

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

39th Legislative Day

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Speaker Ryan: "Representative Madigan, did you get to church this morning?"

Madigan: "Yes, I woke up with religion. I was thinking of you."

Speaker Ryan: "I'm not even going to bite on that one. The House will be in Order. Father Wright from St. Agnes Parish will lead us in prayer this morning."

Father Wright: "Let us pray. Father of all mankind, we are gathered in Springfield for this Session. We assembled here mindful of the heritage that is ours. On this occasion we have gathered in Your name. Come with us, be with us. We pray that You will enter our hearts. Teach us what we are to do. Where we ought to tend. Show us what we must accomplish. In order that with Your help we may be able to please You in all things. May You alone be the author and finisher of all our judgements. Oh, God permit us not to disturb the order of justice. Let not ignorance draw us into devious past. Let not partiality sway our minds but unite us to Yourself by the gift of Your divine grace. So that we may be one in You and never forsake You. As we are gathered here this morning so may we and all things hold fast to justice and holiness and truth. So that in this life our judgement may in no way be at variance with You. And in the life to come, we may attain everlasting rewards for deeds well done. May the blessing of the God, Almighty Father, Son and Holy Spirit come upon us and assist us in our work. This we ask through Christ our Lord."

Speaker Ryan: "Thank you, Father. Representative Getty will lead the pledge this morning."

Getty: "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

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for all."

Speaker Ryan: "Roll Call for attendance. Let the record show that Representative Jones has arrived. It's the intention of the chair to work the entire day maybe with a two hour break sometime this afternoon, late this afternoon or early this evening. Maybe from 3:00 to 5:00 or 4:00 to 6:00 or somewhere in that area. Maybe 3:00 to 6:00. We'll see how things move here and then be back in and work till 9:00 or 10:00 this evening. Representative Davis."

Davis: "Well, Speaker, I'm willing to work all night and all week long and everything else but obviously there are about 120 members who decided to take their two hour break this morning. Now, I don't know how we get them here and keep them here but I don't think a break this afternoon is going to do anybody any good. If we're going to start at 8:00 we ought to start at 8:00 and work 12 or 14 or 16 hours and go home and go to bed. But I've always objected to this. Nobody shows up at the appointed time and I don't know how you discipline this House but Mr. Speaker, I suggest we run some Bills and Members that aren't here and get them on a priority call to get them here on time or they don't get to have their Bill heard."

Speaker Ryan: "Representative Davis, the record indicates that there are 152 Members present this morning and with that many Members answering the call a quorum of the House is present."

Davis: "There's a paper indicate there's 152 Members here."

Speaker Ryan: "Take the record. Let's start with the list that was given to me last night to return the Bills that are on the Order of Third Reading to return to the Order of Second Reading. Begin on that Order. .... in numerical order as they would appear on the calendar. We'll start with House Bill 19, Representative Cullerton. Representative

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Cullerton."

Cullerton: "Yes, Mr. Speaker, I understand there are two Amendments..."

Speaker Ryan: "The Gentleman asks leave to take House Bill 19 back to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. House Bill 19 is now on the Order of Second Reading. Are there any Amendments, Mr. Clerk."

Clerk Leone: "House Bill 19 has been read a second time previously. Amendment #2, Levin-Cullerton, amends House Bill 19 as amended."

Speaker Ryan: "Representative Cullerton, on Amendment #2 to House Bill 19."

Cullerton: "Representative Levin would explain it please."

Speaker Ryan: "Do you yield to Representative Levin?"

Cullerton: "Please."

Speaker Ryan: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #2 has been cleared with both sides of the aisle and the language has been worked out with the Department of Law Enforcement that has no objections to this Amendment. It is also supported by the Illinois Gun Collectors Association. Very briefly what the Amendment does is to have the Department of Law Enforcement regularly obtain from the Federal Government copies of applications for federal gun dealers applications. And to pass those along to the local Department, Law Enforcement Agencies for their scrutiny. I ask for a favorable Roll Call."

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

Vinson: "Yes, will the Sponsor yield for a question?"

Speaker Ryan: "He indicates he will. Who's going to answer the questions? Representative Levin"

Vinson: "Representative, would you explain the nature of the

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Amendment again, please?"

Levin: "Yes, Representative Vinson, this Amendment is the, comes as the result of an investigation by Channel 2 in Chicago where a producer using a phony name and phony mail drop as an address was able to obtain two federal gun dealer licenses. What was discovered was that the Federal Government simply puts the phony names or the real names through the FBI computer and if there are no, if the names don't have any record they send along a license. This is because they have for the eight midwestern states a total of seven field personnel to verify the information. Once you have a federal gun dealer's license you are able to evade both federal and state gun laws which means you don't need to have the state ID. You don't have to wait 72 hours. You can order guns through the mail and get parts for machine guns. The purpose of this Amendment is for the State of Illinois to begin to clamp down on this loophole by having the Department of Law Enforcement obtain the applications from the Federal Government which are available and give those applications to the local Law Enforcement Agencies. So that they may on their own investigate to see whether or not there's misrepresentations or other problems in terms of people who are selling guns in their area."

Vinson: "Representative, does this put the state in the position in effect then of enforcing federal gun control provisions?"

Levin: "No, Representative Vinson. This is different from the Bill that was offered in Committee. It does not have any penalty provisions in it and it is purely permissive on the part of local Law Enforcement Agencies. It's a proposal which has been checked out with all sides both pro and anti-gun and I think that everybody feels that it's a

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reasonable approach."

Vinson: "Representative, on page two in Section 3, I read that as imposing a mandate, an absolute mandate on the Department of Law Enforcement."

Levin: "This, I raise the question with the Department whether or not they wanted to change the word shall to may and they felt that it was fine the way it was. The language further down states that effectively if they are not able to obtain the information they can't pass it on. This language was cleared with them. There were changes that were made at their requests. They are totally satisfied with this language. I went over it with them word for word and it is acceptable to them in the present form."

Vinson: "Was a Bill that contained this, these provisions actually introduced directly in the Legislature?"

Levin: "I'm sorry, I didn't hear your question."

Vinson: "Was there a Bill which contained the same provisions actually introduced in the Legislature?"

Levin: "There was a Bill that was introduced which was similar but went beyond this in that it contained criminal penalties at the state level for misrepresentation on the federal application. That has been eliminated. There have been a couple of other changes in language here. The provision in terms of local Law Enforcement Agencies checking out the information has been changed. That is permissive now. It is not mandatory. If they want to they can. If they don't want to they don't have to. But we're talking about initially about five to six thousand applications in terms of renewals of approximately two thousand. So it's not a very large volume of applications."

Vinson: "On page two of the Act in Section 6 I would read that as absolutely mandating local agencies to cooperate with and

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share information obtained pursuant to this Act, wouldn't you?"

Levin: "Again, this was, this language was discussed with the Department of Law Enforcement. I asked them if they thought it should be removed. They felt that if the information is provided certainly in the spirit of the proposal there should be cooperation between all levels of Law Enforcement Agencies. And again, I ask the Department if they wanted to remove that language. They felt that it should not be removed, that it should be left in."

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

Speaker Ryan: "Proceed will you Representative Vinson."

Vinson: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I believe that a Bill which contained a number of these same provisions was introduced in the Legislature and was killed in Committee. I think the wisdom of the Committee is accurate in this particular case. I think if you look through the entire scheme of this act you're going to find in this, I believe this Amendment essentially becomes the act. You're going to find that it places State Government in the process of enforcing the federal scheme for gun control. I think more than that it does mandate in many cases the Department of Law Enforcement and Local Agencies to actually do that. I don't believe there's a discretion involved in the concept and I would suggest that if you believe that gun control is a political whipping board and not a effective means for crime control one ought to oppose this Amendment and for those reasons I'll vote 'no' on the Amendment."

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

Leverenz: "Not to be confused with, will the Sponsor yield? He

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indicates he will. Representative in the analysis, the second point of the analysis says it makes it an offense to carry or possess on any public street, or public land within the corporate limits, city village, or incorporated town of firearm. Can you explain that? Is this absolute total gun control?"

Levin: "Okay Representative this is Amendment #2. The analysis you're reading is on the basic Bill, and in addition I am informed by Representative Cullerton that analysis is incorrect but this is Amendment #2 which deals only with obtaining information from the Federal Government and passing it on to local Law Enforcement Agencies."

Leverenz: "I'm reading the sheet that says Amendment #2 to House Bill 19."

Levin: "That Amendment is described on the bottom of the page. The top of the page was the basic Bill. Also the description."

Leverenz: "Fine, that's what I am getting to now."

Levin: "The description on the bottom of the page was wrong, even as to Amendment #2. That description said it was mandatory on local Law Enforcement Agencies. I called the Staff person and he indicated he was going to put out a supplement stating that description was incorrect."

Leverenz: "Well it also says that DLE is required to make the information available to local Law Enforcement Agencies. How will they do that and what is the cost?"

Levin: "The cost, let's see. Okay, they will obtain from the Federal Government and they have checked out that they are in fact able to obtain this information and they will then, if they are able to obtain it, they will pass it on, they will mail it or deliver it to the local jurisdiction that in which the individual states that he is going to be doing business. The cost of this is approximately \$5,000 for the

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first year and will be about \$2,000 for each additional year. As I say it is purely permissive and all the language in this Amendment is been gone over with the Department. It is supported by Les Fields of the Illinois Gun Collectors Association as something which does not in any way expand existing laws. It does not take away anybody's rights to bear arms but simply makes the existing law work a little bit better by plugging a very significant loophole. I think whether or not you believe in gun control or not, all sides would like to see the existing laws work and so that persons who should not have guns under the law, do not and that is the intent of this. It's purely informational."

Leverenz: "Well, the question is, what is the cost informational? It says the Department, I guess, of Law Enforcement shall provide copies of such information obtained to local law enforcement agencies. That's Section 4 of your Amendment. Section 5, each local law enforcement agency is authorized to verify the information contained in the application. Each local law enforcement agency shall cooperate with and share information obtained pursuant to this Act with the Secretary or his agents. Now, the question is, how does this impact on local governments to go out and verify everyone of these as the Federal Government is not?"

Levin: "Okay, Representative, there are between, in terms of total number of applications or licenses, between five and seven thousand so it was the estimate of the department that would cost it the first year to process all those applications to send them on to local jurisdictions about five thousand dollars. Each year they're after approximately, there's a one-third turnover so their estimate is about two thousand dollars. In terms of local law enforcement agencies this is information that is



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provided to them. If they choose not to do an investigation they're not required to. This is information that is, however, made available to them. It is discretionary with them. They're authorized to verify. They're not mandated to verify the information."

Leverenz: "Well, if then you're saying they don't have to verify and if they do then you're going to collide with the State's Mandates Act. But if they are allowed to verify or they may verify, what good is it to have the Amendment? They physically can't do it now. I would think with all the other responsibilities that local police departments have. As a matter of fact, you don't even have to have a state's firearm owner's ID card and you can go out and buy a gun without one. If you have the repeal or as a matter of fact coming up on the state's ID card in House Bill 328. Mr. Speaker, to the Bill."

Speaker Ryan: "Proceed."

Levin: "Mr. Speaker, I think I can, if I may. Given the controversy about this I would ask to withdraw the Amendment at this point."

Speaker Ryan: "Further Amendments. The Gentleman moves to withdraw Amendment #2 to House Bill 19. Are there further Amendments?"

Clerk Leone: "Floor Amendment #3, Cullerton, amends House Bill 19 as amended."

Speaker Ryan: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment is, changes two words. It was recommended in the Judiciary II Committee. It deletes the word 'secure' on the last page which modifies container so that it doesn't have to be, you don't have to carry the weapon in a secure container. It can just simply be in any container and it deletes the word 'loaded' with respect to,

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on page two, line one which modifies weapon with respect to the law in terms of carrying a weapon in a vehicle. This was the wrong language that was added. We had struck, we had added loaded what was mistake so what we wanted to do is strike loaded. And that's what the Amendment does. It's simply technical. It gets the Bill in the shape that I want it to pass it on Third Reading. I would ask a favorable vote."

Speaker Ryan: "Is there any discussion?"

Cullerton: "I'd be happy to answer any questions."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #3 to House Bill 19. Representative Vinson."

Vinson: "Representative, would you, will he yield for a question, Mr. Speaker?"

Speaker Ryan: "He indicates he will."

Vinson: "You seek to amend the Bill on page two, line one?"

Cullerton: "That's correct."

Vinson: "And you seek to delete 'loaded' and insert 'secure'?"

Cullerton: "No."

Vinson: "By deleting 'loaded' and 'secure'."

Cullerton: "Right. 'Secure' is on the last page. That modifies the word 'container'. In Committee, what the Bill does is to say that when you're carrying a weapon that has to be in a container or in a box and there was objections raised in Committee by saying that there has to be a secure container. What does that mean? It's too ambiguous so we're going to say strictly just simply a container. So I'm striking the word 'secure'. With respect to page two, on line one that Section refers to the use of a weapon in a vehicle. Okay, the law right now says that if it's loaded or unloaded, if it's accessible in the vehicle then it's deemed to be in the possession of all those who are part of

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the vehicle. When the Bill was drafted it changed the word 'unloaded' to 'loaded' so that it only effected loaded weapons in a car. So I was changing the law then. I didn't want to change that Section of the statute. So what I'm doing with this Amendment is striking the word 'loaded' so that it only refers to all weapons in a vehicle."

Vinson: "Thank you."

Speaker Ryan: "Further discussion. The Gentleman moves for the adoption of Amendment #3 to House Bill 19. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment... Representative Brunner."

Brunner: "Could we have a Roll Call on this, please?"

Speaker Ryan: "Certainly. The Gentleman moves for the adoption of Amendment #3 to House Bill 19. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Cullerton."

Cullerton: "I'd like to explain my vote. There's obviously again some misunderstanding with respect to this Bill. This is a technical Amendment to my Bill on Second Reading so it was recommended in Committee. The Bill, you'll be happy to know, was drafted by the Illinois Rifle Association and the Antique Gun Collectors. Alright, it's not in any way a gun control Bill. The Bill was designed to protect, clear up the language with respect to the charge of unlawful use of weapons. It has exemptions for common carriers who deliver guns. It has an Amendment on there for the Department of Conservation allows trappers to carry weapons and that's what the Bill's about. Now, this is a technical Amendment. It's 8:25 in the morning. Apparently, some people are in a bad mood but this is ridiculous that I can't have this Bill in the form that I want on Third Reading. Well, if you want to vote against the Bill after I explain it on Third Reading I'll be happy to answer any questions at that time."

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But this is my technical Amendment to a Bill and I'd certainly appreciate a favorable vote."

Speaker Ryan: "Representative Ebbesen, to explain his vote."

Ebbesen: "Yes, Mr. Speaker, in explaining my vote, any piece of legislation as far as this Legislator is concerned has got gun control on it goes out of this House becomes the attitude already in the Senate as they've got gun control legislation on the Senate floor. Get it over there amended and sometime along about midnight on the 29th or 30th we're going to have something that might slip by us or great controversy. At that hour of the night, at that time of the year, we're going to have enough to talk about and I think that anything, any Amendment that makes this Bill better ought to be defeated because it ought to be defeated on Third Reading. No vehicles over in the Senate for gun control."

Speaker Ryan: "Anybody else care to explain their vote? Representative Boucek."

Boucek: "Thank you, Mr. Speaker. I wanted to ask one question. May I?"

Speaker Ryan: "Well, you're a little late. We're in explanation of vote."

Boucek: "Just for a clarification?"

Speaker Ryan: "Proceed."

Boucek: "Representative, the Bill as it reads now says 'a gun must be loaded and incased'. Is that correct? But your Amendment says now any gun regardless of whether it's loaded or unloaded. Is that true?"

Speaker Ryan: "Representative Cullerton, did you care to respond?"

Cullerton: "Yes, the Amendment brings the law back to the way it is written now with respect to carrying a gun in a vehicle. This is a Bill that you voted for in Committee,

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Representative, and the Amendment was recommended in our Committee that time."

Boucek: "But the Amendment was defeated. Is that true?"

Cullerton: "No, this Amendment was never, it was said in the Committee amended on the floor. That's what I'm trying to do."

Boucek: "Then you Amendment is an after thought."

Cullerton: "No, my Amendment was suggested in Committee and I'm trying to amend it on the House floor."

Boucek: "Okay, thank you."

Speaker Ryan: "Have all voted who wish? On this, take the record, Mr. Clerk. On this question there are 79 voting 'aye', 52 voting 'no' and 8 voting 'present' and the Gentleman's Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Representative Cullerton, there's been a request for a fiscal note filed on your Bill so now it will have to remain on Second Reading. Representative Cullerton."

Cullerton: "Was the fiscal note filed prior to Amendment #2, Representative Levin's Amendment being discussed? Because I think that's the purpose for the fiscal note and since that Amendment's not on the Bill perhaps the person who requested it might want to withdraw it."

Speaker Ryan: "Read the request, Mr. Clerk."

Clerk Leone: "Request fiscal impact statement on House Bill 19, Amendment #2, Representative Leverenz."

Speaker Ryan: "Representative Leverenz."

Leverenz: "Yes, will withdraw it. Amendment #2 isn't even there. Thank you."

Speaker Ryan: "The Gentleman withdraws his request. Third Reading. House Bill 109, Representative Ronan. The Gentleman moves to take House Bill 109 from the Order of Third Reading to the Order of Second Reading. Are there

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objections? Hearing none, leave is granted. Are there any Amendments, Mr. Clerk?"

Clerk Leone: "House Bill 109 has been read a second time previously. Floor Amendment #2, Vinson, amends House Bill 109 as amended."

