amendment? Ladies and Gentlemen of the House, I would oppose this Amendment. I, as a suburban Cook County Member, deeply resent any shift from the taxing burdens, the administrative costs of the Chicago Park District to the County of Cook. We, as far as I'm concerned, wish the cost burdens and the taxing burdens of the City of Chicago to remain in the City of Chicago. We have the responsibility in the County of Cook now for the forest preserve districts, and I think that's sufficient enough. I, for one, do not want to assume the taxing burdens of the City of Chicago. And as far as the administrative costs, I would suggest that those costs would be significant indeed. Otherwise, the Sponsor, who alleges the mismanagement, etcetera, that go along with the Chicago Park District as it stands now, that will be shifted to the County of Cook and the costs would, indeed, be significant."

Speaker Daniels: "Gentleman from Cook, Representative Farley."

Farley: "Yes, Mr. Speaker, I take objection to the Gentleman's comments about mismanagement at the Chicago Park District. They haven't increased their budget in several years. In fact, they've cut their budget. And, as far as being a savings to the taxpayers of Cook County, he is absolutely

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wrong. As Representative O'Connell explained, it would be an additional burden to those people. Also, I'm not sure that this is a constitutional question here before this House. The Chicago Park District was created by referendum by the people of the City of Chicago. Our actions here today is, in fact, undoing or trying to undo a constitutional referendum by the people of the City of Chicago. And I would suggest that the Gentleman is completely out of order in his comments about the Chicago Park District, completely out of order in what he's trying to accomplish here. I think it's a power grab, and I would strongly urge a 'no' vote on this Amendment."

Speaker Daniels: "Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. I am appalled at...at this type of action by the Illinois General Assembly. Here we've got one of the finest public bodies to serve the citizens not only of the City of Chicago, but the entire County of Cook and the entire State of Illinois. The Chicago Park District is remarkable in its reputation and its ability to deliver services to the citizens of this state. And I am absolutely amazed and appalled by people from the other side of the aisle who use the Park District. We...We're very happy to have Republicans, Democrats and Independents use our parks. They play softball just like we do. They put their yachts in our harbors, and you know that the yachts are owned by Republicans, not by Democrats. But I am appalled that we've got a situation where they try a blatant power grab and try to take over one of the finest public agencies that services the people of the City of Chicago, the County of Cook and the State of Illinois. The kids in my area happily use the park. They get the kind of recreation programs and the kind of enjoyment they should, and this is

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one of the few programs we've got that really helps the kids of the City of Chicago and the County of Cook. And I am appalled. I am aghast. And I urge all my friends on both sides of the aisle to rise up and speak against this horrible Amendment and to do what's necessary to protect the little kids of the City of Chicago and the County of Cook. And I hope that this kind of Amendment never gets any kind of support from anybody on either side of the aisle. Let's, for once in our lives, vote for the kids of the City of Chicago. Thank you very much."

Speaker Daniels: "For a rebuttal, Representative Collins."

Collins: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, like the last speaker, am amazed and appalled. I'm amazed and appalled that they indicate that apparently only the Ci...children of the City of Chicago are fit to enjoy their park districts...various facilities. I would think that the children and the citizens of the entire state and the entire County of Cook should have the privilege of availing themselves of the parks of the City of Chicago. It sounds like they're trying to lock people out from outside of the City from using the parks. And you know it's not only the parks. It's the golf courses. It's the Natatoria and field houses, the beautiful botanical gardens throughout the park districts, not to mention the museums throughout the City of Chicago. People in suburbia probably don't know the full extent of these services that are available to them. But by combining these two great agencies, the Chicago Park District and the Cook County Board, we can bring it in all together so that all the citizens not only can avail themselves of these services, but can be made aware of the variety of services that would be offered to them in Chicago Park District system. I think this is an excellent Amendment. I think it's an

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excellent Bill. It's one that should be supported from Members of this House from Chicago, from Cook County and, yes, from downstate, because you downstaters probably have not been told by the Chicagoans about the variety of services that you can avail yourselves of in the Chicago Park Districts. We, in suburban Cook County, want to participate in these programs, and we want to encourage you from downstate and from everywhere to take advantage of the marvelous, remarkable services and systems within the Chicago Park District. I don't think I've even begun to enumerate the benefits that are available to you if you want to use the Chicago Park District facilities. And I would urge you, support this good Bill, and then come to Chicago and see what is offered to you. Apparently, they don't want you to know about it in Chicago. We, in suburbia, do want you to know about it. We welcome you to Cook County, and we want you to use our parks. Please come, and please vote for this Bill."

Speaker Daniels: "Representative Henry."

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

Speaker Daniels: "Representative Barr, will you yield to a question by Representative Henry? Indicates he will."

Henry: "Yes, Representative Barr, what is the position of the Cook County Board on this Amendment?"

Barr: "As far as I know, they have no position. I talked to the President this morning, and he expressed no opinion on this Bill."

Henry: "Representative Barr, your position as Chairman of the Cook County Republican Party, I know that you're constantly looking for patronage. Is this another patronage grab?"

Barr: "Well, Representative, you're right about what I always do. What I do in my capacity as Cook County Chairman, of course, and I've been uniformly unsuccessful, as you and

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many of your colleagues know. However, I think we should...a good time to point out to the Members of this House that what we would be doing, if this Bill were ever to be amended and passed by...by this Body, would be transferring control, Representative, from an appointed group of people of your Party to an elected group of people of your Party. And it really isn't going to help Republicans. I'm proposing this Bill as a Representative of the 11th Legislative District, representing a good portion of the City of Chicago and of... and of suburban communities, and this has nothing to do, whatsoever, with patronage or anything that's going to help the Republican Party. I think it helps the people of Cook County."

Henry: "Representative, do you have any idea how many jobs are with the Chicago Park District?"

Barr: "About twice as many as are necessary to administer the parks in good fashion."

Henry: "Representative, do you know how many jobs are held by the Chicago Park District? How many positions?"

Barr: "No, I do not."

Henry: "Could I address the Amendment Mr. Chair...Mr. Speaker?"

Speaker Daniels: "Proceed."

Henry: "Mr. Speaker, here's another attempt by a few in your good Party, which I consider a very good Party, that take control of people's lives. The suburban Representative that spoke before me, prior to my asking the question, he pointed out that suburbia wanted people to use the Chicago Park District. Well, if that's the case, then why don't they st...why don't they start trying to help us pay for it? Why don't they start trying to improve the Chicago Park District instead of trying to take it over? I...I can understand why there's a candidate running for President of the County Board. He's not going to win, but just in case

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he did slip through, he would have an army of patronage workers. We don't need this type of Bill, and I'd hope everybody would vote against this Amendment."

Speaker Daniels: "Gentleman from Cook, Representative Telcser."

Telcser: "Well, Mr. Speaker, Members of the House, frankly, I wasn't quite sure how I was going to vote on this Amendment until a Gentleman from Cook just finished his questioning. I must say I consider it a compliment for someone to accuse us, the Republican Party, of seeking patronage. It's been so long since we've done something so bright and so smart that I'm now convinced I'm going to vote for the Amendment. It's a terrific idea, and, perhaps, one day our Party will regain its status as a major majority Party in the County, if we do things like the Gentleman accused us of doing."