Speaker Ryan: "Representative Vinson, on Amendment #2."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is reluctantly offered not because the underlying Bill is mistaken or wrong but because passage would have been difficult without the Amendment and what the Amendment does is to strike all of the forgiveness clauses in the scholarship assistance for nurses. It's agreed with the Sponsor of the Bill. It's an unfortunate Amendment but I believe it's the best we can come with in this particular year and I would move for adoption of the Amendment."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #2 to House Bill 109. 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 186, Representative O'Brien. Is the Gentleman in the chamber? Out of the record. House Bill 326, Representative DiPrima. Is the Gentleman in the chamber? Is Representative DiPrima in the chamber? House Bill 326, return it to the Order of Second Reading and hold it on the Order of Second Reading. House Bill 503, Representative Daniels. Out of the record. House Bill 581, Representative Mautino. The Gentleman moves to take House Bill 581 back to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Are there any Amendments, Mr. Clerk?"

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Clerk Leone: "House Bill 581 has been read a second time previously. Floor Amendment #1, Leverenz-Stuffle, amends House Bill 581 on page one, line one and so forth."

Speaker Ryan: "Representative Leverenz, on the Amendment #1 to House Bill 581."

Leverenz: "Yes, thank you, Mr. Speaker. The Amendment essentially would be House Bill 1300 from last Session which passed the House 133 to 12. It provides for a orderly, workable franchise agreement. It sets out details on what prohibitions are placed on distributors. Forcing distributors to take on ordered merchandise or any types of threats. I ask for a favorable vote."

Speaker Ryan: "Is there any discussion to Amendment #1 to House Bill 581? Representative Pullen."

Pullen: "Has it been printed and distributed, Mr. Speaker?"

Speaker Ryan: "Has the Amendment been printed and distributed, Mr. Clerk."

Leverenz: "It's been on the desk for about two weeks, Mr. Speaker."

Clerk Leone: "Yes, the Amendment has been printed and distributed."

Pullen: "It must be nice that some people around here get Amendments. Could I ask the Sponsor some questions, please?"

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

Pullen: "Sir, you indicated that this Amendment puts into this Bill what was a Bill last year. Did you or anyone else introduce a Bill to do that this year?"

Leverenz: "Yes, it was House Bill 367 and we were unable to have a full hearing on the Bill and that is why I'm doing it by Amendment."

Pullen: "So this was a Bill that was introduced and was referred to a Committee of this House and was not reported out so

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you're trying to put it onto another Bill. Is that right?"

Leverenz: "No, it was not heard. It went to a Subcommittee and we did not have hearing on it."

Pullen: "And it has to do with detailed considerations of franchising?"

Leverenz: "Franchise agreements. That's correct. It protects essentially the small business people in the State of Illinois."

Pullen: "And it's about nine pages long. Is that right?"

Leverenz: "That's correct."

Pullen: "Is it any kind of franchise or is it a particular type?"

Leverenz: "It has to do with beer distributors. It's the same as House Bill 1300 of last year that didn't come back from the Senate."

Pullen: "So this is beer distributor franchising?"

Leverenz: "Yes."

Pullen: "Limited to that?"

Leverenz: "It is a fair dealing Act for distributors. Deals only with beer franchises. That's correct."

Pullen: "Thank you."

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

Watson: "Thank you, Mr. Speaker. Did I hear you correct in saying that this Bill was assigned to Registration and Regulation Committee this year?"

Leverenz: "Mr. Speaker, thank you. My button didn't turn my mike on right away. I did not indicate what Committee it went to or the actual Committee was not discussed at all."

Watson: "Did it, in fact, get assigned to Registration and Regulation Committee?"

Leverenz: "Yes, I think it did."

Watson: "How many times was it posted this year?"

Leverenz: "To the best of my knowledge it was posted once. We



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came there and it was referred to a Subcommittee."

Watson: "It was posted several different times in Committee and it was assigned to a five member working Committee. If this, let's say I have a Rexall Drug Store and Rexall doesn't like the way I'm running their particular franchise. They want to come in and take that franchise away from me. Should or should they not have that right to do so?"

Leverenz: "Certainly, with good cause they should be able to take your Rexall franchise away but it has nothing to do with drug stores."

Watson: "I realize that but it's the good cause. Would you explain that, please? What determines good cause?"

Leverenz: "Any, if you can come in and show any cause that where you have violated the franchise then that would prove good cause."

Watson: "Well, Mr. Speaker, I believe that this Bill has been assigned to a working Subcommittee and that's where it should remain. We have a five member Committee that's been assigned by our chairman. I think this Bill should be go through the Committee process, our chairman. I think this Bill should be, should go through the Committee process and not be used as an Amendment. I would appreciate a 'no' vote on this Amendment. Thank you."

Speaker Ryan: "Any further discussion? Representative Sandquist."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, as Chairman of the Committee on Registration and Regulation this Bill was posted several times and was heard in Committee. I had a similar Bill, 468, which dealt with the same problem. After some discussion it was agreed upon that both of these Bills would go to a working Subcommittee where they were assigned. And after that they were both

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put in Interim Study and I do not think this is a fair way to do it. And therefore, I would urge a 'no' vote on this."

Speaker Ryan: "Is there any further discussion? Representative Leverenz, to close."

Leverenz: "Well, thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Amendment deals with a fair dealing Act between manufacturers or the franchisors specifically in the area of beer. We passed the Bill out of the House last Session 133 to 12. It provides for certain protections for the franchisee and the franchisor. It provides for remedies and can go through the courts. It actually protects what you and I would consider small business people in the State of Illinois. I'd ask for an 'aye' vote. Thank you."

Speaker Ryan: "The question is, shall Amendment #1 to House Bill 581 be adopted? All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Representative Mautino, to explain his vote."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen. I, of course, support this Amendment as well to the Bill I brought back from Third. I guess the best way to explain this Amendment in terms of yes and no votes is this: a green vote is for the business people of the State of Illinois that are involved in this industry. A red vote is for those businesses that are in St. Louis, in Milwaukee, in Fort Wayne, Indiana and in Texas. That's basically the provisions that are in this Amendment and if you want to vote for your Illinois businessmen I recommend very highly that you do so as this General Assembly did for the new car dealers. This is essentially the same Bill with the terms reversed in place of new car dealers who now have beer distributors. All of the associations in the State of

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Illinois are supportive of this Amendment and this Bill which was 367 and I recommend an 'aye' vote."

Speaker Ryan: "Have all vote who wish? Take the record, Mr. Clerk. On this question there are 60 voting 'yes', 80 voting 'no', 4 voting 'present' and the Gentleman's Motion fails. Further Amendments."

Clerk Leone: "Floor Amendment #2, Mautino, amends House Bill 581 on page one.."

Speaker Ryan: "Representative Mautino, on Amendment #2."

Mautino: "Thank you, Mr. Speaker. I believe that Amendment #2 is probably out of order since Amendment #1 was not adopted. If I remember correctly that Amendment was a sever ability clause on Constitutionality of the question. Is that not true?"

Speaker Ryan: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I'm sorry, Sir, that Amendment was a technical clean up language on the original Bill as presented and that is not the sever ability clause. I move for adoption. That's strictly technical."

Speaker Ryan: "The Gentleman withdraws his request. The Gentleman moves for the adoption of Amendment #2 to House Bill 581. 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 594, Representative Reilly."

Clerk Leone: "House Bill 594, a Bill for an Act creating the Illinois Comprehensive Budget Reform Act. It's been read a second time previously. Floor Amendment #2, Reilly, amends House Bill 594 as amended."

Speaker Ryan: "Representative Reilly, do you want to move this Bill back to the Order of Second Reading?"

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Reilly: "Yes, I ask leave to bring this back ....."

Speaker Ryan: "The Gentleman asks leave to return House Bill 594 from the Order of Third Reading to the Order of Second Reading. Are there objections? Hearing none, leave is granted."

Reilly: "Thank you, Mr. Speaker. Amendment #2 to House Bill 594 simply clarifies and amplifies the Amendment #1 which was adopted in Committee. What we're trying to do here is put a limitation on the gross and state expenditure. I would adoption of Amendment #2."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #2. Representative Getty."

Getty: "Mr. Speaker, I question the germaneness of Amendment #2."

Speaker Ryan: "I didn't hear you, Representative."

Getty: "I question the germaneness of Amendment #2. Recite to you that the title of the Bill is an Act creating the Illinois Comprehensive Budget Reform Act and amending certain Acts to conform thereto. Amendment #2 is totally different in that it would completely strike the title and it would be. It would strike that. It would insert without even changing the title, 'this shall be know as an Act and sighted as the Appropriations Limitation Act of 1981'. Were this Amendment to be adopted the title would read, 'an Act creating the Illinois Comprehensive Budget Reform Act' and the short title would be, an Appropriations Limitation Act of 1981'. I would suggest to you that it is a totally different subject matter. Obviously, Illinois Comprehensive Budget Reform is not the same as an Appropriation Limitation Act. The Amendment, I suggest to the chair is non-germane."

Speaker Ryan: "Representative Reilly."

Reilly: "Mr. Speaker, even if I though there were any merit to the comments of the Gentleman, which I'm not sure there

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are. The fact is, that the changes he suggests were made by Amendment #1 in Committee. The Bill then came to the House floor on Second Reading. There were no Motions filed to table that Amendment. There was no question raised as to the germaneness of that Amendment. The Bill was then moved to Third Reading. I would suggest that the question is not timely. Amendment #2 doesn't do anything in that regard that Amendment #1 didn't do. The question is not timely and I would suggest we go on and consider the Amendment."

Speaker Ryan: "Representative Getty."

Getty: "Mr. Speaker, the Amendment adopted in Committee has precisely the same defect in that it does not even try to amend the title. You would be left even with that and I will question the germaneness of that at an appropriate time but since we are on Amendment #2 in accordance with the Speaker's ruling of Friday, I'm being consistent with the Speaker's ruling of Friday. I'm now questioning Amendment #2. I again point out without regard to the fact that I reserve the right to question the germaneness of Amendment #1 and I agree that is equally non-germane. My point at this time is that Amendment #2 is clearly non-germane since it attempts to have a short title that has to do with Appropriation Limitations inserted into an Act that's called by title, 'the Illinois Comprehensive Budget Reform Act'."

Speaker Ryan: "Amendment #2, the Parliamentarian tells me, Mr. Getty, is clearly germane and I'll rule that way. Representative Vinson, do you seek recognition?"

Vinson: "No, Mr. Speaker. Your ruling satisfies my interest."

Speaker Ryan: "Any further discussion on Amendment #2? The Gentleman moves for the adoption of Amendment #2 to House Bill 594. All in favor will signify by saying 'aye', all

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opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "Amendment #3, McClain, amends House Bill 594 as amended."

Speaker Ryan: "Representative McClain on Amendment #3 to House Bill 594."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #3 to House Bill 594 amends the Amendment that Mr...."

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

Reilly: "Yes, Mr. Speaker. I question the germaneness of Amendment #3. The Bill deals and has dealt all along with the question of control on state finance. The Bill in the form that it came out of the Committee in the form that it is now with adoption of Amendment #2. Deals with the limitation on the growth in state expenditure. This seeks to replace it all together both changing the title and the Act that's being amended to make it a Bill that deals with an entirely different subject matter. That is, to deal with Road Fund diversions. While I don't, not bothered with the idea of dealing with Road Fund diversions it has nothing at all to do with the subject matter of the Bill. Either as introduced or as amended and I would suggest that it's not an order and it's not germane."

Speaker Ryan: "Representative McClain."

McClain: "Thank you very much, Mr. Speaker. That's why my Amendment is exactly on point and germane. Mr. Reilly does limit expenditures including the Road Fund and growth. It amends the proper Section. I amend his Amendment properly and I also limit growth in spending from the Road Fund so my Amendment is properly germane. And it bothers me that you have sort of an Irish grin on your face."

Speaker Ryan: "Representative Reilly, your point is well taken."

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The Amendment, the Parliamentarian tells me, is not germane and the Chair so rules. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 630, Representative Rigney. The Gentleman moves to take House Bill 630 back to the Order of Second Reading. Are there objections? Hearing none, leave is granted. Are there any Amendments?"

Clerk Leone: "House Bill 630 has been read a second time previously. Amendment #3, Rigney, amends House Bill 630 and so forth."

Speaker Ryan: "Representative Rigney, on Amendment #3."

Rigney: "Well, Speaker, House Bill 630 is a corporate farm reporting Bill. What it does is put a couple of exemptions into the reporting requirement. First of all, there is an exemption for agricultural land that is owned by a corporation in parcels of less than twenty-five acres. The second exemption is for those pieces of land that are used by utilities as rights of way. So these are two significant exemptions that have been asked for by the utilities and by corporations."

Speaker Ryan: "Representative Schneider, on Amendment #3."

Schneider: "Could you just tell me, Harlan, I didn't hear the exemption from what? Exemptions from what?"

Rigney: "This is a corporate reporting Bill. For those corporations that own Illinois farm land and we are writing in two specific exemptions to the reporting requirement. #1, for those parcels of less than twenty-five acres and #2 as the utilities for their rights of way. In other words they don't have to report those on an annual basis."

Schneider: "I apologize. I don't know what they're reporting though. You know, I don't know what..."

Rigney: "They were under House Bill 630 they'll have to report their farm land holdings and we are saying we are not

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looking upon utility rights of ways or small parcels of less than twenty-five acres as being bonafide Illinois farm land so therefore, they won't have to report."

Schneider: "It doesn't exempt them from any pay-up, tax payments and stuff like that."

Rigney: "Oh no, it exempts them from the reporting requirement that the Bill creates."

Speaker Ryan: "Is there any further discussion. Representative Leinenweber."

Leinenweber: "Will the Gentleman yield?"

Speaker Ryan: "Indicates he will."

Leinenweber: "On the twenty-five acre, how do you define the twenty-five acres? Is that a non-contiguous single ownership or what?"

Rigney: "No, any twenty-five acre parcel."

Leinenweber: "What if you owned five twenty-five acres parcels that were subdivided into separate twenty-five acres parcels. Would you be able to avoid reporting?"

Rigney: "Yes, if they own twenty-five acres in one township and twenty-five over in some other township. Yes, they could be exempt from both."

Leinenweber: "What if they're contiguous in the same township or just contiguous but under separate ...."

Rigney: "If they would be contiguous they would be all one tract."

Leinenweber: "So, what you're saying is that a corporation that has identical, identical corporation cannot own two parcels of property together they total more than twenty-five acres they are contiguous then they must report. Is that correct?"

Rigney: "Yes. Keep in mind this has nothing to do with ownership. It's only the reporting requirement. We are not effecting ownership under 630."



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Leinenweber: "Yes, but only owners have to report though, Is that correct?"

Rigney: "That's true. Any corporate owner that has attractive land of more than twenty-five acres, yes, he would have to report."

Speaker Ryan: "Is there any further discussion? Representative Rigney, to close."

Rigney: "Mr. Speaker, I think the issue is rather clear. These are exemptions that the corporations and utilities have sought and I have agreed to them and I just merely ask you for your 'yes' vote."

Speaker Ryan: "The question, the Gentleman moves for the adoption of Amendment #3. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 648, Representative Deuster. The Gentleman, do you want to take your Bill back, Representative. The Gentleman asks leave to take House Bill 648 back to the Order of Second Reading. Are there objections? Hearing none, leave is granted. Amendments, Mr. Clerk."

Clerk Leone: "House Bill 648 has been read a second time previously. Amendment #2 amends House Bill 648 on page one, line one, Representative Watson."

Speaker Ryan: "Representative Watson, on Amendment #2."

Watson: "Thank you, Mr. Speaker. Amendment #2 to House Bill 648, just to explain this, currently now pickup trucks have to be inspected two times a year. All second division vehicles have to be inspected every six months. What this Amendment would do would exempt from inspection those second division vehicles licensed under Section 3-815 of this code for a gross weight of eight thousand pounds or

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less shall be subject to only tests every twelve months instead of every six months. This is a normal pickup truck. All we are doing is reducing the annual, making it an annual inspection instead of every six months. If you have any questions, why..."

Speaker Ryan: "Is there any discussion? The Gentleman from Macoupin, Representative Bartulis."

Bartulis: "I have a question of the Sponsor of this Amendment."

Watson: "Go right ahead."

Bartulis: "Okay, Mr...."

Speaker Ryan: "The Gentleman indicates he'll yield, Representative Bartulis."

Bartulis: "Representative Watson, is this the same Bill that you had in Motor Vehicles on truck inspections and..."

Watson: "No, it's not."

Bartulis: "Now you're trying to make an Amendment on another Bill?"

Watson: "No, this is not the same Bill I had in Motor Vehicles Commission. That Bill dealt with total exemption of vehicle inspection for those pickup trucks that were non-commercial. This goes still to an annual, they still have to have an annual inspection under this Amendment. This is not the same piece of legislation at all."

Bartulis: "Well, this is the same context as you had in your original Bill that was defeated in Motor Vehicles Committee."

Watson: "No, not at all. This is an annual inspection. What I was trying to do in Motor Vehicles was total exempt pickup trucks of non-commercial from any vehicle inspection. This still has an annual inspection to it. We are currently inspecting pickup trucks every six months. What this Amendment would do would simply make it an annual inspection instead of every six months."

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Bartulis: "Mr. Speaker, may I address myself to the Bill?"

Speaker Ryan: "Proceed, Representative."

Bartulis: "Rather to the Amendment, what Representative Watson is trying to do is the same thing he had done in Committee with similar Bill as his Amendment. This is a bad Bill and it was defeated in Motor Vehicles and I think it should be defeated now."

Speaker Ryan: "Any further discussion? The Gentleman from Bureau, or from Cook, Representative Leverenz."

Leverenz: "Thank you. Would the Sponsor yield?"

Speaker Ryan: "He indicates he will."

Leverenz: "Is this an end run around Committee? Is that what this is?"

Watson: "No, I just explained to the previous speaker that this Bill is not anyway identical to the Bill I introduced in Committee."

Leverenz: "What does it do with the vehicles under eight thousand pounds?"

Watson: "They have to have an annual inspection instead of a six months inspection."

Leverenz: "Similar concept was brought into Committee. Isn't that correct?"

Watson: "No, not at all. The Bill that I sponsored in Committee would have totally exempted pickup trucks for non-commercial use. This still has the annual inspection."

Leverenz: "Well, all vehicles are uniformly inspected every six months. Is that correct?"

Watson: "I believe so, yes."

Leverenz: "Well, why would you want to do away with that?"

Watson: "Well, it's unnecessary. It's also an inconvenience."

Leverenz: "Who wants this Bill?"

Watson: "The people."

Leverenz: "Who came to you and asked for this? Who approached

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you and asked you to introduce this?"

Watson: "I owned a pickup truck at one time. I had to go every six months. It's a definite inconvenience. A lot of pickup trucks are now used as passenger vehicles by just everyday citizens. I don't feel that this six month inspection is effective. I think if we go to an annual inspection it will be more convenient for the people. More convenient for the owner of the vehicle."

Leverenz: "So you heard the people, the witnesses that came before Committee especially the Gentleman that inspected all new pickup trucks right from the assembly line and approximately 50% of them had something wrong. Is the convenience of you and your pickup truck more important than the safety of the people on the streets?"

Watson: "The people that came in and testified in that Committee on inspections would have us inspecting automobiles, tricycles, bicycles, anything that moves. I don't believe that this is a concept that people appreciate and wo..and support. We still would have annual inspections under my legislation. You would be required to take your pickup truck to a motor safety vehicle lane and have it inspected."

Leverenz: "Well, excuse me, but may I put the question to you again. I think you gave me a total avoidance there. Is the convenience to you and your pickup truck more important than the people in the state that travel for safety reasons? That's why those inspections are there. Everyone that came before the Committee except, I think, the Sponsors were against the relaxation of any of the safety rules and regulations currently on the books in the state. Time after time we heard testimony. Especially the Gentleman that inspected the pickup trucks that you're talking about right from the assembly line. 50% of them

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had some defect and that's exactly why we should have every six months inspection. Thank you."

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

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The previous speaker talked in Committee and if he'll recall every one of those people that testified against the testing of pickup trucks were people either involved in auto supplies or owned test lanes. As the Sponsor said of this Amendment, 'this Amendment is for the people'. The people are asking for this. This is a regulation that is unnecessary to have pickup trucks inspected twice a year. Illinois is only one of six states that have semi-annual inspection of trucks of any kind. We're only asking that pickup trucks, which most of them are built like a automobile, that they be inspected annually. We're not trying to take off inspection but we do ask that we inspect them annually because this is a cost to the public. More regulations that with the type of regulations that we do need to get away from if we're going to turn this country around. And I think most of us realize that. And again I repeat that the only people that have opposed this is the people in having test lanes and also the auto suppliers. But the people in general want this type of legislation and would like to have this Amendment. I support this Amendment."

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

Donovan: "Yes, Mr. Speaker. I rise to support this Amendment. The previous speaker said a minute ago who requests this Bill. I've got oh I'd say four or five letters and basically people that are retired that drive a pickup possibly four or five thousand miles a year around the

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village or out to fish or something like that and they're objecting to the twice yearly test. Now, we're not doing away with the test. We're just spreading it out to one year. The argument about 50% of the trucks being bad when they come off the line well they can't be sold until their first tested and so this just spreads it to one year opposed to six months. I don't think it's a bad Bill. I think it's a good Bill, good Amendment and I would ask you to support it."

Speaker Ryan: "Any further discussion? The Gentleman from Cook, Representative Huskey."

Huskey: "Ladies and Gentlemen, Mr. Speaker, thank you. Ladies and Gentlemen of the House, I reluctantly rise to oppose this Amendment. This is a bypass of Committee. This Bill appeared before Committee in three or four different forms. This, if this Amendment is put on this Bill it takes inspection off of about two-thirds of the motor vehicles on the roads. Now, I myself own six vehicles that would come under this category and I am happy to have a place that I can send for just a few dollars to get it inspected to know my vehicle is safe. To know that the drivers that are driving this vehicle are driving a safe vehicle. Where can you take a vehicle and get all the inspections made that they make in these safety lanes that supervised by the state police, the Department of Transportation and the state police of the State of Illinois supervise this operation. It's ran in most cases very honestly and the state police are absolutely opposed to this type of legislation. The Department of Transportation is opposed to this type of legislation. Now, Ladies and Gentlemen, we're going to go a step backwards if we adopt this Amendment. There are going to be trucks and these small trucks that are running down the road with wheels falling

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off which they made some random inspections and have already showed how bad trucks are in some recent TV stations. I can imagine what they would be like if we would remove the safety inspection that we have that's working so well in the last few years. Certainly, somebody wants to oppose every law that's made. There's a lot of laws on the books that I don't like but this is certainly a good one. This lets everyone know that the vehicle their driving is safe and I think it should even go further. But I certainly will oppose this Bill against a very fine Sponsor, I mean oppose the Amendment against a very fine Sponsor who I have a great admiration for. But certainly he's a little mislead on the safety on trying to remove safety from our motor vehicle program. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Oppose this Amendment."

Speaker Ryan: "The Gentleman from Cook, Representative Kelly (Dick)."

Kelly: "Thank you, Mr. Speaker. I also rise to support the Representative's Amendment. I don't think pickup trucks are any worse condition than any other vehicle on the road. Cars and trucks I've seen around here that don't have lights or directions or stops on the back of the equipment. And I'll tell you something else, Ladies and Gentlemen. I've never seen manners any worse than they are right now. Even if a car or a truck has all the equipment necessary people are not putting on their directional signals. They're breaking the law in every extent. I think this would save money. It would certainly still require an inspection once a year and it's a waste of time. Every six months they have a vehicle, pickup vehicle inspected."

Speaker Ryan: "The Gentleman from McClain, Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. Let's

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not be mislead here. The only thing that that sticker does is to guarantee that the day that that vehicle was inspected it passed the inspection. That doesn't mean that the very next day or as soon as it moves out of that inspection lane everything can completely go out of wack. Those people who have stated that they are in total support of safety, when a similar kind of a Bill was introduced in Committee was said that all automobiles should be check annually, voted 'no'. I say this is a good Amendment and if we're really concerned with safety then we ought to proceed and get all vehicles so that those small businesses who are concerned about losing their jobs will certainly be supplemented with the additional vehicle inspection that would come about. This is a good Amendment and I urge your support."

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

Brummer: "I move the previous question."

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

Watson: "Thank you, Mr. Speaker. Several people have eluded that this is a similar piece of legislation that I introduced in a Motor Vehicles Committee. This in no way is identical to that piece of legislation. That legislation would have totally eliminated the inspection on some pickup trucks. This Bill, the inspection continues on an annual basis instead of every six months. I believe that those of you that would go back home and talk to the people in your district that own pickup trucks and talk to them about the inconvenience and probably the dissatisfaction, the overall dissatisfaction that they have with the inspection in



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general will find that the people are overwhelmingly in support of this concept. I would appreciate a 'yes' vote on this Amendment."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 648. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Steele, to explain his vote. One minute."

Steele: "Thank you, Mr. Speaker. I rise in support of this good Amendment. This is an Amendment that helps the working people. In my district, in the parking lots of the steel plants, half of those cars are pickup trucks. Half of those cars are pickup trucks and to require that they be inspected twice a year is ridiculous. There's no other state in the Midwest that requires twice a year inspections. Only Missouri requires once a year. Indiana, Ohio, Iowa and other states don't even have annual inspections and I say that this is an excellent Amendment. It helps the working people of this state. If cars aren't inspected certainly once a year and it effects only small trucks the large trucks would still be inspected twice a year but the small trucks should only be inspected once a year. Good Amendment and I urge the support of everybody here."

Speaker Ryan: "Representative Mulcahey, to explain his vote. One minute."

Mulcahey: "Well, Mr. Speaker, I'm going to vote 'no' on this Bill because quite frankly, I think they ought to be inspected about once a month. And until the assembly lines in this country can start putting out a decent product instead of the junk they've been putting out I think it ought to be once a month. So I think twice a year is reasonable."

Speaker Ryan: "Representative Hoxsey, one minute to explain your vote."

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Hoxsey: "Yes, I'm voting 'no' on this Amendment and I think I would like to just call your attention to a couple of things that I, and I believe will be repercussions on this. For one thing, the system is working and I haven't had too many complaints on it. Being a farmer myself, I prefer to drive like ten miles and get my truck tested twice a year because there's testing lane in business ten miles from home. Now if this process goes through, what you're going to find is that I'm going to have to drive about 50, 55, 60 miles to get my truck tested once a year. So I don't which way we're better off and I think there is a problem with this Amendment and I would vote 'no' on it now."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 88 voting 'aye', 51 voting 'no', one voting 'present' and the Gentleman's Motion prevails and the Amendments adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 694, Representative Levin. Gentleman, do you want it back to the Order of Second Reading. The Gentleman asks leave to return his Bill to the Order of Second Reading. Are there any objections. Hearing none, leave is granted. Amendments, Mr. Clerk."

Clerk Leone: "Amendment #3, Levin-Hallstrom, amends House Bill 694 on page ...."

Speaker Ryan: "Representative Levin, on Amendment #3."

Levin: "Before we get to Amendment #3 there is a Motion that has been filed in connection with Amendments 1 & 2. It's my intention to replace Amendments 1 & 2 with Amendment #4."

Speaker Ryan: "Are there any Motions filed with respect to previous Amendments, Mr. Clerk?"

Clerk Leone: "Motion, I move to table Amendments 1 & 2 to House

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Bill 694, Representative Levin."

Speaker Ryan: "Representative Levin."

Levin: "Yes, Mr. Speaker, Amendment #4, which we'll get to in a couple of minutes, has been worked out with the Illinois Office of Education. It will include almost everything that's in Amendment #1 & 2 plus additional changes requested by the Office of Education. So I would ask to table at this point Amendments 1 & 2. This has been cleared with both the Chairman and the Minority spokesperson."

Speaker Ryan: "The Gentleman moves to table Amendments 1 & 2. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and Amendments #1 & 2 are tabled. Further Amendments."

Clerk Leone: "Floor Amendment #3, Levin-Hallstrom, amends ...."

Speaker Ryan: "Representative Levin, on Amendment #3."

Levin: "Mr. Speaker, I will withdraw Amendment #3. It's ...."

Speaker Ryan: "#3, withdraw #3. Further Amendments."

Clerk Leone: "Floor Amendment #4, Levin-Hallstrom..."

Speaker Ryan: "Representative Levin, on Amendment #4."

Levin: "Mr. Speaker, Amendment #4 is the Amendment I eluded to a moment ago. It contains virtually everything in Amendments 1 & 2 plus a couple of other provisions which were requested by the State Board. There was a question raised in Committee in terms of the length of time for an appeal under the due process appeal procedure and that has been worked out with the State Board. The provisions in here are acceptable now and supported by the State Board. This has been cleared with everybody who had raised a question. I would ask the adoption of Amendment #4."

Speaker Ryan: "Is there any discussion to Amendment #4 to House Bill 694? The Gentleman moves for the adoption of Amendment #4. All in favor will signify by saying 'aye',

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all opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 696, Representative Levin. The Gentleman moves to take, ask leave to take House Bill 696 from the Order of Third Reading back to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Amendments, Mr. Clerk."

Clerk Leone: "Floor Amendment #3, Levin-Hallstrom, amends House Bill 696 on page...."

Speaker Ryan: "Representative Levin."

Levin: "The same procedure here, Mr. Speaker. I would ask to table Amendments 1 & 2."

Speaker Ryan: "Do you have a Motion filed?"

Levin: "Yes."

Speaker Ryan: "Read the Motion would you, Mr. Clerk?"

Clerk Leone: "Motion, I move to table Amendment #1 & 2 to House Bill 696, Representative Levin."

Speaker Ryan: "The Gentleman moves to table Amendments #1 & 2 to House Bill 696. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendments are tabled. Further Amendments."

Clerk Leone: "Floor Amendment #3,..."

Speaker Ryan: "Representative Levin, on Amendment #3."

Levin: "Mr. Speaker, Amendment #3 again was worked out with the State Board. It simply repositions language that is in Amendment #2. I ask the adoption of Amendment #3."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #3 to House Bill 696. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "No further Amendments."

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Speaker Ryan: "Third Reading. House Bill 698, Representative Daniels. Do you want to move this Bill back, Representative? The Gentleman asks leave to move House Bill 698 from the Order of Third Reading to the Order of Second Reading. Are there objections. Hearing none, leave is granted. Amendments, Mr. Clerk."

Clerk Leone: "Floor Amendment #3, Daniels, amends House Bill 698 on page one, line ...."

Speaker Ryan: "Representative Daniels, on Amendment #3."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 698 sets up a special fund in the State Treasurer in which certain fees for the real estate brokers and salesmen are deposited. Amendment #3 merely states that the monies deposited in that fund shall not be appropriated prior to June 30, 1984. It's an Amendment requested by the Department and I know of no objections since they've requested it."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #3 to House Bill 698. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 711, Representative Cullerton. The Gentleman asks leave to return House Bill 711 from the Order of Third Reading to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. House Bill 711 is now on the Order of Second Reading. Are there any Amendments, Mr. Clerk?"

Clerk Leone: "Amendment #2, Kane, amends House Bill 711 ...."

Speaker Ryan: "Representative Kane, on Amendment #2."

Kane: "I would withdraw Amendment #2."

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

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

Speaker Ryan: "Representative Kane, on Amendment #3."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #3 provides limited privilege to rape crisis organizations. It provides an in camera proceeding if the defendant feels that the information is need for the defense and I think this has been worked out with most people involved. I would urge the adoption of Amendment #3."

Speaker Ryan: "Is there any discussion to Amendment #3, House Bill 711? All those in favor signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and Amendment #3 is adopted. Further Amendments."

Clerk Leone: "Floor Amendment #4, Cullerton-Johnson, amends House Bill 711 as follows."

Speaker Ryan: "Representative Cullerton. Representative Cullerton yields to Representative Johnson on Amendment #4."

Johnson: "Mr. Speaker, I think this is agreed to by the Sponsor. It just repeals Section 2 of a chapter just in our ..... rule of evidence that ..... that should be repealed. That's why...."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #4 to House Bill 711. Is there any discussion? Representative Greiman."

Greiman: "I wonder if the Gentleman would yield for a question."

Speaker Ryan: "He indicates he will."

Greiman: "What is Section 2 of the Evidence Act.."

Johnson: "Section 2 of the Evidence, of the Evidence Act provides them the trial of any civil action in which any party sues or defends is a representative of a deceased or incompetent party. No adverse party interested in the action should be allowed to testify in his own behalf to any conversation of

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the deceased or incompetent person and so forth. This is a Bill that came out, I think last year 135 to nothing and it just basically brings Illinois rules of evidence in line with other states so we don't have an archaic exception. This sort of thing would be covered under heresay and this just adds an additional rule of evidence as unnecessary."

Greiman: "Well, on the Amendment,..."

Johnson: "You were Sponsor of this last time, you and Representative Jaffe."

Greiman: "Well, I make mistakes. As I understand it though, Section 2 of the Evidence Act, the Deadman's Act has been around for a long time and it has been there to assure that people who have conversations with dead people while they were alive can't vary the terms of those later on because when there are two people to a conversation and one has died we have no way of bringing the decedent back to verify the truth or falsity of the conversation. The heresay rule probably doesn't really change it because the decedent or the person adverse merely testifies to the ..... or could after this Bill at least testify to the conversation. And it wouldn't be heresay because it would be a conversation. A verbal act if you will. So we should do this with some thought. Don't you think there will be some more frauds of the people who have conversations with the formerly living are likely to give their slant of a transaction without having some other kind of slant provided?"

Johnson: "Well, the thinking is in every other state in the union, I know of and this House and the Committee considered this last year, is that normal rules of evidence would prohibit substantive testimony with the decedent anyway under heresay rules. There's almost nothing that heresay wouldn't cover and it simply adds to the arcaneness of the law and prohibits relevant testimony that can allow

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the trier a fact to understand the factual setting of a particular case and graphs an artificial exception on that that doesn't really serve any purpose. So there wouldn't be any fraud perpetrated because anything that would be, that would be, for example, if I were to testify with the decendant the conversation with the formerly living as you say and were testify that they said x or y or z in almost every case, and in every case it would be relevant. That would be prohibited as heresay anyway. This just simply allows the facts to be heard in a particular case without this extra wreason hy testimony is inadmissible. As I say, this concept came out last year, I think unanimously out of this chamber and I got held up because of the emergency rule over in the Senate."

Greiman: "If you feel it is sufficiently controversial I'd be glad to talk to you about it. Representative Cullerton has been kind enough to return this to Second Reading to accommodate me and I certainly have no desire if you feel this is going to be a controversial concept to follow up a good Bill on behalf of Representative Cullerton. I thought it was non-controversial or I wouldn't have put it on."

Johnson: "Well, I'm not that hung up on it. I wouldn't, the process late in the hour of the day as it were and I don't want to hang up the process. Okay, thanks."

Speaker Ryan: "Representative Leinenweber."

Leinenweber: "Has this Amendment been printed and distributed?"

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

Clerk Leone: "The Amendment has been printed and distributed."

Speaker Ryan: "Let the record show that Representative Epton has arrived. Representative Leinenweber."

Leinenweber: "I couldn't find a copy either in the majority files back there or on my desk or on my seatmate's desk. I would



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ask the Gentleman a couple of questions: Does this repeal the Deadman's Act?"

Johnson: "Yes, it does. Is this on."

Leinenweber: "Yes, but I didn't hear your answer."

Johnson: "The answer is yes."

Leinenweber: "Okay, I've been handed one. Mr. Speaker, Members, one more question. When is the effective date of the Amendment?"