Speaker Daniels: "Further discussion? Lady from DuPage, Representative Karpziel. Representative Winchester."

Winchester: "I was...I wanted to move the previous question, Mr. Speaker, unless this is getting to be enjoyable. Otherwise, I'd like to move the previous question."

Speaker Daniels: "Gentleman has moved the previous question. The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and Representative Barr to close."

Barr: "Thank you, Mr. Speaker. I listened with interest and some delight to the comments made by opponents of this good Amendment. And let me just make a couple of points quickly. First of all, I'm sure that when Representative O'Connell understands this Amendment, as I know he now does having listened to debate, he will support it, because this doesn't shift any tax burden to the people of his district or of suburban Cook County. This is not a power grab, Mr. Speaker. It's not...certainly not a power grab by me or, as some have alleged, by the Republican Party. The

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political control of the Chicago parks, if this Bill is passed, will remain in the hands and the control of the same Party in which it now rests. Those of you in this House of both Parties, on both sides of the aisle from Cook County or downstate, who are familiar with the deplorable condition of the Chicago parks under the present administration, who are appalled at the thought, as the newspapers report, that the administration of the parks may, within the next day or two, be transferred from Mr. Ray Simon, a very competent administrator, to...to one of the most incompetent political hacks in Cook County. Those of you who are appalled by that prospect will support this Bill to send a message to the City Hall in Chicago that the Chicago Park District property, the beaches, the harbors, the great parks, Soldiers' Field, the zoos and museums; that these are a heritage held in trust for all the people of Cook County and should be administered as such. This is not a political Bill, Mr. Speaker. This is a Bill for the benefit...for the benefit of the people of Cook County, both in Chicago and in the suburban area. We heard a great deal in debate here a couple of weeks ago about the merits of electing our public officials as opposed to appointing them, a great deal of talk, particularly from the other side of the aisle. And so I say that another advantage of this Bill is it transfers control of these...of this priceless asset to elected public officials and takes it away from appointed public officials. And I urge the Members of this House, regardless of their Party, regardless of their geographical location of their residence, to rise in support of Amendment #2."

Speaker Daniels: "Gentleman's moved for the adoption of Amendment #2. All those in figure...favor signify by saying 'aye', opposed 'no', and the 'ayes' have it...All right. I can't

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imagine why you wanted a Roll Call on that. Gentleman's moved for the adoption of Amendment #2. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Representative Farley, you spoke in debate. Representative Preston, Gentleman from Cook, to explain his vote. Timer's on, Sir."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In explaining my vote, I fear that, if this Amendment were to pass and the Bill were to become law in...in this manner, that Representative Barr might end up lurking in the parks as a member of the Commission that would be governing the parks. And, for that reason, I feel constrained to vote 'no'."

Speaker Daniels: "Representative Keane to explain his vote. Timer's on, Sir."

Keane: "Yes, I rise in opposition to, not only to the man's Amendment, to the Sponsor of the Amendment, but to his statements about the potential new Chairman of the Chicago Park District. I don't know whether it's a Republican position that one of our most illustrious labor leaders in the State of Illinois, Mr. Bill Lee, has been referred to as an incompetent political hack. I don't know whether that's the Governor's position. I don't know whether that is a Cook County Republican position. I do know the gentleman, and I can assure the Members of the General Assembly that he is not an incompetent political hack. He is not a political hack, and he's not incompetent. I think that the use of such language in dealing with one of our outstanding labor leaders is unfounded and should..."

Speaker Daniels: "Lady from Cook, Representative Catania, to explain her vote. Timer's on."

Catania: "Thank you, Mr....Thank you, Mr. Speaker and Members of

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the House. I rise in support of this Amendment. My district is along the lakefront, but hardly anybody calls it a lakefront district, partly because our lakefront is so very much unlike the north lakefront. You wouldn't even realize that it's related, in any way, to what you find in Lincoln Park. And within the district itself, once you move west away from the lakefront, our parks are virtually non-existent. So, anything would be better than what we have now. And I think anybody who cares about providing those kinds of recreational service to all people ought to support this Amendment, hoping for something better."

Speaker Daniels: "Gentleman from Cook, Representative Kulas, to explain his vote. Timer's on, Sir."

Kulas: "Mr. Speaker, Ladies and Gentlemen of the House, there's something rotten in the State of Illinois when I hear Republicans saying that they want to help the Democrats in Chicago. There's something rotten in the State Capitol when I hear Members of the other side of the aisle saying they want to help the poor people of Chicago; because, every time they try to help the poor people of Chicago, the poor people of Chicago have gotten the shaft. This is a terrible Amendment. It's an obvious power grab, and I would like to see that board bloody red."

Speaker Daniels: "Representative Farley, for what purpose do you rise, Sir?"

Farley: "Mr. Speaker, if this would get the necessary votes to be adopted, I would like to verify that Roll Call."

Speaker Daniels: "You will be recognized for that purpose."

Farley: "Thank you, Sir."

Speaker Daniels: "You're welcome. Further explanation of vote? Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Yes, Mr. Speaker, I was reminded by the Majority Leader. He's talking about patronage, and I don't think the

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Republicans have the patronage mentality, Majority Leader; because, you had a chance when you took over and you started measuring bridges, you started putting some phantom payrolls on the payroll. And now you've got revenue agents around the state, and you can't pay them. I don't think you can handle the patronage system."

Speaker Daniels: "Further explanation of vote? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bowman to explain his vote. Timer's on, Sir."

Bowman: "Thank you. This is actually just some friendly advice to my Republican friends on the other side of the aisle. It's...I believe the Sponsors of this Amendment are having a little fun at your expense. Two of the Sponsors are not running for re-election, and the third one has a pretty safe district. I would point out that this Amendment lowers the property taxes in Chicago and raises them in the suburbs, and I vote 'no'."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 81 'aye', 86 'no'. Representative Barr requests a Verification of the Negative Roll and a Poll of the Absentees. Proceed with a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Barnes. Breslin. Dwight Friedrich. Dick Kelly. Kustra. Macdonald. Martire. McAuliffe. No further."

Speaker Daniels: "Record Representative Kustra as 'aye'. Proceed with a Poll of the Negative Roll."

Clerk Leone: "Poll of the Negative. Abramson. Alexander. Beatty. Bowman. Bradley. Brummer. Bullock. Capparelli. Carey. Chapman. Christensen. Cullerton. Currie. Darrow. DiPrima. Domico. Donovan. Doyle. John Dunn.