Johnson: "It's repealed whenever the effective date of the Act is."

Leinenweber: "Alright, therefore, this involves a matter of procedures so if the Act was signed by the Governor on August 31 and if one is in the midst of a trial involving a decedent then all of a sudden a witness who previously could not testify would all of a sudden be able to testify."

Johnson: "Can you think of any situation where that wouldn't be the case, Representative Leinenweber?"

Leinenweber: "Pardon."

Johnson: "I said, can you tell me any situation where any effective date of any Act wouldn't possibly coincide with some trial whether it's August 31 or January 31."

Leinenweber: "Well, I think something like this where you are effecting a rather long standing rule that there ought to be some provision that to lead the thing in so that, for example, would apply to all incidents or conversations occurring after a certain or at least for all causes of action filed after a certain date rather than just to become effective on a particular date."

Johnson: "We can take care of that in the Senate. I wish you'd tell me now. If you're going to object to this Amendment I'm going to withdraw it because..."

Leinenweber: "Yes, I do object to the Amendment."

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Johnson: "Mr. Speaker, as I say I have no desire to tie up Representative Cullerton's Bill. This is a good Bill with surplusage so I would move to withdraw the Amendment."

Speaker Ryan: "The Gentleman moves to withdraw the Amendment. We've now wasted ten minutes on that Bill. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 748, Representative Kelly. The Gentleman asks leave to return House Bill 748 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Are there any Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #1, Kelly-Kosinski, amends House Bill 748..."

Speaker Ryan: "Representative Kelly, on Amendment #1."

Kelly: "Thank you, Mr. Speaker and Members of the House. House Bill 748 is legislation which relates to the firearms owners' identification card. What the Bill does is require that the applicant to to a police station to apply rather than mailing in their application. This particular Amendment would allow them to go to any police station, state police station to make this application. I would also identify what is identification. In the Bill in its initial stage it relates to identification. This Amendment details that such as a valid driver's license, valid voter's registration, etcetera, would be, and I believe that this Amendment now removes any potential opposition to this Bill and I would move for or request your favorable support of Amendment #1 to House Bill 748."

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

Leverenz: "With the procedure you set up, could you indicate the cost to the Department of Law Enforcement?"

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Kelly: "As far as the cost factor goes, I would say that that it would be very minimal if anything, and I don't anticipate any increased expenditure of employment or cost to provide this thing. In fact, even the applicant has to provide a stamped envelope to the local police station, so this would be a...no cost in my opinion."

Leverenz: "You're mandating something to the locals. How do you fit with the state's Mandates Act?"

Kelly: "As far as I can see that this is not any...any cost, so there wouldn't be any conflict in it at all."

Leverenz: "You're aware of House Bill 328, the repeal of the fireowners' I.D. card?"

Kelly: "I supported the Bill, as you recall in Committee, so I am very aware of it, yes. And I would say that I'm not sure if that one is going to go through. If we're going to have a firearms owners' identification program in Illinois, it should be a proper one, and this would tighten up the loopholes that we have, and it would prevent someone from using false...Dilinger and Rin Tin Tin and some others individuals names or pictures in obtaining firearms cards."

Leverenz: "If you're going to..."

Kelly: "If the program gets repealed under your legislation, that is another subject which we'll address later, but if we're going to have the program, this is a much improved program which the director supports."

Leverenz: "Okay, I talked with the director, too, and I understand he now supports just the repeal of it. Thank you."

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

Meyer: "Mr. Speaker, Mr. Speaker, would the Sponsor yield for a question?"

Speaker Ryan: "He indicates he will."

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Meyer: "Would this mandate that the police department mail this in, or will it sit on the chief's desk for two or three weeks, or two months, or three months if the applicant is not somebody he particularly cares for. Do they have that discretion?"

Kelly: "Yes, Representative. Under the Amendment on page two it does indicate that it has to be forwarded within 48 hours to the Department of Law Enforcement."

Meyer: "Thank you. Thank you."

Speaker Ryan: "Any further discussion? Representative Vinson."

Vinson: "Yes, will the Sponsor yield for a question?"

Speaker Ryan: "He indicates he will."

Vinson: "Does the state's Mandate Act apply to this, and if so are we required to reimburse local law enforcement agencies for the cost of the service?"

Kelly: "No, in my opinion it doesn't because it is not an increased cost factor. This is not anything that is going to cost the local police departments another cent or investment in the..."

Vinson: "Who are they going to have collect this material?"

Kelly: "I didn't...please repeat your question."

Vinson: "Who are they going to have collect the material? A state employee?"

Kelly: "They are going to have the...various individuals that are the desk sergeants and the other persons that are at the front of the police station will accept the application, and it will be, I would say that something which they would very much would seek and would like to...like to have a program such as this."

Vinson: "Mr. Speaker,..."

Speaker Ryan: "Mr. Vinson."

Vinson: "Would the Chair care to rule on whether the Mandate's Act applies to this and whether if this were to become law,

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we would be obliged to reimburse the local agencies for the cost involved?"

Speaker Ryan: "It is not in order for the Chair to rule on that, Representative. Representative Kelly to close."

Kelly: "Thank you, Mr. Speaker. I don't visualize any cost at all in implementing this program. It is one that is very easily...to handle. All you have to do is accept the application, and if an individual has a stamp and an envelope it would take a matter of seconds to go through that procedure and even with a stamped envelope being provided there wouldn't be any cost when they mail the item down to the Department of Law Enforcement. I request your favorable support."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to House Bill 748. All in favor signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Representative Robbins to explain his vote."

Robbins: "I think you'll want to take a right good look at this Bill...at this Amendment at what it is going to do to your local law enforcement and your local requirements. It may not cost...it may not cost you a great lot more, but our Department of...our Department of Firearms Applications can't get the things out now in six months, and it'll be a year before you get your application back if you run this through local law enforcement on this. I think there ought to be more red votes. I think it is a bad Amendment, and I think you should take a close look at it. Thank you."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 96 voting 'aye', 40 voting 'no', and two voting 'present', and the Gentleman's Motion prevails. Amendment #1 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

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Speaker Ryan: "Third Reading. House Bill 780...Oops, just a minute, I have a request for a fiscal note that has been filed on House...on your Bill, Representative Kelly. Request for a fiscal note has been filed, to House Bill 748 will have to remain on the Order of Second Reading. House Bill 780, Representative Leinenweber. The Gentleman asks leave to renew...return House Bill 780 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Are there any Amendments, Mr. Clerk?"

Clerk Leone: "Amendment #5, Leinenweber, amends House Bill 780 as amended."

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

Leinenweber: "Mr. Speaker and Members of the House, House Bill 780 seeks to establish the Uniform Information Practices Code. Amendment #5 was suggested by the Democratic staff, and it takes care of objections from the state...some of the state agencies and units of local government that objected to what they thought might be a rather large cost associated with the requirement that they disclose their information, their records. So Amendment...previously the Bill provided for a reimbursement on a commercial...for copying work on...for a commercial rate. Amendment #5 in part seeks to enable the agencies who have to comply with freedom information, allow them to charge a reasonable fee based upon the agencies actual costs for the services of government personnel in retrieval. The Amendment also seeks to tighten up slightly the attorney's work product exception to the freedom of information provisions. And there are certain other technical changes. I move the adoption of Amendment #5."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #5 to House Bill 780. All in

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favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Getty-Leinenweber, amends House Bill 780..."

Speaker Ryan: "Representative Getty."

Getty: "Mr. Speaker, Members of the House, Amendment #6 again is also an Amendment basically technical in nature to solve more clearly the types of information which would be privileged. It would set out clearly that alcoholism, alcohol rehabilitation, drug addiction, drug rehabilitation, mental health, or developmental disabilities would be within that privileged class. I would move for the adoption of the Amendment."

Speaker Ryan: "Is there any discussion? Amendment #6. The Gentleman moves the adoption of Amendment #6. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 804, Representative Macdonald. The Lady asks leave to return that Bill to the Order of Second Reading. Are there objections? Hearing none, leave is granted. Amendments, Mr. Clerk."

Clerk Leone: "Amendment #1, Macdonald, amends House Bill 804..."

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

Macdonald: "Thank you, Mr. Speaker. This Amendment was recommended to me to exempt House Bill 804 from the Mandate Act. The effect of the amount is only \$30,000 which is less than \$1,000 and less than 50 in the aggregate for all local governments affected. So I would ask your support of this Amendment."

Speaker Ryan: "Is there any discussion? The Lady moves for the

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adoption of Amendment #1 to House Bill 804. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 839, Representative Karpziel. The Lady asks leave to return House Bill 839 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Are there any Amendments, Mr. Clerk?"

Clerk Leone: "House Bill 839 has been read a second time previously. Motions been filed. I move to table Amendments #1 and 2 to House Bill 839, Representative Karpziel."

Speaker Ryan: "Representative Karpziel on your Motion."

Karpziel: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3 to House Bill 839 which is taking the place of Amendments #1 and 2 just makes the Bill technically correct, and it was worked out in conjunction with the people from the INRF to more clearly indicate the intent of the Bill."

Speaker Ryan: "The Lady moves to table Amendments #1 and 2 to House Bill 839. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it, and the Amendment is adopted...the Motion carries, and the Amendments are tabled."

Karpziel: "Thank you, Mr. Speaker."

Speaker Ryan: "Are there further Amendments?"

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

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

Karpziel: "I think I just went through that. Thank you, Mr. Speaker."

Speaker Ryan: "The Lady moves for the adoption of Amendment #3 to



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House Bill 839. Is there any discussion? All those in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 874, Representative Reilly. Representative Reilly on House Bill 874. The Gentleman asks leave to return House Bill 874 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Read the Amendments, Mr. Clerk."

Clerk Leone: "Floor Amendment #4, McClain, amends House Bill 874 on page one, line one and so forth."

Speaker Ryan: "Representative McClain on Amendment #4 to House Bill 874."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #4 to House Bill 874 is an Amendment that I tried to explain last night until I found out the Amendment had not been printed and distributed. This Amendment would permit regional superintendents with the consent of the local school board to operate special education classes for children from orphanages, foster care homes, childrens' homes. It would also provide that the regional superintendent may claim for state reimbursement for such classes. The State Board of Education approves of the Amendment. Mr. Reilly has no objection. I would move for the adoption of Amendment #4."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #4 to House Bill 874. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Will the Sponsor of the Amendment yield? What...is anyone offering these services now on the intermediate level?"

McClain: "Yes, Doctor Hoffman, there are some regional

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superintendents that right now run these kind of programs for foster care homes and so what this would do is legalize what they are already doing. And, hence, that is why my local superintendent asked me to have this Amendment drafted."

Hoffman: "This will provide that the local school board can make an agreement with a regional superintendent to provide these services."

McClain: "A regional, for instance, special education class for like kids from foster care homes apply for state reimbursement, but it is always with the consent of the local school board."

Hoffman: "Will the reimbursement go to the local school board or will it go to the regional superintendent?"

McClain: "It would have to go through the local school board to the regional superintendent."

Hoffman: "Alright, thank you."

Speaker Ryan: "Is there any further discussion? Representative McClain to close."

McClain: "I just move for the adoption of Amendment #4."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #4 to House Bill 874. All those in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1052, Representative Ewing. Representative Ewing on the floor? The Gentleman asks leave to return House Bill 1052 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Are there any Amendments?"

Clerk Leone: "Floor Amendment #2, Ewing, amends House Bill 1052."

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

Ewing: "Mr. Speaker, on this Bill there is Amendment #1 which I

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would like to ask leave of the House to table. I would also like to table Amendment #2 and then adopt Amendment #3."

Speaker Ryan: "The Gentleman moves to table Amendments #1 and 2 to House Bill 1052. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it, and Amendments #1 and 2 are tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Ewing, amends House Bill 1052 by deleting everything after the enacting clause and inserting in lieu thereof the following:"

Ewing: "Ladies and Gentlemen of the House, Amendment #3 is similar to Amendment #1 and 2 which were...which consisted in the Bill as introduced in Committee. This is not any radical change. It only corrects some language which was left out of the original Bill and out of the original Amendment. And I would move for the adoption."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #3 to House Bill 1052. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1030, Representative Donovan. The Gentleman asks leave to return House Bill 1030 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Are there any Amendments, Mr. Clerk?"

Clerk Leone: "Amendment #1, Donovan, amends House Bill 1030..."

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

Donovan: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 1030 allows the full-time teacher of professional rank to be added to the...from the School of Medicine of SIU to be added to the Medical

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Examining Committee here in the State of Illinois. Right now we have no downstate people. This is a Bill that has been put forward by the Department of Registration, Education, and the Medical Society. It allows for one downstate candidate to fill the...to sit on the Medical Examining Committee. So I move for the adoption of Amendment #1 to House Bill 1030."

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

Clerk Leone: "Floor Amendment #2, Donovan, amends House Bill 1030..."

Speaker Ryan: "Representative Donovan."

Donovan: "Yes, Mr. Speaker. House...Amendment #2 is also put forward by the Department of Registration and Education. It allows...it eliminates a provision in the Medical Practice Act to eliminate the contractual agreements between states and territories as far as issuing a license to doctors. The reason for this is right now it stands as a barrier to allowing certainly some doctors of great stature to come to Illinois as...to teach mainly, quite frankly, and they asked for the elimination of this...of this Section. But it does not preclude what they do instead of...what they do after that then is endorse the doctor if he wants to become a licensed doctor in this state. So it removes the barrier of a strict limitation of a reciprocal agreement and allows the endorsement, then, by the Department of Registration and Education. Thank you."

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

Jaffe: "Yeah, would the Gentleman yield to a question?"

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Speaker Ryan: "He indicates he would be happy..."

Jaffe: "Yeah, we have the problems with the foreign licensed doctors, and at that time R and E came out against the foreign licensed doctors. And you're talking about endorsement, and it was our understanding that R and E always had endorsement. Isn't that correct?"

Donovan: "My understanding is that the Medical Practice Act...only if they had reciprocal agreements with the state were they allowed to practice and/or teach in the state. Under this that would strike that and they would still have the endorsement process."

Jaffe: "Well, how would it...what would it do for the foreign language doctors who were in our institutions for a long period of time. Would it do anything for them?"

Donovan: "No, they're...they're already here, grandfathered in."

Jaffe: "No, they're...they're not grandfathered in. They've actually been thrown out because we couldn't get that Bill through that would keep them in. Who really...who really wants this? Does the Medical Society want this?"

Donovan: "The Department of Registration and Education. I have a letter from them right here that's promoting this Amendment."

Jaffe: "Well, I think..."

Donovan: "And the Medical Society."

Jaffe: "Well, I think...yeah, I think basically that the Department of Registration and Education has probably been doing this for a number of years, probably doing it illegally, and now they want us to confirm what they've been doing for years and which...which they've had no authority to do. I have no great feelings about it, but I think everybody ought to realize that the Department of R and E has been doing this for a number of years. It has been doing it surreptitiously, and has been doing it at its

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will for people that they want to do it for and for people that they don't want to do it for, that is another story. I think that really could be one of the great scandals of R and E, but I won't oppose the Amendment."

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

Vinson: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Ryan: "He indicates he will."

Vinson: "As I understand the Amendment, Representative, what you're saying is that it is no longer necessary, after this Amendment were to become law, for a foreign jurisdiction to grant reciprocal privileges in order for us to grandfather him in. Is that correct?"

Donovan: "That...that's right, Sam. Yes."

Vinson: "Well, to the Bill...to the Amendment, Mr. Speaker."

Speaker Ryan: "Proceed."

Vinson: "I would have a problem with the Amendment for a number of reasons. The most important being that the only control that we have which causes other jurisdictions to license people that we have licensed is that we require that...that they...that we...we require this degree of reciprocity on our Act. And what the Sponsor would be doing in this particular case would be removing the only tool we have to make these reciprocal exchanges. What we're doing in...by this Amendment is disadvantaging Illinois licensed doctors and advantaging, for instance, herbal doctors of medicine in India. Those are people the Department would propose to license under some of their actions, and with this...with this Amendment they would license Indian herbal doctors who graduate from India Medical Herbal Schools, and I want to emphasize to the Members of the chamber that this is not...this is not an extreme example. This is an actual example of a decision made by this Committee of the

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Department in the past month...in the past two months. We would be licensing Indian herbal medicine doctors and not requiring in exchange for that that India recognize graduates of the University of Illinois Medical School who have...who have fully qualified to practice medicine in all its branches in Illinois. For those reasons I would oppose this, and I think this is a very destructive Amendment. I would urge a 'no' vote on the Amendment."

Speaker Ryan: "Representative Getty."

Getty: "Will the Sponsor yield? Representative Donovan, who besides the Department of Registration and Education has expressed their support and endorsement for this if anyone?"

Donovan: "The Medical Society."

Getty: "The Illinois State Medical Society? Alright, in that, I note you're talking to the representative from the Department of R and E. You don't know that of your own knowledge."

Donovan: "I have personally not been contacted. That is right."

Getty: "Well, Mr. Speaker and Members of the House, I am going to join with Representative Vinson in his objections. I think until we can see a clear concensus that this would do something beneficial for the state it ought to be opposed. I can see a real problem with Illinois doctors not being able to go into other states and take advantage of the reciprocity provisions which we enjoy with most of our sister states. I don't think that Illinois should deprive its citizens who become doctors of that right, and I am going to vote 'no'."

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

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

Speaker Ryan: "He indicates he will."

Hallstrom: "Representative Donovan, I just want to make sure I

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heard correctly. Did you say that the Illinois State Medical Society is supporting this Amendment?"

Donovan: "I originally said that I had not originally been contacted. I have to say, and after thought, that I was contacted by an associate...by a member of those. I did not have a letter on it though. But I was contacted by a lobbyist from their...their society."

Hallstrom: "And they said that they support the Amendment?"

Donovan: "Yes, they do."

Speaker Ryan: "Is there any further discussion? Representative Donovan to close."

Donovan: "I would just move for the favorable consideration of Amendment #2 to House Bill 1030."

Speaker Ryan: "The Gentleman asks for the adoption of Amendment...moves for the adoption of Amendment #2 to House Bill 1030. All those in favor will signify by saying 'aye', all opposed by saying 'no'. All those in favor of the adoption of the Amendment #2 to House Bill 1030 will signify by voting 'aye', all those opposed by voting 'no'. Have...voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 29 voting 'aye', 96 voting 'no', one voting 'present', and the Gentleman's Motion fails. Further Amendments?"

Clerk Leone: "No further Amendment."

Speaker Ryan: "Third Reading. House Bill 1323, Representative Karpel. The Lady asks leave to return 1323 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Amendments, Mr. Clerk?"

Clerk Leone: "Amendment #3, Karpel, amends House Bill 1323..."

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

Karpel: "I believe a Motion was filed on this...on House Bill 1323 to table Amendment #1, and I move that Amendment #1 be tabled."



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Speaker Ryan: "The Lady moves to table Amendment #1 to House Bill 1323. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #1 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Karpziel..."

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

Karpziel: "Amendment #3 is the same as Amendment #1 that was adopted in Committee. However, this is technically correct."

Speaker Ryan: "Is there any discussion? The Lady moves for the adoption of Amendment #3. All in favor will signify by saying 'aye', all opposed by saying 'no'. The Amendment...Amendment is adopted. The 'ayes' have it. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1157...House Bill 1157. The Gentleman asks leave to return House Bill 1157 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #3, Hannig, amends House Bill 1157 on page one and so forth."

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

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. House Bill 1157 creates the Illinois Wildlife Habitat Commission. This Amendment #3 simply is at the suggestion of the Department of Conservation as how they feel the membership should be construed. I agree with the Amendment, and accept the Amendment, and would move for the adoption of Amendment #3."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #3 to House Bill 1157. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted."

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Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1353, Representative Hoffman. 1353...The Gentleman asks leave to return House Bill 1353 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Read the Amendments, Mr. Clerk."

Clerk Leone: "House Bill 1353 has been read a second time previously. Motion. I move to table Amendment #1 to House Bill 1353, Representative Hoffman."

Speaker Ryan: "Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I move to table Amendment #1 so that we...which was adopted in Committee so that we can consider Amendment #2."

Speaker Ryan: "The Gentleman moves to table Amendment #1. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is adopt...is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Hoffman, amends House Bill 1353 on..."

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

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1353, or I should say Amendment #2 to House Bill 1353 is the School Problem's Commission proposal for a change in the general distributing fund to schools. The Commission has made a unanimous recommendation to provide for adjustment in the Title I waiting, moving the average waiting at the...the statewide average waiting from .50 to .53 and condensing the maximums from .675 to .65. We also changed the assessed evaluation numbers per pupil in the Bill to move the guaranteed level up to 1567 or 1566 from the present 1464. Most of the

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majority of that increase from 1464 to 1567 is provided by increased assessed evaluation and reduced pupils. In fact, the bulk of it is, this provides for an appropriation level of \$1,520,000,000. This figure is arrived at by the School Problem's Commission through adjustments in the...general...in the catagorical aids as well as an increase of 7...all over...total increase of \$79,000,000. And I would move for the adoption of Amendment #2."

Speaker Ryan: "The Gentleman moves for adoption of Amendment #2 to House Bill 1353. Is there any discussion? Representative Schneider."

Schneider: "Thank you, Mr. Speaker, Members of the House. I stand in opposition even though I am a Member of the Commission, because I do believe there are additional...I'm sorry, Doc. Your usual slothful behavior."

Speaker Ryan: "Proceed with your question, Representative Schneider."

Schneider: "And...yes, thank you. Anyhow, in opposition, Mr. Speaker and Members, simply because I think there are other funds available, Amendment #3 which succeeds this one will increase the amount by \$5,000,000 and increase the per pupil, I think, approximately maybe like \$4. When we're looking at the concepts that are being offered this year by the Governor, one of his thrusts is to move away from catagoricals and towards general distributive aid. Now, if you want that and you think that that concept has some basis in reality, which I happen to think may or may not depending on how you feel about catagoricals, I think you ought to take a good look at the next Amendment. The next Amendment really does allow for more funds to be distributed throughout your school districts than this one. This falls about \$5,000,000 short, I think, of a fair per pupil guarantee which incorporates not only some of the new

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money, but as well as some of the increases that naturally accrue as a consequence of declining pupil enrollment and increased assessed evaluation. So I respectfully suggest that you vote 'no' even though Representative Hoffman is the Sponsor...or because he is the Sponsor."

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

Reilly: "Thank you....thank you....thank you, Mr. Speaker, Ladies and Gentlemen of the House. As is well known, we will end up doing the appropriation eventually and determining levels through that, and then adjusting the formula to that. It seems to me Representative Hoffman has a sensible level from which to begin that process. This the beginning not the end of the process. This won't determine anything about what your school district gets. It simply determines a beginning to that process. I think we ought to support Representative Hoffman's Amendment, put it on the Bill, defeat the next Amendment, and go on with the business."

Speaker Ryan: "Representative Jones."

Jones: "Yes, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Ryan: "He indicates he will."

Jones: "Representative Hoffman, you indicated that you are changing the waiting of Title I from .675 to .65. What is the net effect that it will have on the disadvantaged students that are compacted in the cities and urban areas?"

Hoffman: "It depends on the percentage of Title I students in that particular setting. For example, those who are at the average will move up about three points. Those who are at the top level will move down about three points. The...under the present Title I waiting program it would be in terms of the total for a school district in which you may have some particular interests from about \$500,000,000 down to about \$494,000,000."

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Jones: "So what the net effect of this Amendment is doing in essence is taking the money away from the disadvantaged students who generated it who are at the max and shifted to those who are not generated...those school districts. Am I correct?"

Hoffman: "In effect, in effect what this is doing is attempting...what we attempted to do was to take a look at the total redistribution with the new numbers that were available, and there was a consensus on the part of the Commission that this particular program or this particular adjustment should be made so that the gross for any one school district was not excessive in relation to the growth of other school districts."

Jones: "Mr. Speaker, when I address the Amendment, I think we should take a very, very close...at Amendment #2. Amendment #2 is a Robin Hood in reverse. Here we are robbing the poor to give to the rich. We went through this battle more than two years ago on this very same subject, and the Title I students throughout the State of Illinois who are generating the funds...what this Amendment does is take the funds from those students and shift it to the other individuals. This is wrong. We changed the law more than two years ago. Now we have Representative Hoffman coming with an Amendment to rob the poor and give to the rich. This Amendment should be defeated."

Speaker Ryan: "Representative Stuffle, do you seek recognition?  
Representative Stuffle."

Stuffle: "Yes, will the Sponsor yield to a question?"

Speaker Ryan: "He indicates he will."

Stuffle: "Representative Hoffman, your Amendment deals both with the guarantee and with the Title I waitings. Is that correct?"

Hoffman: "That is correct."

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Stuffle: "Does your Bill without this Amendment...if this Amendment were not to go on, would the Title I...the .53 and the .65 still be reflected in the Bill without the Amendment?"

Hoffman: "Would you repeat that question?"

Stuffle: "If this Amendment fails to go on, would the Bill still have the .53 and the .65 Title I waitings reflected in it?"

Hoffman: "No."

Stuffle: "Does the Bill, without the Amendment, have any relationship to the Title I waitings?"

Hoffman: "No."

Stuffle: "Thank you."

Speaker Ryan: "Any further discussion? Representative Hoffman to close."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is not a question of robbing the poor for the rich. Let me point out to you that at the present funding level under the Bill we passed last Session, 3114, the City of Chicago receives \$474,000,000. Under this program they will receive \$493,000,000 or \$494,000,000. The relationship I was establishing before would be if we did nothing. And I say to you today, Ladies and Gentlemen, that as we looked at the general distribution of funds across the state, we came to the conclusion that this was the most equitable and the fairest way to deal with it. We are talking about an increase for the school district which was identified by a Member from the other side of the aisle of an approximate increase of...\$20,000,000. We are not taking. What we are doing is we're saying that we believe that better degree of equity between all school districts can be established with this Amendment. I, for one, would certainly not be part of what the Representative from the other side of the aisle suggested. He knows my history

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here. He knows the time and the effort that I have spent in this. He knows of the degree to which the Commission with Representative Schneider and others who have participated to be fair and evenhanded with all. We continue to do so with this Amendment. And I ask for your support of this Amendment."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1353. All in favor will signify by saying 'aye', all opposed by saying 'no'. The Gentleman moves for the adoption of Amendment #2. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 37 voting 'aye', 103 voting 'no', and one voting 'present', and the Gentleman's Motion fails. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Schneider, amends House Bill 1353..."

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

Schneider: "Thank you, Mr. Speaker, Members. As I alluded to earlier, these numbers in my Amendment would increase the guarantee per pupil to a higher figure. That would be \$15.69 per pupil which I think over Gene's Bill is about \$5,000,000. I would ask therefore that the Membership support Amendment #3."

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

Hoffman: "Mr. Speaker, I would point out to the Sponsor that if he looked at his Amendment, there is in terms of the numbers that you have, particularly the second number you're using, I don't think does what you want it to do. And I would suggest that you pull that out. We'll deal with it from there."

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Speaker Ryan: "Is there any further discussion?"

Schneider: "Hold on, Mr. Speaker. I would like to check the numbers against what Representative Hoffman has indicated. Let's see, Gene. I have the Schneider Amendment deletes 5-5-2-7-1..."

Hoffman: "5-5-2-7-1 should be 5-5-7-4-2."

Schneider: "And in third...what should it be?"

Hoffman: "5-5-7-4-2."

Schneider: "Why don't we take it out, Mr. Speaker, and hold the Bill on...do you want to hold it on Second? Who's the Sponsor? This is your Bill. Are you going to hold it? Hold it on Second?"

Speaker Ryan: "What is your pleasure, Representative Schneider?"

Schneider: "The concern that we have is the numbers are incorrect. The concept is correct also, but...if the Membership would give us leave to amend it on its face..."

Speaker Ryan: "Objection? Do you move the adoption of your Amendment, Mr. Schneider? What do you want to do with the Amendment?"

Schneider: "I move the adoption of Amendment #3."

Speaker Ryan: "The Gentleman moves the adoption of Amendment #3 to House Bill 1353. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'nos' have it and the Amendment fails. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1362, Representative Ronan. Representative Hoffman, there has been a request for a fiscal note filed on your Bill. It will have to remain on the Order of Second Reading. House Bill 1353 will remain on Second Reading. Representative Mautino."

Mautino: "Mr. Speaker, I was just notified by Enrolling and Engrossing that a problem in interpretation appeared on 581 when it was on Second Reading. I would like leave of the



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House to table Amendment #2 which was my Amendment to House Bill 581. It was inadvertently applied to the Bill. It was the Amendment that addressed a portion of Amendment #1 which was defeated, and I would like leave to table Amendment #2 to House Bill 581 for corrections at the request of Enrolling and Engrossing."

Speaker Ryan: "The Gentleman asks leave to table House Amendment #2 to House Bill 581. Are there any objections? Hearing none, leave is granted. Amendment #2 is tabled. Third Reading. House Bill 1362, Representative Ronan. Is the Gentleman in the chamber? Out of the record. House Bill 1421, Representative Henry. The Gentleman in the chamber? Representative Henry moves...asks leave to return House Bill 1421 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Read the Amendments, Mr. Clerk."

Clerk Leone: "Floor Amendment #1 amends House Bill 1421 on page one line nine and so forth. Zito."

Speaker Ryan: "Representative Zito."

Zito: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 clears up some language. It brings the Bill in the concurrence and the conformity with present existing offenses which this Body passed four years ago with respect to the Criminal Code. The Bill now states that a Class 4 felony is a one to ten year offense when in fact it is a one to three year offense. So I would move for the adoption of this Amendment."

Speaker Ryan: "Is there any discussion? Representative Hoffman, do you seek recognition? Your light is on."

Hoffman: "'No'."

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

Henry: "Yes, thank you, Mr. Speaker. I appreciate the Gentleman from the 5th District in helping me to clean up this Bill

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and put it in its proper form. I also support the Amendment."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to House Bill 1421. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1398, Representative Oblinger. The Lady asks leave to return House Bill 1398 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Read the Amendments, Mr. Clerk."

Clerk Leone: "Amendment #1, McClain, amends House Bill 1398 on page 21, line 20 and so forth."

Speaker Ryan: "Representative McClain on Amendment #1 to House Bill 1398."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 1398 sets up a procedure whereby municipalities may join in having their utility corporations between those municipalities. Part of that municipal corporation will be that they will have eminent domain, the right to raise rates without any kind of review, the right to do some awesome things that they...I think that they should not have. All this Amendment would do is provide that in terms of the rate making process, those municipal corporations that own their utility companies should go under the ICC, Interstate Commerce Commission, at least for a rate review and rate approval. I don't think it's right that we can build a mammoth monopoly for consumers and for landowners in a municipality without any kind of review from a professional body or some people that have some kind of concept on rate review. This Amendment does not go towards the problems in the Bill with

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eminent domain. It does not go into the problems of the area of this Bill with consuming smaller cities and smaller villages around a municipality. This Amendment only goes to the issue of..that these municipally owned utility corporations should go under the Interstate Commerce Commission. And I would move for the adoption of Amendment #1."

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

Leinenweber: "Will the Gentleman yield?"

Speaker Ryan: "He indicates he will."

Leinenweber: "I take it you mean the Illinois Commerce Commission, not the Interstate."

McClain: "Yes."

Leinenweber: "All right. Are there any other instances where a public body is regulated and/or governed by the Illinois Commerce Commission other than what you propose to do here?"

McClain: "Not that I'm aware of, Harry."

Leinenweber: "This is, therefore, establishes a precedent that a state agency will have review and in effect control over a local governmental agency that is elected by the taxpayers of that area. Is that correct?"

McClain: "Well, except you don't take it all the way. You're talking about a public utility company that would have a monopoly solely on utility rates and utility services for everybody not within the municipality. You're talking about municipalities joining together, so like, Springfield would join with Chatham. This Bill would allow that municipally owned, jointly owned corporation, to charge a higher rate for services in Chatham than in Springfield and there's no review, no appeal process and I think that's wrong. So it's not just...You're not talking about street

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cleaning here. You're talking about a public utility dealing with utility corporations."

Leinenweber: "But you're still establishing a ....Well, as I understand municipal law, that there is some limits, is there not, to what a municipal corporation may charge when it's acting in its proprietary instance? In other words, doesn't the fees have to have some relation to the costs incurred which would be reviewable by court?"

McClain: "When I read the Bill I see no appeal process on how much they can charge..."

Leinenweber: "...I'm talking about normal municipal law. Is it not the case that under normal municipal law, when a municipality acts in its proprietary interests, that it must have its rates for whatever services it's providing be some reasonable relationship to the actual costs incurred? In other words, they can't use this as a disguised method of levying a general tax. Isn't that true?"

McClain: "I see no paragraph of purpose in the Bill..."

Leinenweber: "I'm not talking about the Bill. I'm talking about in normal municipal law, which I think would govern such a Illinois Municipal Utilities Corporation, whatever you call it."

McClain: "Well, I represent a couple small municipalities and I know of no such law. Maybe you do."

Leinenweber: "Well, I think ...Just briefly on the Amendment. I see what the Gentleman is trying to do. However, there's a vast difference between subjecting a private-for-profit corporation shareholders...owned by shareholders to a review by a public body when it has a monopoly power, it seems to me to be a vast difference which has been recognized in that it's never been tried before for utilities, municipal utilities, whether it be streetcars or power or whatever, to subject, what in effect, publicly

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owned utilities to the same review power by a state agency. It seems to me that there are vast differences and we ought to be aware of them."

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

Vinson: "Would the Gentleman yield for a question?"

Speaker Ryan: "He indicates he will."

Vinson: "Representative, is the thrust of your Amendment to require that rates set by municipal utilities shall be approved by the Commerce Commission?"

McClain: "That's correct."

Vinson: "Is your thinking behind that that public bodies can make mistakes in the same fashion that private bodies can?"

McClain: "Well, that, but more importantly is to set some sort of protection for the utility user so that the rates that are being charged by that jointly owned municipal corporation does not take advantage of certain segments of the city or certain other municipalities and that the rates have some semblance with the use and the service provided the consumer."

Vinson: "To the Amendment, Mr. Speaker. I would urge adoption of this Amendment for a couple of reasons. I think first of all, the Gentleman is right that rates that can be charged by a public entity can on occasion be as excessive as rates charged by a private entity. I think we see that in tax rates every day. I think that alone is reason for adoption of the Amendment. Beyond that, there's another problem that concerns me. The thrust of the Bill in general would enable ..would be to create a new revenue raising measure for municipal utilities. And I don't necessarily find that to be bad. But, one of the problems that can occur is that a utility can get into very serious problems if it expands too fast, if it expands in uneconomical fashion. The

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people who bear the cost for that in the case of a public utility, in the case of a publically owned utility, are taxpayers on the one hand, as well as consumers on the other hand. That cost is totally borne by the public. We've seen examples, I believe, nationwide and perhaps in this state where some privately owned utilities have got into very serious problems because they've embarked on ambitious expansion programs at a time when demand is turning down. I don't believe we need to overly encourage municipal utilities to make that same mistake as some private utilities have made. I do think, in certain cases, the device endorsed in this Bill, permitted in this Bill, is useful and desirable and I would intend to vote for the Bill on Third Reading. But I do believe that a proper control would be to enact this Amendment with the Bill so that there's some overall review of whether expansion, whether costs and so forth, are, in fact, merited. I think that people in the public sector are still people; they're still tainted by original sin; they still can make mistakes. And there's no reason to put them above the law. And I believe that provisions and the processes of the Commerce Commission in that respect are fair for submission for everybody. Again, I would urge adoption of the Amendment and then subsequently, passage of the Bill."