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Ewell. Farley. Flinn. Garmisa. Getty. Giglio. Giorgi.
Greiman. Hanahan. Hannig. Henry. Huff. Jackson.
Jaffe. Jones. Kane. Katz. Keane. Kornowicz. Kosinski.
Krska. Kucharski. Kulas. Laurino. Lechowicz. Leon.
Leverenz. Levin. Loftus. Madigan. Margalus.
Matijeovich. Mautino. McClain. McGrew. McPike.
Mulcahey. Murphy. O'Brien. O'Connell. Ozella. Pechous.
Pierce. Pouncey. Preston. Rea. Rhem. Richmond. Ronan.
Saltsman. Schneider. Schraeder. Slape. Margaret Smith.
Steczo. Stewart. Stuffle. Terzich. Topinka. Turner.
Van Duyne. Vitek. White. Sam Wolf. Younge. Yourell and
Zito."

Speaker Daniels: "We're starting with 82 'aye', 86 'no'. Now,
Representative Braun wishes to be changed from 'aye' to
'no'. Is that correct?"

Braun: "That's correct, Mr. Speaker. As much as I'd like to see
the Chicago Park District reformed, I'm not going to vote
on this particular Amendment."

Speaker Daniels: "Vote the Party line, right?"

Braun: "No, Sir. No, Sir. Just better judgement on what ought
to be done with the Chicago Park District."

Speaker Daniels: "Thank you. Questions of the Negative Roll.
Representative Barr. Whoops, excuse me."

Barr: "Representative Alexander."

Speaker Daniels: "Excuse me, Sir. Yes, Representative Slape."

Slape: "Yes, Mr. Speaker, would Representative Barr give me leave
to be verified, please?"

Speaker Daniels: "Representative Slape and Leon wish to be
verified."

Barr: "Yes, Sir."

Speaker Daniels: "Representative Breslin."

Breslin: "I'd like to be recorded as voting 'no', please."

Speaker Daniels: "Record Representative Breslin as 'no'."

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Representative McAuliffe. Vote Representative McAuliffe as 'aye'. All right, any other changes? All right, questions of the Negative Roll."

Barr: "Yes, Representative Alexander."

Speaker Daniels: "Representative Alexander. She's in the rear."

Barr: "Representative Bradley."

Speaker Daniels: "Rep...Representative Bradley. Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Barr: "Representative John Dunn."

Speaker Daniels: "Representative John Dunn is in his chair."

Barr: "Representative Capparelli."

Speaker Daniels: "Representative Capparelli is over here on the Republican side."

Barr: "Representative Darrow."

Speaker Daniels: "Representative Darrow. Representative Darrow. How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Barr: "Representative Jones."

Speaker Daniels: "Representative Emil Jones. He's in his chair."

Barr: "Representative Giglio."

Speaker Daniels: "Representative Giglio. He's in his chair. Return Representative Darrow to the Negative Roll."

Barr: "Representative Hanahan."

Speaker Daniels: "Representative Tom Hanahan. How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Barr: "Representative Huff."

Speaker Daniels: "Representative Huff. Doug Huff. Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Barr: "Representative Katz."

Speaker Daniels: "Representative Katz. Representative Katz.
How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Oh."

Barr: "Representative Laurino."

Speaker Daniels: "Excuse me. Excuse me, Representative Barr,
Representative Katz is over here by the side door. Return
Representative Katz to the Negative Roll. Your next
question, Sir?"

Barr: "Rep...Yes, Representative Laurino."

Speaker Daniels: "Representative Laurino is up here on the
Republican side."

Barr: "Representative Kane. He's here. Representative Jim
Kelley."

Speaker Daniels: "Representative Jim Kelley. Jim Kelley is over
here on your side, Sir, and he's voting 'aye'. You..."

Barr: "Dick Kelly. I'm sorry...I'm sorry, Mr. Speaker."

Speaker Daniels: "Dick Kelly is not recorded as voting. Is that
correct, Mr. Clerk?"

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

Barr: "Representative McClain."

Speaker Daniels: "Representative McClain. How's the Gentleman
recorded?"

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

Speaker Daniels: "He's in his chair surrounded by people. Now,
Representative Rea, White and Garmisa wish to be verified.
Is that okay, Representative Barr?"

Barr: "Yes."

Speaker Daniels: "And they have leave to be verified. And
Representative Hanahan has returned. He's in the center

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aisle. Further questions?"

Barr: "Representative O'Brien."

Speaker Daniels: "Representative O'Brien. How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Barr: "Representative Pechous."

Speaker Daniels: "Representative Pechous. Gentleman in the chamber? Representative Pechous. How's he recorded?"

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

Speaker Daniels: "Remove him."

Barr: "Representative Christensen."

Speaker Daniels: "Representative Christensen. Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Barr: "Representative Pierce."

Speaker Daniels: "Representative Pierce. How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Barr: "Representative Schneider."

Speaker Daniels: "Representative Schneider. He's right over here on my right."

Barr: "Mr. Speaker, was Representative Garmisa previously verified? Did he ask that?"

Speaker Daniels: "Yes, Sir, he was."

Barr: "Representative Younge."

Speaker Daniels: "Representative Younge. Wyvetter Younge. How's the Lady recorded?"

Clerk Leone: "Lady's recorded as voting 'no'."

Speaker Daniels: "Remove her."

Barr: "Representative McGrew."

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Speaker Daniels: "Representative McGrew is by his chair."

Barr: "Representative McPike."

Speaker Daniels: "Representative McPike is in his chair."

Barr: "Representative Mulcahey."

Speaker Daniels: "Representative Mulcahey is talking to Representative Mautino about campaign strategy."

Barr: "Representative Chapman."

Speaker Daniels: "Representative Chapman. The Lady is right over here talking to the press about her next event."

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

Speaker Daniels: "There are no further questions. The count, Mr. Clerk? Return Representative Pierce to the Negative Roll. Representative Yourell, what purpose do you rise, Sir?"

Yourell: "...Taken off the Roll Call?"

Speaker Daniels: "Mr. Clerk, was Representative Yourell removed?"

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

Speaker Daniels: "You are still on the Negative Roll Call."

Yourell: "Very good."

Speaker Daniels: "Would you care to change, Sir?"

Yourell: "I'm looking...looking forward to the news releases, now."

Speaker Daniels: "Okay. ...There are 82 'aye' and 82 'nay', and the Gentleman's Amendment...Representative McMaster wishes to be recorded as 'aye'. There are 83 'aye', 82 'no'. This Amendment, having...Representative Zito."

Zito: "Yes, Mr. Speaker, if this Amendment reaches the number to pass, I'd like to verify the affirmative."

Speaker Daniels: "I think Representative Farley has requested that. We're announcing where we're at. There are 83 'aye', 82 'nay', and Representative Farley requests a Verification of the Affirmative Roll. All right, proceed with a Verification of the Affirmative Roll. One second, Mr. Clerk. Representative Bowman, do you wish to change

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your vote, Sir?"

Bowman: "No, Sir, but I know that sometimes things move along pretty quickly when these things are completed, and I would like to point out that the Amendment amends the Bill in its title..."

Speaker Daniels: "Representative Bowman, that...your statements are out of order, right now. We're on a verification. Proceed with a Verification of the Affirmative Roll."

Clerk Leone: "Poll of the Affirmative. Ackerman."

Speaker Daniels: "Excuse me. Representative Farley, Representative McBroom requests leave to be verified. He's up here at the well. And Representative Sandquist and Huskey. Is that okay with you, Sir? McBroom, Sandquist and Huskey. Proceed."