Speaker Ryan: "The Lady from Sangamon, Representative Oblinger."

Oblinger: "Mr. Speaker, Members of the General Assembly, I have to oppose this Amendment for the same reasons as Representative Leinenweber. We've never had this kind of control by the Illinois Commerce Commission over municipally owned utilities. And if you will look at the rate structure you will find that the municipal owned utilities have rates far below those of private owned ones. So we think that they are responding to their constituents,

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to their consumers and are not overcharging, are not trying to make a profit. The discussion on these charges are brought before whatever kind of city government you have, either an alderman or commissioners, given a thorough hearing and a thorough airing and I don't believe that they are apt to overcharge. So, I would have to oppose this Amendment."

Speaker Ryan: "Is there any further discussion? The Gentleman...Representative Hallstrom."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I do not want to take the time of the House to go over what Representative Leinenweber said and what Joe Oblinger said. But I strongly support their positions. We're talking about local governments elected by the people within that..their own area. And you can be sure, as we believe in local control, that they're going to make sure that their rates are not any higher, that their fair rates, because they have the vote on the people who are making those decisions. And I would urge you, please, not to vote for this Amendment."

Speaker Ryan: "Any further discussion? The Gentleman from Adams, Representative McClain, to close."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, this piece of legislation does not exactly say what everybody says it says. This provides for municipalities to join together and form a municipal electric power corporation. That means, not necessarily that the commission from Springfield, Illinois will be elected jointly with all the different municipalities. He or she has the power to ..to accelerate and to do all kinds of things under this municipal power Act. They condemn land without the restrictions that we provide for a lot of local governments. They'll have the same kind of eminent

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domain powers as we give other utility companies. For Common Wealth Edison, for Central Illinois Public Service Company, for Illinois Power Company, we provide all those companies in the State of Illinois...They have to be within the Illinois Commerce Commission. For electrical co-ops, they are in under the Co-op Act. Even these electrical co-ops have to abide by the Illinois Commerce Commission's rules and regulations. What we are doing with this piece of legislation, is we are saying, 'Look at corporations. You are so pure. You are so good. You don't have to abide by anybody.' Just total local government deals with rules and regulations, eminent domain, rate review, rate construction of all sorts....'You are so good we will not challenge you at all'. If that is true, then we ought to do the same thing with shareholders when you talk about publically owned stock for shareholders. It's the same kind of review process, the same kind of concept. This is not deregulation. This is a license to do whatever you want to do for that jointly municipal corporation. I think that's wrong. They ought to be with..under some sort of review, some sort of regulation just to protect the consumer and indeed, to protect small municipalities that have to join, for instance Springfield, have to join Springfield for power. They have no choice. To protect the Chathams and the Rochester's of the world you ought to support this piece of legislation. And I'd ask for the adoption of Amendment #1."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to House Bill 1398. All in favor will signify by voting 'aye'; all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 81 voting 'aye', 49 voting 'no', and 3 voting 'present'. And



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the Gentleman's Motion prevails and Amendment #1 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Oblinger, amends House Bill 1398..."

Speaker Ryan: "Representative Oblinger on Amendment #2. Amendment #2, Representative Oblinger."

Oblinger: "Mr. Speaker, Members of the House, Amendment #2 does three things. It corrects some spelling mistakes and there were a number of people who asked the question of, 'Well, once you're in this consortium, how do you get out?' The way it was originally written, two-thirds of the Members of the consortium would have to vote to allow you out. We've changed that now to a simple Majority, which is much more equitable. The third part of the Amendment exempts municipal power agencies from additional state oversight. It permits a municipal power agency to exercise the powers given it under this Act without obtaining prior approval of any other state agency, including the Illinois Commerce Commission. I urge your adoption of Amendment #2."

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

McClain: "Thank you very much, Mr. Speaker. Will the Lady yield?"

Speaker Ryan: "Indicates she will."

McClain: "Ms. Oblinger, would that...with Amendment #2, would that now wipe out Amendment #1 and remove the Illinois Commerce Commission?"

Oblinger: "My final sentence said, including removing it from under the jurisdiction of the Illinois Commerce Commission."

McClain: "Thank you very much, Mr. Speaker, may I speak to the Amendment?"

Speaker Ryan: "Absolutely."

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McClain: "Thank you. Mr. Speaker and Ladies and Gentlemen of the House, by a sum vote of about 81 to 42, you just now adopted an Amendment that provided that this jointly held municipal electric power corporation would be under the Illinois Commerce Commission for rate review and regulations. By this Amendment, by Ms. Oblinger's, that would delete that provision. So what in essence she is doing is wiping out Amendment #1 instead of by vote, by Amendment. So I'd ask you to please look at this Amendment. This Amendment would wipe out the Amendment you just now adopted by a vote of 81 to 42. I strongly ask you to reverse your Roll Call and instead of voting 'aye' last Amendment, vote 'no' on this Amendment so that there is some sort of rate review and some sort of regulation, just like we do with privately held corporations and with electrical co-ops. There's no difference, I don't believe, with rate review and consideration of the consumer and especially in the case of small municipalities. Electrical co-ops, privately held corporations, are under the Commission for Rules and Regulations. Electrical co-ops are under their own Act and public utilities under the Public Utilities Act. It's only fair and I would ask you to vote 'no' on this Amendment."

Speaker Ryan: "The Lady from Sangamon, Representative Oblinger, to close."

Oblinger: "I urge you to vote 'yes' on this Amendment. It has something else in it that's very important to you and that is the ability for one of the public utilities to either come in or out of consortium. If you do not vote for this Amendment, it will take a two-thirds vote of those members of the consortium in order for a public utility to opt out of the consortium. So I urge you to vote 'yes' on Amendment #2."

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Speaker Ryan: "The Lady moves for the adoption of Amendment #2 to House Bill 1398. All in favor will signify by saying 'aye'; all opposed 'no'. The 'ayes' have it and the Amendment's adopted. The Lady moves for the adoption of Amendment #2. All in favor will signify by voting 'aye'; all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 48 voting 'aye', 84 voting 'no', 1 voting 'present'. And the Lady's Motion fails. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Representative Davis."

Davis: "Before you announce Third Reading, I was going to ask if the Lady would leave this Bill on Second Reading for just one more day? There is an Amendment in draft that would address the issue of hydro-electric dams in several communities around the state, including the Speaker's home town of Kankakee. And since the Bill is now out of the Order of Priority of Call, having been amended, back to Third and goes to the end anyway, I was going to ask if she'd leave it just one more day so the Amendment can be brought forward."

Speaker Ryan: "What's your pleasure, Representative Oblinger? The Lady is gracious enough to agree to leave House Bill 1398 on the Order of Second Reading where it will remain. On the Calendar appears House Bill 1449. The Gentleman asks leave to return House Bill 1449 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Read the Amendments, Mr. Clerk."

Clerk Leone: "Amendment #1, Schneider, amends House Bill 1449..."

Schneider: "Thank you, Mr. Speaker, Members. This is a change from shall to may. It is a request of the Chicago School Finance Authority. We had originally in the proposal given

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the Authority, rather the School Board the authority to allow the general superintendent and the finance officer to hire personnel as they saw fit. As you know, the Finance Authority requires the Chicago Board to maintain a balanced budget. As a consequence they are a little concerned that giving them shall permission as opposed to may permission might imperil that budget in some obscure way or...and I would move that the Members adopt Amendment #1."

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

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1362, Representative Ronan. The Gentleman asks leave to return House Bill 1362 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. Read the Amendments, Mr. Clerk."

Clerk Leone: "Floor Amendment #2, Ropp, amends House Bill 138..."

Speaker Ryan: "No, 1362."

Clerk Leone: "Floor Amendment #1, Levin-Ronan, amends House Bill 1362..."

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

Levin: "Okay, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 bears the strange Sponsorship of myself and Al Ronan. What the Amendment does is deals with the question of blind vendors and was worked out with the Department of Administrative Services vendors, and restricts the language in the original Bill to make it something which, you know, the Department can support. What the Amendment does is adopts the principle that vendor...blind vendors be given a priority where there are in fact facilities available in either a new building, state building, or in a building

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being leased where there are facilities that are appropriate for blind vendors. It is similar to laws in 21 other states. In the original Bill there was a third provision dealing with revenues collected by vending machines. That has been eliminated in Amendment #1. I think it is a good Amendment. This...it is supported by the Department of Administrative Services. They think it is reasonable, and it has got...what is effectively the bipartisan Sponsorship of myself and Representative Ronan, and I would strongly urge adoption..."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to House Bill 1362. 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: "Third Reading. Representative Collins in the Chair."

Speaker Collins: "House Bill 1506, Representative Ewing. The Gentleman asks leave to return the Bill to the Order of Second Reading for the purpose of an amendment. Does he...is there objection? Hearing none, the Bill will be returned to Second Reading. Read the Bill, Mr. Clerk, and the Amendment."

Clerk Leone: "House Bill 1506 has been read a second time previously. Amendment #1, Ewing, amends House Bill 1506 on page two, line..."

Speaker Collins: "The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, as House Bill 1506 was approved by the House Revenue Committee it provides for the reduction in the corporate rate for the personal property replacement tax from 2.5 to 2%. My Amendment #1 would modify this decrease in rate and would

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provide that the rate would increase...would decrease from 2.5 to 2.25 on January 1, 1983 and then got to 2 point. I'm sorry, on January 1, 1982 the rate would go from the current 2.5 to 2.25 then on January 1, 1983 the rate would go to 2 point. This would mean that the rate would be reduced in steps instead of in one reduction. And I think it makes the Bill a better Bill, and I would move for the adoption of this Amendment."

Speaker Collins: "The Gentleman moves the adoption of Amendment #1. Is there discussion? The Gentleman from Madison, Representative McPike. Representative McPike."

McPike: "Yes, thank you, Mr. Speaker. Would the Sponsor of the Amendment yield?"

Speaker Collins: "The Gentleman indicates he will."

McPike: "Tom, there is a lot of noise. Would you give me those rates again?"

Ewing: "Yes, we're going to reduce...this Bill would, as amended, would end up reducing the rate from 2.5 to 1 point."

McPike: "It would reduce it to 2.5 to 1.0?"

Ewing: "You heard me, didn't you? Yeah. No, what it would do, right now as the Bill stands, it would reduce it from 2.5 to 2 point effective in January of next year. The Amendment would reduce it from 2.5 to 2.25, a quarter of a percent instead of a half of a percent next January, the next quarter of a percent the January thereafter. So it modifies the reduction."

McPike: "So it leaves it at 2.5% for this Calendar year and then 2.25 for Calendar '83?"

Ewing: "'82."

McPike: "I mean Calendar '82 then 2.0 from Calendar '83."

Ewing: "That is correct."

McPike: "Does it reduce it further after that?"

Ewing: "Well, we could if you would like to offer that Amendment."

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No, I didn't."

McPike: "Is there a...do you have estimates as to what this is going to cost the local units of government? This Amendment?"

Ewing: "This Amendment would actually save units of local government money compared to the way the Bill presently exists."

McPike: "Compared to the way the Bill presently exists. Okay. You're right. I think we should address that on Third Reading. Is there any cost to the state on this Amendment?"

Ewing: "No."

McPike: "The state gets no money from the corporate replacement tax at all?"

Ewing: "That is correct. This is not, nor is it a state mandate."

McPike: "Are you sure that the state receives no monies from the corporate replacement tax?"

Ewing: "Not to my knowledge, Representative. Maybe you have some knowledge on that."

McPike: "The Department of Revenue doesn't receive any for collecting the tax? A certain percent?"

Ewing: "Well, they might, but if they don't have to collect the tax, their costs should go down. I am sure when we get our new revenue building it will be much more efficient, and the cost will go down."

McPike: "Well, I think there is a cost to the state, and Mr. Speaker, has a fiscal note been filed on this?"

Speaker Collins: "Not to my knowledge. Is there a fiscal note?"

Ewing: "None that has been required."

Speaker Collins: "A request for a fiscal note has just been filed, Representative Ewing."

McPike: "Thank you, Mr. Speaker."

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Speaker Collins: "Is there further discussion? The Gentleman from Cook, Representative Jack Dunn."

Dunn: "Would the Sponsor yield to another question?"

Speaker Collins: "He indicates he will."

Dunn: "What will the cost be in local government...to the local government if this Bill is passed?"

Ewing: "Well, Representative, we're talking about the Amendment now, not the Bill. And I would rather keep the discussion on the Amendment which actually causes the rate to go down slower than the Bill currently does. So if you're concerned about the loss of local government revenues, this would be an Amendment which you would want to support because it means that if the Bill is finally approved, the rate of taxation will go down slower than is currently provided for in the Bill unamended."

Dunn: "Thank you."

Speaker Collins: "Further discussion? The Lady from Marshall, Representative Koehler."

Koehler: "Would the Sponsor yield for another question please?"

Speaker Collins: "He indicates he will."

Koehler: "Representative, perhaps I missed this in the confusion, but I was wondering if you would tell...explain to me again how the law currently reads and how this would change it?"

Ewing: "The Bill currently says that the tax rate on corporations for the replacement tax will go down from 2.5 to 2 point in January 1, 1982. That is a half of a percent decrease in the rate. My Amendment would cut that decrease in rate to a quarter of a percent in January of '82 and take the other quarter of a percent off in January of '83. It is just a phase in instead of one half of a percent decrease in one year, it is a quarter percent decrease in the first year, and a quarter percent decrease the second year ending up in the same spot but over a two year period."



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Koehler: "It is a slower, slower tax relief then."

Ewing: "Right."

Koehler: "Thank you."

Speaker Collins: "Is there further discussion? Representative Ewing, a request for a fiscal note has been filed... You may close on the...the debate on the Amendment."

Ewing: "Ladies and Gentlemen of the House, I think that the...I hope the discussion is clear on this Amendment. This is a simple Bill. It is a controversial Bill, but I believe that this Amendment makes the Bill a fairer Bill. It provides for a two year phase in of a reduction in tax, and it should help protect local government. It should help protect the businesses who are paying this tax so that they won't be overpaid. And I would ask for the adoption of this Amendment."

Speaker Collins: "The Gentleman moves the adoption of Amendment #1 to House Bill 1506. All those in favor will indicate by saying 'aye', and opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #1 is adopted. This Bill will stay...remain on Second Reading. House Bill 1682, Representative Ropp. Is the Gentleman in the Chamber? Out of the record. Representative....House Bill 1746, Representative Jaffe. The Gentleman asks leave to return this Bill to the order of Second Reading for the purpose of an Amendment. Is there objection? Hearing none, the Bill shall be returned to Second Reading. Read the Amendment, Mr. Clerk."

Clerk Leone: "Amendment #1, Jaffe, amends House Bill 1746 on page one line 28 and so forth."

Speaker Collins: "The Gentleman from Cook, Representative Jaffe."

Jaffe: "Mr. Speaker, Amendment #1 is merely a technical Amendment. It just changes the paragraphs which were misnumbered. It changes C to B and D to C, and that is all

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that it does. And I would move its adoption."

Speaker Collins: "The Gentleman moves the adoption of Amendment #1. Is there discussion? The Gentleman from Cook, Representative Bowman. Your light is flashing. Is there any discussion? The Gentleman moves the adoption of Amendment #1. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and Amendment #1 is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 1797, Representative Findley. The Gentleman asks leave to return the Bill to the Order of Second Reading. Is there objection? Hearing none, the Bill shall be returned to Second Reading. Read the Amendment, Mr. Clerk."

Clerk Leone: "House Bill 1797 has been read a second time previously. Amendment #1, Findley, amends House Bill 1797 on page two and so forth."

Speaker Collins: "The Gentleman from Cass, Representative Findley."

Findley: "Mr. Speaker, I withdraw Amendments #1 and #2 if I may."

Speaker Collins: "The Gentleman asks leave to withdraw Amendments #1 and Amendment #2. Is there objection? The Amendments shall be withdrawn. Are there further Amendments?"

Clerk Leone: "Floor Amendment #3, Findley, amends House Bill 1797..."

Speaker Collins: "Representative...the Gentleman from Cass, Representative Findley."

Findley: "Thank you, Mr. Speaker, Members of the House, Amendment #3 to House Bill 1797 is a technical Amendment. It repositions clarifying language. It eliminates one redundancy and corrects a spelling error. I would ask that the Amendment be adopted."

Speaker Collins: "The Gentleman has moved the adoption of

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Amendment #3 to House Bill 1797. Is there any discussion? All those in favor of the Amendment #3 will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 1821, Representative Barkhausen. The Gentleman asks leave to return the Bill to Second Reading for the purpose of an Amendment. Are there objections? Hearing none, the Bill shall be brought back to Second Reading. Read the Amendment, Mr. Clerk."

Clerk Leone: "Amendment #1 was withdrawn. Floor Amendment #2, Barkhausen, amends House Bill 1821 on page one and so forth."

Speaker Collins: "The Gentleman... Representative Barkhausen on Amendment #2."

Barkhausen: "Amendment #2 to House Bill 1821 is a clarifying and a narrowing Amendment. This is one of three Bills that will promote and encourage ride sharing, car pooling, and van pooling in Illinois. And as House Bill 1821 was originally drafted, it prohibits local governments from regulating vehicles used in car pooling and ride sharing programs to a greater extent than they regulate other passenger cars. The Bill originally said that local governments couldn't regulate what is referred to in the Motor Vehicle Code as a ride sharing arrangement to a greater extent than they do passenger cars, and I took out the language ride sharing arrangement, and substituted it instead, a commuter-van which is also defined in the Motor Vehicle Code as a vehicle which has a capacity to carry between 10 and 16 passengers. They can regulate a commuter van or a passenger car used in a ride sharing arrangement to a greater extent than they do regulate other passenger cars in a local governmental area. So it narrows the area

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that local governments are prohibited from regulating and to that extent is less objectionable than what I thought was a completely unobjectionable provision in the first place. For that reason, I ask the adoption of Amendment #2."

Speaker Collins: "Is there any discussion? The Gentleman moves the adoption of Amendment #2 to House Bill 1821. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. The Gentleman from Franklin, Representative Rea. House Bill 1668, the Gentleman from Cook, Representative Bowman, asks leave to return the Bill to the Order of Second Reading for the purpose of an Amendment. Are there objections? Hearing none, the Bill shall be returned to Second Reading. Read the Amendment, Mr. Clerk."

Clerk Leone: "House Bill 1668 has been read a second time previously. Floor Amendment #3, Koehler, amends House Bill 1668 as amended."

Speaker Collins: "The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker, Members of the House. Amendment #3 provides that when precincts are clustered for an emergency referendum under a court order, that only one judge from each of the clustered precincts be required to work at the polling place. That would provide for a total of four election judges at such clustered voting zones. The election authority is given the power to employ extra judges if conditions warrant them. The judges are chosen by lot. Ladies and Gentlemen, I would urge your favorable consideration of Amendment #3."

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Speaker Collins: "The Lady moves the adoption of Amendment #3. Is there any discussion? All those in favor of Amendment #3 will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 1534, Representative Watson, do you want to return this to Second Reading? The Gentleman asks leave that this Bill be returned to the Order of Second Reading for the purpose of an Amendment. Are there objections? Hearing none, the Bill shall be ordered returned to Second Reading. The Gentleman from Cook, Representative Bowman."

Bowman: "The Amendment has to be read."

Speaker Collins: "Read the Amendment, Mr. Clerk."

Clerk Leone: "Floor Amendment #2, Bowman, amends House Bill 1534 by deleting the title and inserting in lieu thereof the following."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 provides for a joint House - Senate Committee to investigate the, all of the statutes that depend upon the use of census data for their implementation. Of course, this particular Amendment excludes reapportionment. That is handled separately and this Amendment, I want to stress, has absolutely nothing to do with reapportionment. However, it may come as a surprise to many of you in the chamber that there are several dozen different statutes that require the use of population as a basis for establishing formulas of various sorts. Our county and municipal officials are paid according to how large the county is. The tax rates are

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determined according to how large the county or municipality is. Formulas for allocating various funds are determined according to how large various units of government are. Cost sharing formulas for agricultural extension services and state's attorney appellate defenders and so forth are all determined by population. The Bill to which I'm offering this Amendment is a response to a problem that will occur in Representative Watson's area, unless the Legislature intervenes, simply because the population has changed it will require certain things change in his area which he'd rather not see changed. I'm recommending, through this Amendment, that we sit down, the House and Senate together, sit down and take a look at all of the statutes, and there are dozens of them, and to recommend changes to the House and Senate for purposes of developing a consistent policy towards the pay schedules, fee schedules, formula allocations and so forth and then to make recommendations back to the two Body's. The one thing which I'll point out that the Bill also, or the Amendment also does, it freezes the present population figures until the end of the Calendar year to give us time to act upon these recommendations in the Fall Session. It does not do anything more than this. There are only legislative Members appointed to this so it's a Committee. It's not a commission. There is no need for an appropriation for this. It can come out of House Operations. I tabled the companion appropriation Bill. I think this is meritorious legislation that deserves our support. If we don't pass this Amendment we're going to be nicked and dined to death everytime there is a problem discovered and believe me, there will be dozens and dozens of problems discovered."

Speaker Collins: "The Gentleman offers Amendment #2. Is there any discussion? The Gentleman from Will, Representative

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Leinenweber."

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

Speaker Collins: "Indicates he will."

Leinenweber: "As I understand it, the Amendment is either identical or virtually identical with House Bill 784. Is that correct?"

Bowman: "That is correct. It is identical."

Leinenweber: "Mr. Speaker and Members of the House, again at the Amendment stage we are seeking to bypass the Committee system of this House. House Bill 784, the Gentleman's Bill was heard in the Executive Committee and for reasons that the Committee Members, the majority or at least many of the Committee Members considered proper, did not vote to pass this Bill onto the House. The Gentleman then reverted to his right as a Member of this Body and filed a discharge Motion before the Body of this House which was heard last week. For reasons that the Members of this Body apparently considered good, they declined to support the Gentleman's Motion to discharge Committee. Therefore, the Gentleman is apparently reverting to what has become a time honored procedure of amending a Bill that was defeated in Committee and this Body refused to discharge onto another Bill that apparently at least is vaguely germane, to which it is vaguely germane. I think this is a bad process. The Committee system of this House, and the reason I'm speaking because I don't see either the Vice Chairman. I do see the Chairman of the Executive Committee on the floor. I think that if we're going to have a Committee process we ought to allow it to function and in those rare instances where the majority feels that the Committee makes a mistake, then if there are 89 of us that want to hear the Bill then the... we will do so. However, there aren't 89 apparently, so we're going to be wasting our time. The Gentleman is

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seeking to bypass Committee by using less than 89 because usually less than that vote on a Motion. It doesn't require 89 votes. I think that's bad practice, something we ought to avoid in these weening hours of hearing House Bills. So I would urge the Members to join with the Members of the Executive Committee and join with yourselves in not considering this for a third time."

Speaker Collins: "The Gentleman from Cook, Representative Getty."

Getty: "Mr. Speaker, will the Gentlemen yield?"

Speaker Collins: "Indicates he will."

Getty: "Representative Bowman, I just want to clear up your legislative intent here. It's my understanding from looking at this and I'd like you to confirm it, that it would not be the Committee's function to decide whether classifications are to be made but to just consider given existing law how the federal decennial census affects classification. Is that correct?"

Bowman: "Representative Getty, that is my intention. I feel obliged, however; to point out that if the Committee which is a group of individuals that can probably do whatever they want to do should decide to attack that question, the simple solution for them would be simply to treat all classes equally in any recommendation they make to either chamber. However, my intention is based simply on existing statutes."

Getty: "You are not here asking that they, or directing by this, that they do consider any such action or directing that they come up with any formula to take any such action. Is that correct?"

Bowman: "That is correct. I'm neither asking nor directing the Committee to undertake any inquiry of that sort."

Speaker Collins: "The Lady from Cook, Representative Pullen."

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



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House. The matter that is being addressed in this Amendment was the subject of a Bill that was referred to the Executive Committee. It was posted on the last day for hearings. A day which found me out of town on legislative business and I, unfortunately, was not able to be at the hearing that day to help the Representative with his Bill. It was not, as I understand it, actually heard that day and, therefore; not rejected or excepted by the Committee. I support the Bill the Gentleman had brought to the Committee and because this matter cannot be addressed at a later time but must be acted upon now, I support this very important, necessary and worthwhile Amendment."

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

Brummer: "I move the previous question."

Speaker Collins: "Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Gentleman from Cook, Representative Bowman, to close."

Bowman: "Thank you, Mr. Speaker. I would just, in closing, like to remind the Members of this Body that this is a truly historic occasion. Representative Pullen and I agree on a piece of legislation and I would like this moment memorialized for all time by an affirmative vote. Thank you very much."

Speaker Collins: "Gentleman moves the adoption of Amendment #2. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Collins: "Third Reading. Has Representative Ropp returned to the chamber? House Bill 1682, Representative

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Ropp. The Gentleman asks leave that the Bill be returned to Second Reading for purpose of Amendment. Are there objections? Hearing none, the Bill shall be ordered returned to the Order of Second Reading. Read the Amendment; Mr. Clerk."

Clerk O'Brien: "Amendment #2, Ropp, amends House Bill 1682 as amended on line one and five and so forth."

Speaker Collins: "The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. I think I would ask leave of the House to table #1 because that is incorrectly written in terms of what the people tell me my intent is and Amendment #2... Can we have leave to table #1, please?"

Speaker Collins: "The Gentleman moves to table Amendment #1. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the Amendment is tabled. Are there further Amendments?"

Ropp: "Now, Mr. Speaker..."

Clerk O'Brien: "Amendment #2, Ropp."

Speaker Collins: "Amendment #2, Representative Ropp."

Ropp: "Amendment #2 gives clarity to the Bill in that what I'm attempting to do is make provisions possible for someone who has deceased be able to received a birth certificate so that his relatives can verify that that particular person was born and the Amendment #2 does clarify it and make my intent now possible. I ask your favorable support."

Speaker Collins: "Gentleman offers Amendment #2. Is there any discussion? All those in favor will ... The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Question for the Sponsor."

Speaker Collins: "Indicates he'll yield."

Mulcahey: "Representative Ropp, you say that the deceased has to

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be proved to have been born at one time?"

Ropp: "Currently, someone who is seeking a birth certificate must first ask for it in writing. If you have died, that is impossible to do. This Amendment one, permits a close relative to provide that information and make it possible for the person who has passed away for his relatives or offspring to receive a birth certificate stating that he was in fact born on such and such a date and that the word 'deceased' will be written across the birth certificate."

Mulcahey: "That indeed at one time he did live."

Ropp: "That is absolutely correct."

Mulcahey: "Thank you."

Speaker Collins: "Further discussion? Question is, 'Shall Amendment #2 be adopted?'. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and Amendment #2 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 186, Representative O'Brien. The Gentleman asks leave that the Bill be returned to Second Reading for the purpose of an Amendment. Are there objections? Hearing none, the Bill shall be returned to the Order of Second Reading. Read the Bill... Read the Amendment, Mr. Clerk."

Clerk O'Brien: "Amendment #2, O'Brien, amends House Bill..."

Speaker Collins: "Gentleman from Cook, Representative O'Brien."

O'Brien: "Yes, Mr. Speaker and Members, originally House Bill 186 was Sponsored by George McCourt and we agreed to this Amendment in the Subcommittee on Transportation that Representative Friedrich Chaired. This Amendment just abolished the Chicago Urban Transportation District and turns over all its funds and its assets to the Chicago Transportation Authority and I'd ask for an acceptance of

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the Amendment."

Speaker Collins: "The Gentleman offers Amendment #2. Are there... Is there any discussion? Question is, 'Shall Amendment #2 be adopted?'. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and Amendment #2 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Collins: "Third Reading. Previously, House Bill 1353 was read a second time. A request for a fiscal note was filed and has subsequently been withdrawn so House Bill 1353 will be advanced to the Order of Third Reading. On the Order of Second Reading page three on the Calendar. The Gentleman from McLean, Representative Ropp, for what purpose do you rise?"

Ropp: "Mr. Speaker, I, on reviewing the Amendment on 1682, there was one word that was incorrectly spelled or the meaning. It says 'decendent... decedent' and that means someone who has already passed away would have to swear by a person who has already passed away and I want to ... on its fact if at all possible, change that to 'decentent'. I ask leave of the House to do that."

Speaker Collins: "It's already out of our control and upstairs, Representative Ropp, so we'll have to address ourselves to that problem later. There's nothing we can do at this time."

Ropp: "Not even with leave of the House. I though we could do anything with leave of the House."

Speaker Collins: "I suggest you'll have to get the Bill back down from upstairs and we'll return to it later. Right now there's nothing we can do with it. On the Order of Second Reading... Committee Reports."

Clerk O'Brien: "Representative Wolf, Chairman of the Committee on

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Appropriations to which the following Bills were referred, action taken May 11, 1981 and reported the same back with the following recommendations: 'do pass as amended' House Bill 1128 and 1891. 'Interim Study' House Bill 1618. Representative Wolf, Chairman of the Committee on Appropriations to which the following Bills were referred, action taken May 11, 1981 and reported the same back with the following recommendations: 'do pass' House Bill 1466. 'Do not pass' House Bill 1698. 'Do pass as amended' House Bills 420, 897, 1159, and 1604."

Speaker Collins: "On the Order of Second Reading, page seven, House Bill 1626. The Gentleman from Hardin, Representative Winchester. Are there any Amendments to the Bill?"

Clerk O'Brien: "House Bill 1626..."

Speaker Collins: "Are there any Committee Amendments?"

Clerk O'Brien: "...a Bill for an Act in relation to non-coal mine lands. Second Reading of the Bill. No Committee Amendments."

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

Clerk O'Brien: "None."

Speaker Collins: "Third Reading. The Gentleman from Cook, Representative Madigan."

Madigan: "Mr. Speaker, could you tell us where you are on the Calendar? What your plans..."

Speaker Collins: "I announced that. We're on page seven on the Order of Second Reading."

Madigan: "That's immediately. My question would relate to the next Bill and what your long term plan is."

Speaker Collins: "We're going to go down the Order of Second Reading in numerical order. We're picking up where we left off the last time we were on this Order."

Madigan: "Okay. Thank you."

Speaker Collins: "Gentleman from Cook, Representative Pierce, for

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what purpose do you rise?"

Pierce: "From Lake, Mr. Speaker..."

Speaker Collins: "From Lake, yes."

Pierce: "Last Friday on Second Reading we adjourned when we were on House Bill 1624 when a quorum call was raised and I waited till the close of business Friday for that to be called and I think that should be the first order of business today. We never finished it. I never had my chance to have my Bill moved to Third Reading."

Speaker Collins: "Representative Pierce, the Bill was called. There was extensive discussion on the Amendments and the Bill was taken out of the record by you as the Sponsor."

Pierce: "There was only one... It was taken out because of a quorum call and the Speaker was going to adjourn the House. The people weren't going to get their pay if there was a quorum call. So that's why it was taken out. Now we're on that Bill. There were Amendments that weren't called on that Bill and you sit around all week waiting for a Bill to be called on Second and then you don't get a chance to move it to Third. That's discriminatory."

Speaker Collins: "Representative Pierce, there was a quorum call. A quorum was established. You did have your Bill called. There are a number of others waiting for their Bills to be called and we will get back to you. The Gentleman from Peoria, Representative Schraeder."

Schraeder: "Mr. Speaker, I'd like to echo Representative Pierce's question. He did have the Bill on the House floor debate but it was taken out of the record and it was no fault of his, and I think it's only fair to a Member that was in the middle of debate you go back and pick up his Bill before you proceed with other Bills."

Speaker Collins: "House Bill 1630, Representative Kosinski."

Clerk O'Brien: "House Bill 1630..."

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Speaker Collins: "Representative Madigan."

Madigan: "Mr. Speaker, if you're announced plan is to return where we were when we left the Order of Second Reading on Friday, then I think you are under an obligation to the Body to answer Mr. Pierce's point. Mr. Pierce's point is that under your criteria, we should have gone to House Bill 1624 and I would suggest and I would ask now that the Clerk immediately make available a copy of the transcript for Friday when that Bill was called up until the time of the quorum call and sufficiently beyond the quorum call to establish under our rules where we should be at at this time."

Speaker Collins: "Mr. Madigan, let me make it very clear. We have already explained to Representative Pierce why we were going to the next Bill. He, at his request it was taken out of the record. However, to save time and to prevent you from giving more speeches, I think we'll honor your request and start with House Bill 1624. Is that alright?"

Madigan: "Thank you."

Speaker Collins: "House Bill 1624, Representative Pierce. Are there Committee Amendments?"

Clerk O'Brien: "House Bill 1624, a Bill for an Act in relation to certain exemptions to various use and occupation taxes. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

Clerk O'Brien: "No Motions filed."

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

Clerk O'Brien: "Floor Amendment #2, Mautino, amends House Bill 1624 on page one, line two and so forth."

Speaker Collins: "The Gentleman from Bureau, Representative Mautino."

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Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This was the Amendment which closed the House down last Friday. Amendment #2 to House Bill 1624 is House Bill 635 as presented to the Revenue Committee. This Amendment eliminates the so called Retailer's Occupational Tax Extension which is the advanced payments of sales tax to the State of Illinois by retailers who pay to the State more than 10,000 dollars a month. This legislation was originally passed in '76 and I did some research after we left here Friday. I'd like to point out that every sitting Member on the Republican side of the aisle who was here in 1976 voted 'no' to impose the sales tax speed-up during that Session. They were joined by five Democrats. I happen to be one of those Democrats that opposed the concept that was presented at that time which is law today by the Walker administration. This is an additional burden. Number one, to the retailers of the State of Illinois and number two, the state is using somebody else's money by virtue of the Credit Memorandum which is issued but not put into full force for approximately 90 days after the retailer receives that Credit Memorandum. There was a good commentary on give and take on this legislation. I agree in total with the comments made by my colleague on the other side of the aisle last Friday, Representative John Birkinbine, pointing out that this is unfair legislation to the retailers of the State of Illinois. They pay not only a bond up front. They pay a monthly sales tax and they pay a weekly based on last year's estimate of the same period of time. This is legislation that I think should be adopted. I know is correct and I would hope that we would have consistency in the House of Representatives and adopt Amendment #2 to 1624 which is needed by all of the retailers of the State of Illinois who



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pay 10,000 or more per month to the General Assembly. There's no loss to our existing funds because they are not state funds. The people who would be paying the tax would be paying it at the end of the month like every other retailer in the State and I'd be happy to answer any questions on this legislation."

Speaker Collins: "The Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, I rise to oppose Amendment #2 and for these reasons. The Gentleman who Sponsors Amendment #2 is absolutely correct. I was one of those Members in the Assembly at the time we adopted Governor Walker's accelerated tax program. We opposed it at that time basically for the reasons the Gentleman stated which were very valid, but they were valid at that time and they are no longer valid simply because we are depending upon that 80 million dollars within the framework of the budget for the fiscal year. Were we to adopt Amendment #2 to House Bill 1624 and it then went on to become law, the affect would be to cost us for this fiscal year that 80 million dollars. While it is true it's a bookkeeping entry, so to speak, and it's kind of fan for money, the fact of the matter is simply that we would have been a shortfall of 80 million dollars for this fiscal year. So, Mr. Speaker and Members of the House, while in principle I agree with the Sponsor of the Bill, I want to point out that in my opinion his reasons were valid prior to the adoption of the accelerated tax program and since we have adopted it, it no longer has the same validity as it had then. And, these are the reasons I rise to oppose Amendment #2."