Clerk Leone: "Poll of the Affirmative. Ackerman. Alstat. Balanoff. Barkhausen. Barr. Bartulis. Bell. Bianco. Birkinbine. Boucek. Bower."

Speaker Daniels: "Excuse me. Representative Farley, for what purpose do you arise, Sir?"

Farley: "Yes, could the Clerk go a little slower? And there are a lot of people standing that I cannot see. So, could you ask them to be in their seats?"

Speaker Daniels: "The Gentleman, Representative Farley, has requested that all Members please be in their seats. Those not entitled to the floor, please retire to the gallery. Mr. Doorkeeper, please assist Mr. Farley in requesting all those people to be in their seats, and those not entitled to the floor please return to the gallery. Representative Piel, you wish to be verified, Sir? Representative Farley, we have Representative Neff and E. G. Steele and Piel. I will keep a record of those. You have...They may be verified. Leave is granted. Proceed with a verification."

Clerk Leone: "Beginning with the Roll of the Affirmative.

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Bartulis. Bell. Bianco. Birkinbine. Boucek. Bower.
Catania. Collins. Conti. Daniels. Davis. Deuchler.
Deuster. Jack Dunn. Ralph Dunn."

Speaker Daniels: "Excuse me. Representative Farley,
Representative Hoxsey has asked leave to be verified.
Leave is granted. Proceed, Mr. Clerk."

Clerk Leone: "Ebbesen. Epton. Ewing. Fawell. Findley.
Virginia Frederick. Griffin. Grossi. Hallock.
Hallstrom. Hastert. Hoffman. Hoxsey. Hudson. Huskey.
Johnson. Karpel. Jim Kelley. Klemm. Kociolko.
Koehler. Kustra. LaHood. Leinenweber. Mays. McAuliffe.
McBroom. McCormick. McMaster. Ted Meyer. Roland Meyer.
Miller. Neff. Nelson. Oblinger. Olson. Peters. Piel.
Pullen. Rea. Reilly. Rigney. Robbins. Ropp.
Sandquist. Satterthwaite. Harry Smith. Irv Smith.
Stanley. E. G. Steele. C. M. Stiehl. Swanstrom. Tate.
Telcser. Tuerk. Vinson. Watson. Wikoff. Winchester.
J. J. Wolf. Woodyard. Zwick and Mr. Speaker."

Speaker Daniels: "Representative Farley."

Farley: "I think there's a couple Members that would like
recognition for..."

Speaker Daniels: "Representative Pechous, what purpose do you
rise?"

Pechous: "Mr. Speaker, how am I recorded?"

Speaker Daniels: "How's Representative Pechous recorded?"

Clerk Leone: "The Gentleman has been removed from the roll."

Pechous: "Would you restore me to a 'no' vote, please?"

Speaker Daniels: "Representative Pechous, to be recorded as 'no'.
Representative Christensen."

Christensen: "Mr. Speaker, how am I recorded?"

Speaker Daniels: "How is Representative Christensen recorded?"

Clerk Leone: "The Gentleman has been removed from the roll."

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Christensen: "Would you vote me 'no'?"

Speaker Daniels: "Vote Representative Christensen as 'no'. Representative Farley, any questions of the Affirmative Roll?"

Farley: "Just...Just a co... What is the count, Mr. Speaker?"

Speaker Daniels: "83 'ayes' and 84 'nos'. Representative Farley."

Farley: "Yes, I will not proceed if you want to take the record now, Mr. Speaker."

Speaker Daniels: "Are you concluded your verification?"

Farley: "No, Mr. Speaker. We..."

Speaker Daniels: "All right. Representative Topinka."

Farley: "All right, Mr. Speaker."

Speaker Daniels: "Excuse me, Sir. Representative Topinka."

Topinka: "Yes, I'd like to change my vote to 'present', please."

Speaker Daniels: "Change Representative Topinka from 'no' to 'present'. Representative Bell, your light is on, Sir. Representative Kucharski."

Kucharski: "From...From 'no' to 'yes'."

Speaker Daniels: "Change Representative Kucharski from 'no' to 'aye'. What's the count, Mr. Clerk? There are 84 'ayes', 82 'nos'. Representative Farley."

Farley: "Now, proceed with a Verification of the Affirmative Roll Call."

Speaker Daniels: "The Affirmative Roll Call has been completed."

Farley: "I mean...I'm...Wait, the Affirmative Roll Call."

Speaker Daniels: "We have verified...We have been through it already. Do you have any questions of the Affirmative Roll."

Farley: "All right. Yes, I do."

Speaker Daniels: "Okay. Proceed with your questions, Sir."

Farley: "Representative Ep..."

Speaker Daniels: "Excuse me, Sir. The Minority Leader has his

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light on. Representative Madigan. Okay, proceed,
Representative Farley."

Farley: "Representative Epton."

Speaker Daniels: "Representative Epton. Gentleman in the
chambers? Representative Epton. How is the Gentleman
recorded?"

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

Speaker Daniels: "Remove him."

Farley: "Representative Ackerman."

Speaker Daniels: "Representative Ackerman. Is the Gentleman in
the chambers? Representative Ackerman. How is the
Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Farley: "Representative Boucek."

Speaker Daniels: "Representative Boucek is by his chair."

Farley: "Representative Johnson."

Speaker Daniels: "Representative Johnson. Representative
Johnson. Is the Gentleman in the chambers? How's the
Gentleman recorded?"

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

Speaker Daniels: "Okay. Representative Collins requests leave to
be verified. Leave is granted. Further questions?"

Farley: "Yes. Representative McBroom."

Speaker Daniels: "Remove Representative Johnson from the
Affirmative Roll. Now, your next question, Sir, was..."

Farley: "Representative McBroom."

Speaker Daniels: "Return Representative Epton to the Affirmative
Roll. And your question, then, is Representative McBroom."

Farley: "Correct."

Speaker Daniels: "He had leave to be verified, Sir. He's on the
list as leave to be verified. Further questions?"

Farley: "Representative Macdonald."

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Speaker Daniels: "Representative Macdonald. I don't show her as having been voted. How is the Lady recorded?"

Clerk Leone: "The Lady's not recorded as voting."

Speaker Daniels: "She's not recorded as voting. We'll put her on 'aye' if you'd like to remove her."

Farley: "No, that's...that's all right."

Speaker Daniels: "Okay."

Farley: "Representative Stanley."

Speaker Daniels: "Representative Stanley. Roger Stanley. He's in his chair."

Farley: "Representative Peters."

Speaker Daniels: "Representative Peters. Representative Peters. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Farley: "Representative Irv Smith."

Speaker Daniels: "Representative Irv Smith is in the rear of the chambers."

Farley: "Representative Neff."

Speaker Daniels: "Representative Clarence Neff had leave to be verified, Sir."

Farley: "Representative Roland Meyer."

Speaker Daniels: "Representative Roland Meyer is right over here behind Representative Epton."

Farley: "Representative Deuster."

Speaker Daniels: "Representative Deuster is in his seat, as usual. And Representative... Okay, proceed, Sir."

Farley: "Representative Bartulis."

Speaker Daniels: "Representative Bartulis is in the rear of the chamber. He's in his seat."

Farley: "Speaker Ryan."

Speaker Daniels: "I will...Would you care to have the Speaker brought out, Sir?"

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Farley: "Yes. What's...What's the count, Mr. Speaker?"

Speaker Daniels: "Speaker Ryan is here on my left. Representative Farley requested for you to appear. All right. Representative Farley, any further questions?"

Farley: "Representative Sandquist."

Speaker Daniels: "Representative Sandquist is standing up here by his chair."

Farley: "No further questions."

Speaker Daniels: "There are 81 'aye', 82 'no', and the Gentleman's Amendment fails. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. Representative Barr, did you...I'm sorry. I moved that to Third. Did you wish it to be left on Second?"

Barr: "Well, Mr. Speaker, I'm sorry. I was in the back of the chamber. I would have preferred to have this Bill remain on Second Reading."

Speaker Daniels: "All right. The Bill will remain on Second Reading. House Bill 2569 will remain on Second Reading. Representative Madigan."

Madigan: "Mr. Speaker, having voting on the prevailing side on that last Amendment, I now move to reconsider the vote by which that Amendment failed."

Speaker Daniels: "Representative Madigan moves to reconsider the vote by which the Amendment lost. Representative Kosinski moves to table that Motion. All those in favor will signify by saying 'aye', opposed 'no'. Gentleman's Motion to table prevails. The Bill will remain on Second Reading. House Bill 2574, Representative Ewing. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2574, a Bill for an Act in relationship to the Occupation and Use Taxes. Second Reading of the Bill. No Committee Amendments."

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Speaker Daniels: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Ewing, amends House Bill..."

Speaker Daniels: "Representative Ewing, Amendment #1."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 is under the...provides that, when the costs to local government are less than a thousand dollars for each of several units of local government or 50,000 aggregate in local government costs, then the Mandates Act does not apply, the State Mandates Act. That's the case with this piece of legislation. The fiscal note talks about the total statewide cost in the area of 30,000 dollars, and if we put this on, then the States Mandates Act does not apply. So I'd ask for the approval of this Amendment."

Speaker Daniels: "Any discussion? Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Brummer: "Did I understand you to say that the State Mandates Act would not apply with regard to those units of government in which the impact was less than a thousand dollars?"

Ewing: "If it's provided for in the legislation. That's right. I mean, if... if nothing's put...if this Amendment's not put in the legislation, then the State Mandates Act, I think, would apply. I'm informed that with this Amendment, with this finding put in legislation, that it provides that the Mandates Act would not apply."

Brummer: "Well, the...the units of local government that would probably suffer, then, would be the small units of government in which there'd be a fiscal impact of less than a thousand dollars?"

Ewing: "Well, if they suffer at all from that, Representative; that they're saying that there wouldn't be anywhere near that kind of impact. In fact, if you would have looked at

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the fiscal notes on this, the fiscal impact is very, very minimal. But this just...The law says that it's under a thousand. And this is under a thousand."

Brummer: "What...Is it fair to say that this would...this Amendment, if adopted, would have a greater impact on the small units of government than on the larger units of government?"

Ewing: "I...I don't believe so, Representative."

Brummer: "Is the 1,000 dollars...Is that an aggregated amount or is that an amount with regard to each unit of government?"

Ewing: "Representative, do you understand that this has nothing to do with the actual loss that a unit of government might suffer?"

Brummer: "You referred to the thousand dollars. Is that an aggregate with regard to all the 10...units of local government, or is it with regard to each unit of local government?"

Ewing: "That could be for each unit of local government. Could be. But if you look at the fiscal note filed with this, you'll see that it's minimal, and there is no unit of local government that they can estimate would even lose anywhere near a thousand dollars. The estimated total cost to all units of local government in the State of Illinois is 3,510 dollars. All units of local government. The Mandates Act provides that, if you have this Amendment, then the state doesn't have to make up the 3,500 dollars that's estimated. It would cost about 5,000 dollars or 10,000 dollars or 20 million for the state to make it up, by the time they did the bookwork."

Brummer: "Thank you."

Speaker Daniels: "Further discussion? Being none, Gentleman moves for the adoption of Amendment #1. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes'

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have it. Amendment #1 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. House Bill 2617. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2617, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Daniels: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Cullerton, amends House Bill 2617..."

Speaker Daniels: "Representative Cullerton, Amendment #1."

Cullerton: "I would ask to withdraw Amendment #1, please."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends House Bill 2617..."

Speaker Daniels: "Representative Cullerton, Amendment #2."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of House. This Bill has to do with the Photographic Evidence Law that Representative Daniels passed last year. This Bill...The purpose of this Bill is to expand this privilege, and this Amendment was agreed upon in Committee. What the Amendment says is that it keeps the law the same way as we have it now with respect to property that's taken from retailers; that is, if the defense attorney...defendant wants to object to the state substituting the evidence with a picture, they have 14 days to object. And that's what the current law is. Now, what...with respect to property taken from a person...with respect to property taken from a person other than a retailer, what we say with this Amendment is that the defense...the defendant shall have 30 days after the...his arrest to object, or after as such time, as defined, and there's a finding of probable cause to continue with the

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prosecution, whichever comes first. So that, if a person had a preliminary hearing within two weeks, there was a finding of probable cause at that time, that's when they would have had to make their request that the objection...that the property can be used as a photographic evidence. So, I'll be happy to answer any questions, but this Amendment has been agreed to by the Sponsors and it was discussed in Committee."

Speaker Daniels: "Any discussion? Gentleman from Winnebago, Representative Hallock."

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

Speaker Daniels: "Indicates he will."

Hallock: "What impact will this have on the Best Evidence Rule? The Best Evidence Rule which says that, in the case of this type, you have to actually bring in the evidence itself and not a photograph thereof. Does this amend that, or does this just amend the law we passed last year on that topic?"

Cullerton: "This only...This Bill will amend the law that we passed last year. The current law allows for the state, if they wish, to take a picture of evidence, and to have that presented at trial. I'm not positive what the Best Evidence Rule requires anymore. It's been a long time since I've covered it; but I...obviously the state, in a criminal case, if they elect to take a picture of the evidence and return the items back to the retailer or to the individual from which it was taken, that's their decision. And they make that decision early on, within 14 days or 30 days of the...after the date of arrest. And that's a decision that they can make right now. What this...The purpose of this Bill is to expand that so that the same privilege can be extended to individuals. If something is taken and stolen from their house, rather than

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have them wait for a year 'til the trial's over 'til they get it back, the purpose of this Bill is to allow them to get it back within 30 days."

Hallock: "Well, I think it's an excellent idea, and I support the Amendment."

Cullerton: "Okay, thank you."

Speaker Daniels: "Further discussion?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Further discussion? No further discussion.

The Gentleman, Representative Cullerton, moves for the adoption of Amendment #2. All those in favor signify by saying 'aye', opposed 'no'. They 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. House Bill 2622, Representative Giorgi. Representative Giorgi. Out of the record. House Bills Third Reading, Short Debate Calendar. House Bill 2430, Representative McAuliffe. Gentleman in the chambers? Here he comes. Representative McAuliffe, House Bill 2430. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2430, a Bill for an Act to amend the Illinois Police Training Act. Third Reading of the Bill."

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

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill merely requires that payments be made monthly instead of annually, payments collected from the penalty assessments Bill that we passed last year. This would help units of local government, and they would get their money every month instead of once a year."

Speaker Daniels: "Anyone in opposition? Gentleman from Cook, Representative Getty."

Getty: "Mr. Speaker, I'm not in opposition, but I do have a

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sincere question that I think ought to be put to the speaker on the..."

Speaker Daniels: "You can put a sincere question."

Getty: "All right. Would you state, for the record, the estimated cost in terms of loss to the several counties by making monthly rather than annual payments?"

Speaker Daniels: "Representative McAuliffe."

McAuliffe: "I am unable to answer that question, but if you'd like I will try to get the answer for you."

Getty: "I...I was informed that the effect to Cook County would be approximately one million dollars."

McAuliffe: "I really can't answer the question. I'll be happy to take the Bill out of the record and get the answer for you."

Getty: "Thank you, Sir."

Speaker Daniels: "Out of the record. 2577, Representative Stearney. Out of the record. House Bills Third Reading. House Bill 57...560, Representative Katz. Out of the record. 668, Representative Catania. Out of the record. 955, Representative Vinson. Out of the record. 1053, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1053, a Bill for an Act to amend various Acts to revise or repeal incorrect or obsolete statutory references. Third Reading of the Bill."

Speaker Daniels: "Representative Terzich."

Terzich: "Mr. Speaker. Mr. Speaker, I have a Motion which I would like to, you know, if it's in order, requesting that 17 Bills from the Law Revision Commission which are not substantive, be heard in one Roll Call."

Speaker Daniels: "All right, Mr. Clerk, read the Motion."

Clerk Leone: "Mo..."

Speaker Daniels: "Members of the House, please pay attention to the Motion that Representative Terzich is putting to the

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House. Read the Motion, Mr. Clerk."

Clerk Leone: "Motion: 'I request leave of the House to hear the following 17 Bills on the Order of Third Reading on one Roll Call. House Bills 1053, 1772, 1776, 1777, 1779, 1780, 1781, 1782, 1783, 1784, 17...1845, 1847, 1848, 1849, 1850, 1851, and 1852.'"

Speaker Daniels: "On the Motion, Representative Terzich."

Terzich: "Mr. Speaker and Ladies and Gentlemen of the House, these are all law revision Bills, and all the Bills do is update obsolete language, correct cross-references to other Acts and takes Acts out of the state books that the Supreme Court ruled as unconstitutional. The staff and committees have gone over these Bills for a year now, and they are not substantive. And I would like to have your support on one Roll Call."

Speaker Daniels: "On the Motion, Representative Leinenweber."

Leinenweber: "Well, I join with the Gentleman in urging the Body to adopt this Motion, so that we can consider all these Bills on one Roll Call. The House Judiciary Committee staff, as well as the Members of the Committee, have heard these Bills over, and over, and over again. They've been gone over with an absolute fine-tooth comb by both our staff and by the Minority's staff. There were whatever possible non...or substantive provisions were taken out, and I join with the Gentleman urging the Body to pass these all out of here in one vote and put them over to the Senate Rules Committee."

Speaker Daniels: "Gentleman, Representative Terzich, has asked for unanimous leave of the House to hear those 17 Bills in the Motion on one Roll Call. Are there any objections? Hearing no objections, unanimous leave of the Body is granted. Representative Terzich...Mr. Clerk, please read the Bills. Third Reading."

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Clerk Leone: "House Bill 15...I mean, 1053, a Bill for an Act to amend various Acts to revise or repeal incorrect or obsolete statutory languages. House Bill 1772, a Bill for an Act to amend various Acts to delete references to the now non-existent Justices of the Peace. House Bill 1776, a Bill for an Act to amend the Mental Health and Developmental Disabilities Confidentiality Act. House Bill 1777, a Bill for an Act to amend an Act to revise the law in relationship to attorneys and counselors. House Bill 1779, a Bill for an Act to repeal an Act in relationship to municipal airport authorities. House Bill 1780, a Bill for an Act to eliminate gender-based provisions in compliance with the decision of the Supreme Court of the United States. House Bill 1781, a Bill for an Act to amend various Acts to delete references to the non-existent constables. House Bill 1782, a Bill for an Act to amend Workers' Occupational Disease Act and Workers' Compensation Act. House Bill 1783, a Bill for an Act to amend various Acts to coordinate terminology related to injunctions. House Bill 1784, a Bill for an Act to amend various Acts to coordinate the Illinois Supreme Court rule. House Bill 1845, a Bill for an Act to amend the Unified Code of Corrections. House Bill 1847, a Bill for an Act to amend the Revenue Act. House Bill 1848, a Bill for an Act to amend various Acts to revise obsolete terminology. House Bill 1849, a Bill for an Act to amend various Acts to revise terminology. House Bill 1850, a Bill for an Act to amend various Acts to revise terminology. House Bill 1851, a Bill for an Act to amend various Acts to revise terminology related to judicial proceedings, judgements and the enforcement of judgements. House Bill 1852, a Bill for an Act to amend various Acts to revise and coordinate terminology. Third Reading of these Bills."

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Speaker Daniels: "Representative Terzich."

Terzich: "Yes, again, Mr. Speaker, these are all non-substantive Bills. And, again, all the Bills do is update obsolete language in the statutes and correct cross-references to other Acts. It takes Acts out of the statute books that the Supreme Court ruled as...the entire Act is unconstitutional, and I would urge your favorable support."

Speaker Daniels: "Any discussion? Being none, the Gentleman, Representative Terzich, has moved that these Bills pass. All in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Representative Yourell, your light's on. Representative Yourell."

Yourell: "Thank you, Mr. Speaker. I just wanted to know if, when we push our button this time, that Pat Quinn will give us credit for 17 votes."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On these Bills there are 148 'aye', 9 'nay', 12 voting 'present'. House Bills set forth in the Motion of Representative Terzich, having received a Constitutional Majority, are hereby declared passed. House Bill 1320, Representative McMaster. Read the Bill, Mr. Clerk. Excuse me, Representative McMaster."

McMaster: "Thank you, Mr. Speaker. I would like to move this Bill back to Second for several Amendments, then I would like to hold it on Second because I...one Amendment has been shown to me, but I do not believe it has been distributed. So, I..."

Speaker Daniels: "Gentleman, Representative McMaster, requests leave of the House to move House Bill 1320 to Second. Are there any objections? Hearing none, leave is granted. House Bill 1320, Second Reading. Any Amendments?"

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Clerk Leone: "Amendment #5, Zito, amends House Bill 1320 as amended."

Speaker Daniels: "Amendment #5, Representative Zito."

Zito: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #5 to House Bill 1320 amends the Township Act. It permits township boards of trustees in Cook County to license business establishments within the boundaries of the township but outside the limits of cities, villages and incorporated areas. It provides for lic...licensing fee limits. And the Amendment also defines adult entertainment and allows township boards to license these establishments, as well. This Amendment is the direct result of unlicensed adult entertainment establishments in my district; namely, the infamous Club 'Terray', where a University of Illinois official has been convicted of spending over 600,000 dollars of University funds. I don't know of any opposition to this...to this Amendment. This is the Amendment that many constituents throughout the State of Illinois had wrote to the...their Legisla...Legislatures, asking for support. And I would move, Mr. Speaker, for the adoption of Amendment #5."

Speaker Daniels: "Is there any discussion? Gentleman, Representative Zito, moves for the adoption of Amendment #5. All those in favor signify by saying 'aye', opposed 'no'. Representative Yourell has requested a Roll Call, Representative Zito. Is he joined by five Members for Roll Call? I see two, three, four, five and that's two hands on one person. All right, Gentleman, Representative Zito, has moved for the adoption of Amendment #5. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Amendment there are 149 'aye', 7 'no', 5 voting 'present'. And

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Amendment #5's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Davis, amends House Bill 1320..."

Speaker Daniels: "Representative Davis, Amendment #6."

Davis: "Well, thank you, Mr. Speaker. Amendment #6 authorizes township boards to operate and manage airports within their corporate jurisdiction and also allows them to, through the process of eminent domain or other means, to acquire land for such purposes but restricts the use of that power to operate, manage, and to acquire land to those airports that are already existing, in structure, at the time of the amendatory Act, and those that are eligible for expansion under the Federal Aviation Administration of the Illinois Board of Aeronautics permit and review circumstances. The Bill is supported by the...The Amendment is supported by the township officials of Illinois and deals specifically with...is aimed specifically at one small airport in my district. And I would urge its adoption, and answer any questions for you."

Speaker Daniels: "Any discussion? Lady from LaSalle, Representative Hoxsey."

Hoxsey: "Rep...Representative Davis, is there any hearing process required in this..."

Davis: "In what?"

Hoxsey: "In the township organization...or township board deciding on an airport or whatever? Is there a hearing process involved?"

Davis: "Oh, certainly. Well, there's none...there's none in the Bill, but the process of eminent domain, of course, and acquisition of airport property is going to require a town board hearing. I'm certain there's nothing in the amendatory language that specifically addresses that, but I...I'm suggesting to you that the laws of eminent domain

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require those kind of hearings?"

Hoxsey: "Thank you."

Speaker Daniels: "Further discussion? Gentleman from Madison, Representative McPike."

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

Speaker Daniels: "Indicates he will."

McPike: "Jack, how does this affect an existing airport? For example, we have a civic memorial airport in southern Illinois. Could the local township take over that airport?"

Davis: "Well, not if it's currently under the aegis. It's aimed at private airports, Representative McPike, and not at the airport that's currently under the aegis of another corporate facility such as a city, or a county, or the state."

McPike: "Thank you."

Speaker Daniels: "Further discussion? Representative Davis to close."

Davis: "Well, Mr. Speaker, I just simply ask for an 'aye' vote. I think it's clear that it's a very restrictive, absolutely restrictive language. It only affects unincorporated areas and private airports, and I would ask for an 'aye' vote."

Speaker Daniels: "Gentleman moves for the adoption of Amendment #6. All those in favor signify by vot...saying 'aye', opposed 'no'. The 'ayes' have it; Amendment #6 is adopted. Further Amendments?"

Clerk Leone: "Amendment #7, C. M. Stiehl - Oblinger, amends House Bill 1320..."

Speaker Daniels: "Representative Stiehl, Amendment #7."

Stiehl: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Cuts in federal revenue sharing and categorical grants could eliminate some important services for the elderly, such as transportation and senior citizen centers.

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And this Amendment would simply give local government the opportunity to continue these services if the people of the area wish to do so. As the situation now stands, if federal funds for these programs are reduced or withdrawn, counties and townships may have no choice but to discontinue some of these vital services. There is presently no alternative, and this Amendment would simply allow counties and townships, through a referendum, to levy a tax not to exceed .25 percent in counties or .1 percent in townships. This is permissive legislation. No county or township could levy the tax without a referendum, but one that would want to do so could put the issue to a vote. This is an important measure for senior citizens, and I would ask for a favorable vote."

Speaker Daniels: "Any discussion? Being none, the Lady, Representative Stiehl, moves for the adoption of Amendment #7. Are you on the phone, or do you want to talk? All right, Representative Brummer."

Brummer: "Yes, the Sponsor made reference to a referendum. I was wondering if that referendum is a front-door or a back-door referendum."

Speaker Daniels: "Representative Stiehl."

Stiehl: "Front-door referendum."

Brummer: "Thank you."

Speaker Daniels: "Further discussion? Representative Stiehl moves for the adoption of Amendment #7. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #7 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #8, Steczo, amends House Bill 1320 as amended."

Speaker Daniels: "Representative Steczo, Amendment #8."

Steczo: "Mr. Speaker, I'd like to withdraw Amendment #8, please."

Speaker Daniels: "Withdrawn. Further Amendments?"

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Clerk Leone: "Floor Amendment #9, Steczo, amends House Bill 1320..."

Speaker Daniels: "Representative Steczo, Amendment #9."

Steczko: "Mr. Speaker, could you ask the Clerk if Amendment #9 has been distributed?"

Speaker Daniels: "No."

Steczko: "The Sponsor of House Bill 1320 has agreed to hold it on Second until Amendment #9 is distributed."

Speaker Daniels: "All right. House Bill 1320 will remain on Second Reading. House Bill 1600, Representative Keane. Out of the record. 1733, Representative Hallock. Out of the record. 1841, Representative Karpiel. Representative Karpiel, 1841. Representative Karpiel, 1841. Out of the record? Out of the record. 1882, Representative Barkhausen. Out of the record. 1883, Representative Barkhausen. Out of the record. 1894, Representative Dwight Friedrich - Representative Tate. Out of the record. 1913, Representative Huskey. Out of the record. 1922, Representative Winchester. Out of the record. 1925, Representative Hallock. Out of the record. 1955, Representative Levin. Out of the record. 1971, Representative Davis. Out of the record. 1998, Representative Oblinger. Read the Bill."

Clerk Leone: "House Bill 1998, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Daniels: "Representative Oblinger."

Oblinger: "Mr. Speaker...hello? Mr. Speaker, Members of this General Assembly, this is the senior citizen transportation Bill, which provides for the inspection of the vehicles which would be considered RV's but which now have the placard on them and the proper lettering, and they will then be inspected on the inspection lanes that the trucks are inspected on so that we can go to the Department of

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Insurance and request lower premiums."

Speaker Daniels: "Any discussion? Being none, the Lady moves for the passage of House Bill 1998. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Representative Hudson, record Representative Ewing as 'aye'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, 162 'aye', 2 'nay', none voting 'present'. House Bill 1998, having received the Constitutional Majority, is hereby declared passed. Consent Calendar Third Reading, Second Day. That's page 15 of your Calendar. Consent Calendar Third Reading, Second Day. Read the Bills, Mr. Clerk."

Clerk Leone: "House Bill 2156, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2249, a Bill for an Act designating new agricultural buildings. House Bill 2266, a Bill for an Act to amend the Illinois Drainage Code. House Bill 2369, a Bill for an Act to amend the Illinois Public Library District Act. House Bill 2460, a Bill for an Act to amend certain Acts relating to compensation and benefits of Members of the General Assembly. House Bill 2464, a Bill for an Act concerning the disposition of automobiles. House Bill 2589, a Bill for an Act codifying the powers and duties of the Department of Mental Health and Developmental Disabilities. House Bill 2609, a Bill for an Act to amend the Illinois Horseracing Act. Third Reading of these Bills."

Speaker Daniels: "Consent Calendar Third Reading, Second Day. Question is, 'Shall these Bills pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, 121 'aye', 19 'no', 21

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'present'. Record Conti as 'aye'. Representative Conti, 'present'. Conti as 'present'. 121 'aye', 19 'no', 22 voting 'present'. These Bills, having received a Constitutional Majority, are hereby declared passed. Agreed Resolutions. Read the Resolutions, Mr. Clerk."

Clerk Leone: "House Joint Resolution 83, Griffin. Senate Joint Resolution 88, Grossi. House Resolution 880, Carey. House Resolution 881, Yourell. House Resolution 883, Watson - Friedrich. House Resolution 884, Watson - Friedrich. House Resolution 885, Olson. House Resolution 886, McClain - et al. House Resolution 887, Mulcahey. House Resolution 888, Stanley - Carey. House Resolution 889, Rigney - Swanstrom. House Resolution 890, Terzich - et al."

Speaker Daniels: "Representative Conti, Agreed Resolutions."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, House Joint Resolution 83 was read by Representative Griffin earlier this afternoon. House Joint Resolution (sic - Senate Joint Resolution) 88, the General Assembly of Marchegiana Society is celebrating its 75th anniversary. That's by Pat Grossi. House Resolution 880, Carey. Otto Weber of Harwood Heights will celebrate their Golden Wedding Anniversary on May 14. House Resolution 881, Yourell. Mr. Herbert Reber, a teacher for the past 24 years at Carl Sandburg High School will be retiring on...after 32 years of service. House Resolution 883, Watson and Friedrich, whereas B. Carson Hempen of New Baden, Illinois has been chosen as one of the 1982 Illinois ten outstanding young persons by the Illinois Pride, official publication of Illinois Jaycees. Also James...House Resolution 884, by Watson and Friedrich, James Joseph Steinmann is also picked as one of the outstanding ten men by the Jaycees. House Resolution 885, by Olson. Whereas Dixon High School Girls Basketball

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recently captured third place in the 1982 Illinois Class AA Girls Tournament. House Resolution 886, McClain - Leon - Madigan - McPike and Lechowicz - et al. Timothy William Slape, the son of our esteemed colleague Michael E. and Marcia A. Slape, will celebrate his first holy communion on May 9, 1982 at St. Nicholas Catholic Church in Pocahtontas, Illinois. House Resolution 887 by Mulcahey. The Illinois House of Representatives continued effort to recognize the excellence of dedicated scholars, wishes to congratulate Anna Mae Mulcahey, who will graduate with honors this year from Rock Valley College. Congratulatory House Resolution 888 by Stanley and Carey. Whereas for 33 years, Dr. Paul Lawrence has served the people of Illinois, Ohio, and Indiana by working toward the education of their children - first as a teacher, then as an administrator. House Resolution 889 by Rigney and Swanstrom. May 13, 1982 marks the 18th anniversary of the founding of the Berean Baptist Church by Doctor J. Fred Young as its first pastor. House Resolution 890, Terzich - Lechowicz - Madigan - Epton - Preston - Telcser. Herman Kramer is one of the finest citizens, patriotic in serving this great nation and all free people of the world in World War I as a medic in the United States Army; that we extend our most sincere wish that Herman and Florence may have many years of marital happiness together. Mr. Speaker, Ladies and Gentlemen of the House, I move for the adoption of the Resolutions."

Speaker Daniels: "Gentleman, Representative Conti, has moved for the adoption of Agreed Resolutions. All those in favor signify by saying 'aye', opposed 'no'. They 'ayes' have it. The Agreed Resolutions are adopted. Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, first let me announce that the Rules Committee will meet in room 114

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immediately after adjournment to hear testimony in connection with Senate Bills. And Mr. Speaker, allowing the Clerk the necessary time in which to have a perfunct, I now move the House stand adjourned until Wednesday, May 12, the hour of 9:00 a.m."

Speaker Daniels: "You've heard the Gentleman's Motion, the House stand adjourned until 9:00 tomorrow. Members please be advised that there is a Rules Committee Meeting, room 114 immediately after Session. So if you have Bills to be heard in Rules Committee, please be there immediately after Session. Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I had my light on before the Adjournment Resolution was adopted."

Speaker Daniels: "It hasn't been adopted yet, Sir."

Mautino: "All right...Or read into the record. I'm sorry. But I thought it would be very interesting that we handled 56 Amendments on that House Bill 2474. It was a very interesting, enlightening and educational day here today. My concern surrounds the final question that hasn't been raised in all the time we've been on this House floor. And that question is, yesterday an emergency crisis was related to us in the General Assembly that we did not act on the public aid provision. I was just wondering, after being in here all day, where that crisis was, where the legislation was, and where was the Speaker to call that Bill?"

Speaker Daniels: "Well, you might ask the Minority Leader. All those in favor signify by saying 'aye', on the Adjournment Resolution, opposed 'no'. The 'ayes' have it. The House stands adjourned until tomorrow morning, 9:00."

Clerk O'Brien: "Introduction and First Reading of Bills...House Bills. House Bill 2649, Greiman - et al, a Bill for an Act in relation to the compensation of Members of the General Assembly. First Reading of the Bill. House Bill 2650,

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Henry, a Bill for an Act to create Petroleum Production Tax Act. First Reading of the Bill. House Bill 2651, Henry, a Bill for an Act to create the Illinois Product Development Corporation Law. First Reading of the Bill. Introduction and First Reading of Senate Bills. Senate Bill 1369, McBroom, a Bill for an Act to amend Sections of an Act in relation to fire protection districts. First Reading of the Bill. Senate Bill 1488, Getty, a Bill for an Act in relation to land trusts and power and authority of trustees of land trusts to deal with trust property. First Reading of the Bill. Senate Bill 1491, Dwight Friedrich, a Bill for an Act in relation to the salaries and terms of office of the commissioner and deputy commissioner of banks and trust companies. First Reading of the Bill. Senate Bill 1532, Has...Keane - Hastert, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. Senate Bill 1533, Hastert - Keane, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. Senate Bill 1581, Birkinbine, a Bill for an Act to amend Sections and to repeal Sections of the Illinois Insurance Code. First Reading of the Bill. No further business. The House now stands adjourned."