Speaker Collins: "The Gentleman from Lake, Representative Pierce."

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Pierce: "Mr. Speaker, as Chief Sponsor of this Bill, I have no objection to the Gentleman's Amendment #2. I think it helps clear up an inequity and injustice that's been done to retailers in our state who have to pay this money in advance. It's wrong. It was tried. It doesn't work and, therefore; I have no objection, in fact, support of the Gentleman from Bureau Amendment #2."

Speaker Collins: "The Lady from Marshall, Representative Koehler."

Koehler: "Would the Sponsor yield for a question please?"

Speaker Collins: "Indicates he'll yield."

Koehler: "Representative, I would like to know how this Amendment would affect the small retailer and the small businessman."

Mautino: "Small retailer and small businessman who pay less than 10,000 a month in sales tax pay at the end of the month. The person who... It will not affect them because they pay as they do now, at the end of the month. Example: In your area, Denler's supermarket has money in this fund at the Department of Revenue in the amount of 26,000 dollars that they cannot get a claim to so that they can take credit for it. The state has their money yet in fact they can't get credit for it. The case must go to a hearing now. It's Denler's money but the state has it because they pay, the supermarket paid the sales tax estimated on last year's sales during that same period when, of course, inflation was higher, product costs were higher and now sales are less. They don't pay on the sales, they pay on the estimate from last year, and the amount continues to get higher that the state has that belongs to the retailer. It will not affect the smaller people who do not have 10,000 a month in liability to sales tax."

Koehler: "Is this taking cash flow money out of the hands of the small retailer then?"

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Mautino: "It doesn't touch the small retailer. It affects the cash flow at the state level because the state is getting money that is basically not owed to them."

Koehler: "Thank you."

Speaker Collins: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment if a taxpayers average monthly tax liability is 10,000 or above, he's currently required to issue quarter monthly tax payments. Now, as many of you recall under the Walker administration, a Bill establishing the quarter monthly payments was passed as a way of improving the then disastrous cash flow position that the administration at that time found itself in. By eliminating this feature, no less revenue would be received but there would be a four week cash flow lag when payments return to a monthly basis. Now the Sponsor of this Amendment is indeed truly a respected Member of this House and it's good that he brings this kind of an Amendment to our attention, but, unfortunately, it comes at a wrong time. It comes at a time where are Comptroller, Mr. Burris, has told us that our checkbook balance is dangerously low, that our cash flow position in the State of Illinois is dangerously poor and now we have an Amendment that would make that position even worse than what we find ourselves in today. It's estimated that with four week cash flow lag we will suffer a loss in this fiscal year somewhere in the nature of 80 million dollars I think is what's been represented to me. Now, Mr. Speaker, Ladies and Gentlemen of the House, after this Amendment we've got another Amendment and that Amendment is a direct loss of some 65 to 70 million dollars in revenues for the State of Illinois. So if we make the mistake and it would be a mistake of adopting this

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Amendment to this Bill, we will, once again, put our cash flow position in the State of Illinois in a very, very dangerous position and ultimately affect the solvency and the rating of this state. I urge you to carefully consider before you adopt this Amendment and I urge you to vote against it."

Speaker Collins: "The Gentleman from Cook, Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I hope that everyone here is paying attention to this Amendment because it affects each and every district in the state whether you're talking about a supermarket, department stores, even some large pharmacies. There are many stores in each and every district that do volumes such that they have to send their sales tax money on a weekly instead of a monthly basis the way smaller retailers have to. We've had some fascinating testimony here against this Amendment. Basically, what the people have said is that we realize the money doesn't belong to the state. We realize that we're actually, the state is actually getting to use this money for the period of 30, 60, 90 days before we're forced to turn it back to the retailer, the people who actually own it, but we've planned on doing that anyway so it would make it something of a bind if we're forced to live honestly, if you will. I think this goes back to a basic problem we have in this country where we or too many people in government are looking at money out there and saying, 'We can't afford it'. Well, Ladies and Gentlemen, it's not our money to play with. It's the people's money and this is a blantant case of governmental dishonesty where they know ahead of time that they're going to have to rebate money back to the retailers, especially in the instance of the supermarkets where you're talking about the

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reduction in sales tax on food that we passed. Already you're going from four percent down to three percent. That's a 25% margin on sales tax revenues in supermarkets that the state is having to play with. I think it's basically dishonest, it's wrong and if someone is going to do this, I suggest you let it be the Governor and not put your vote on it. It would be a bad vote. Thank you."

Speaker Collins: "The Gentleman from Peoria, Representative Schraeder."

Schraeder: "Mr. Speaker and Members of the House, the last speaker certainly hit the nail on the head. In fact, all the speaker's have hit the nail on the head. They admit, including the Majority Leader on the other side of the aisle, that this money belongs to the retailers and not to the State of Illinois. Now because we are getting it every day on a weekly basis as the case may be, that's our money. Well, that's a fallacy. Now we passed this under the Governor Walker's administration and I opposed that concept at that time, and it's just as wrong today under Governor Thompson. It wasn't the state's money then and isn't the state's money today. When you're talking about ten dollars or ten million or a hundred million dollars, it makes no difference. It's dishonesty in the government. And the Governor Thompson to propose this and to be upheld by the leadership on the other side of the aisle and by Members of the Republican Party when they're talking about the retail merchants of the State of Illinois who historically have supported the Republican Legislators. Now this doesn't make good sense. You're talking about you're bread winners, Ladies and Gentlemen on the other side of the aisle. You're slapping them in the face with an unfair, unlawful tax. If I was one of those retail merchants I would say to you, 'I'm going to court and get my money',

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because this is not a tax that's due to the state. And I don't think you have any choice whether the government needs it or not. It's wrong and this Amendment should be attached so those people get their just money back."

Speaker Collins: "The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I am somewhat surprised at the last two speaker's and their terms that they used in describing what this Amendment is or what it's attempting to cure. Dishonest, somebody else's money. I wish that everybody would listen just a moment. The tax which is being collected here is paid at the end of the week in which it is collected. Now if the tax which is collected in a week and paid at the end of the week is the retailers money, I'll eat my hat. Now it is determined on an estimate. So, there could possibly be times when they would overpay for the week or underpay. But it is made up at the end of the month, and I also wonder about those who would oppose this Bill or this Amendment who consider themselves to be conservatives and how are they going to pay the bills of this state in the last month of this year when things are so tight if we have 60 million dollars less. This Bill might not be a bad idea in the right year, but we are not collecting retailers money nor are we keeping retailers money. We are only asking them to pay on an estimated basis the money which they have or should have already collected. And also it is not your little ma and pa stores. Vote for this. Vote for Standard Oil. Vote for Texaco. Vote for all the biggies or vote for your state and keep it solvent this year and take care of getting rid of this hangover from the Walker administration in a later year when the financial condition of this state will warrant it. And I would certainly

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encourage a 'no' vote."

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

Vinson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. When the Governor announced his last set cuts, 200,000,000 dollars in mental health and public aid, one of the things that few people noticed was that he was still predicating his entire budget on the assumption the General Assembly is going to roll back the sales tax reductions on agricultural equipment and machinery and on manufacturing equipment and machinery. The... It will be necessary for us to find a way to cut a good 250,000,000 more after his last set of cuts if we don't roll those exemptions back. There is no legislation currently alive in the General Assembly to roll those rates back, and I would suggest to most Members of the General Assembly on both sides of the aisle that you have no desire to roll those rates back. That's going to mean that we're going to have to cut substantially more into the budget. We're going to have to roll back existing rates on public aid grants, existing rates on Medicaid, existing rates on child care and every other item in the budget if we're going to make up 250,000,000 dollars more in revenue. Now, what the Gentleman's Amendment would do is add to the cost of that another 80 million dollars. We're going to have to cut that much deeper and I would suggest to everybody that what that's going to mean is that much more hardship for everybody that the social net exists for in the state, be he a mental health receipt, be he a welfare receipt, be he anybody who deserves the state for help. There is no reasonable way in which we can continue to make these kinds of cuts in the budet and in taxes and balance the budget. All we're inviting is a Special Session in July, maybe

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another Special Session in August, maybe another Special Session in September, and what that's going to do to your constituents who don't want to see the General Assembly in Session is going to excite them that much more and make the whole state government process that much more controversial and submit us to the charge of fraud, fraud that much more often. I would say to you that the only responsible action on this vote is to vote 'no'. And I would urge that for a change we do something responsible in this General Assembly. I would urge a 'no' vote on this Amendment."

Speaker Collins: "Representative Vinson, we apologize for the lack of order while you were speaking. Is there further discussion? The Gentleman from Cook, Representative Piel. His light is on. The Gentleman from Macon, Representative Tate."

Tate: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. The simple fact of the matter is 80 million dollars is 80 million dollars. The state cannot afford 80 million dollars at this time. When I read newspaper articles that people in this chamber are concerned about public aid budget reductions. We hear about cuts in mental health. We hear about cuts in education. We hear about cuts in public aid. The simple fact of the matter is, we cannot afford 80 million dollars this year. Thank you."

Speaker Collins: "Further discussion? The Gentleman from Bureau, Representative Mautino, to close."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I must comment on some of the statements made by my colleagues on both sides of the aisle. Number one, it will not affect the rating of the State of Illinois as presented by one of the previous speakers. It has nothing to do with it. The sales tax is a revenue tax. It is not a bonding tax or a back-up dollar. So that does not apply. But



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we're missing one important point. Please remember when the retailer pays on last years estimate, when the sales tax is only four percent and last year it was five, at least back in 1976-'77-'78 and '79 and '80. We are increasing the amount of money that a retailer pays to the state by twenty percent. Mainly because we reduced the sales tax, but what they're paying on is the previous years estimate which was at five percent. So you're taking twenty percent off of your retailers that doesn't belong to the State of Illinois. Then those retailers basically have to go out and finance additional dollars because the state is holding their money. The back up on the Credit Memoranda which is done, by the way by hand and not by automation, is a 90 day provision. They do not allow the retailer to take immediate credit. There's about a 90 day lapse. Now if you try to borrow money, 10 or 15, 20,000 at the 90 day level, you're going to pay that 14 or 18%. I think this is a good Amendment. I opposed the acceleration program in 1976. I've opposed it every Session since then. This is not new legislation. I believe last year it was handled by Representative Bradley. I think that it was wrong when it was implemented. It's been wrong since then. It is wrong now and we are bound by our conscience, I believe, to rectify a terrible situation, and I ask for an 'aye' vote."

Speaker Collins: "The question is, 'Shall Amendment #2 be adopted?'. All those in favor will indicate by saying 'aye', all those opposed. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Gentleman from Whiteside, Representative Schuneman, to explain his vote."

Schuneman: "Mr. Speaker, if this Amendment goes on, I think the Members should understand who they're seeking to help."

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You're seeking to help retailers who have monthly sales in excess of a quarter of a million dollars. Those are the only people that are affected by this Amendment. This has nothing to do with the ordinary small retailer at all in Illinois. But it has a great deal to do with the financial impact on the State of Illinois. A vote for this Amendment is the wrong vote. You're seeking to assist only those largest of the retailers in the state and you're not helping, in any way, the small retailer that perhaps you're seeking to help. I urge a 'no' vote on this bad Amendment."

Speaker Collins: "Have all voted who wish? The Gentleman from Wayne, Representative Robbins, to explain his vote."

Robbins: "It seems kind of odd to hear some of the people across the aisle really are interested in business for a change. They are the ones that accelerated this back when they're party spent the state broke. Last year we approved so much tax cuts that we again have spent the state broke. So why don't we leave it alone for another year and maybe we can come out of it and not have to worry about keeping the state broke again."

Speaker Collins: "The Gentleman from... Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 90 'ayes', 67 'nos', 4 voting 'present' and Amendment #2 is adopted. Further Amendments. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Bowman, amends House Bill 1624 on page four and so forth."

Speaker Collins: "Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment affects the sales tax exemption on business machinery. First of all, let me tell you about the problem and then I'll tell you precisely in what way

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the Amendment addresses the problem. But first, I think it's important to realize that the present exemption for business machinery is projected to cost the state next year, according to the Governor's budget book, 275 million dollars. That's 275 million dollars at a time the Governor is seeking to make upwards of 200 million dollars in budget cuts simply to balance the budget. The Governor is taking cognizance of this drain on the states resources by proposing a roll back in the rate for this exemption to the same rate at the year end level. That would save perhaps 132 million dollars. I hope you all payed attention to Representative Vinson's remarks on the last Amendment because he was absolutely right. At the present time there are no Bills on the floor or either chamber which will implement the Governor's recommendation. This may be your last chance to do something to bring the Governor's budget into balance because if we don't pass an Amendment such as this which addresses the issue on the revenue side, even the 200 million dollars in budget cuts will not be enough and we'll have to come back into Special Session during the summer to make even further budget cuts. Now let me tell you precisely what the Amendment does. The Amendment draws a distinction between manufacturing equipment and machinery used first directly and exclusively in the manufacturing process on the one hand and secondly, machinery used primarily in the manufacturing process on the other. What it... In making that distinction it phases in or it provides for the phase-in for an exemption of manufacturing equipment used directly and exclusively in the manufacturing process. It provides for it to be phased in on the schedule originally provided in existing legislation for the entire exemption. So there would be no interruption in the phase-in schedule for that kind of an exemption.

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That, by the way, that exemption that's proposed in Amendment #3 is the exemption that was provided in a Bill that first passed the General Assembly two years ago supported widely by the media and signed by the Governor. This would be meaningful tax relief. It would provide for those companies expanding in Illinois, building new plants in Illinois that they could stock that new plant with equipment and machines and that would be exempt. So if we're talking about helping the business climate, helping business to expand in Illinois, the exemption provided for the next fiscal year in Amendment #3 would do that. However, where Amendment #3 saves the state money and reduces the drain on our resources is by splitting off the exemption for machinery used primarily in the process, not directly and exclusively. This would be equipment like tools and dyes and jigs which are not directly and exclusively used in the process. However, this part of the exemption is much, much more costly. Very much more costly. About six to eight times more costly than the exemption that provides for direct and exclusive use so that we would, if we were to adopt this Amendment, we would have an exemption next year for machinery directly and exclusively in manufacturing and the year after that and the year after that. Once that phase-in is complete, then we expand the definition and provide for exemption based as for things like tools and dyes and jigs. And that is also in the phase-in schedule beginning when the first phase-in is complete. So we're not abolishing the exemption. We are changing the phase-in structure of the exemption. We are changing in a way that will save the state money. I estimate that it will save the state maybe 75 million dollars or more above what the Governor has provided in his budget Bill or in his budget book rather. So this is money

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that the state desperately needs at this time to help prevent cuts, very deep cuts in local programs, help to prevent cuts to local governments, to help prevent cuts to grant recipients, to care providers, United Way's, Lighthouse for the Blind and so on and so forth. Lastly, one other point. This Amendment does not touch the exemption for farm machinery. You may recall and this is especially important for people who come from downstate. You may recall that the Governor is sufficiently concerned about the state of the budget that he has further recommended that we change the exemption for farm machinery and that we do not give full amount of the exemptions that farm machinery has coming to it. Well, this Amendment doesn't do that so that you can leave the farm machinery exemption in place just as it now, and you can still save the state money. You can leave the manufacturing sales tax exemption for machinery used directly and exclusively in manufacturing in place and still save the state money. This is a very responsible Amendment and let me tell you. Representative Vinson was dead right on the last Amendment. There is no other legislation currently alive on the floor in either chamber that addresses this issue. This may be your last chance. I urge an Affirmative Roll Call."

Speaker Collins: "Is there any discussion? The Gentleman from Livingston, Representative Ewing."

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

Speaker Collins: "Indicates he will."

Ewing: "Representative Bowman, did Governor Thompson ask you to introduce this Amendment?"

Bowman: "No, but I'm sure he's just as pleased as punch."

Ewing: "Why would he be pleased as punch or would he just want to punch you?"

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Bowman: "Well, I'm pretty quick on my feet by the way, Representative Ewing."

Ewing: "You're quick as a cat."

Bowman: "So, I think he is pleased as punch simply because in his budget book you may remember he predicated his entire budget based on the assumption that there would be a saving of 130 million dollars on a roll back in the phase-in rates. Now we haven't taken any action in either chamber on that. After that budget book was presented to us, the Governor came back and said even with that assumption we're still going to have cut, still going to have to cut 200 million dollars in programs. So, without this, we're going to have to go back and cut 132 million dollars on top of the Governor's 200 million dollars in cuts. No one likes to make those cuts, least of all the Governor I'm sure. That's why he'd be pleased with this."

Ewing: "Well, Representative Bowman, your Amendment here does not give the same roll back of the tax credit that the Governor's asking, does it?"

Bowman: "It gives a little more, in fact."

Ewing: "I thought he was asking to roll it back to the one and a quarter cents with no date for carrying it forward. It looks to me like you're going right ahead in putting it in. But with the different schedule and splitting up between directly and exclusively and primary."

Bowman: "Representative Ewing, insofar as the machinery and equipment is used directly and exclusively in the manufacturing process, there is not roll back. We proceed on the existing statutory schedule."

Ewing: "But the Governor's asking for a roll back. Right?"

Bowman: "Well, my point is that by changing the definitional base we can still proceed on the existing schedule for machinery used directly and exclusively in manufacturing and still

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save the state money. Not just the 132 the Governor suggested..."

Ewing: "But not saving as much as the Governor would save by carrying it all the way back."

Bowman: "I'm sorry. Would you repeat the question?"

Ewing: "But not save as much as the Governor would save if we rolled it all the way back."

Bowman: "Oh, yes. More."

Ewing: "More."

Bowman: "Yes, Sir."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I want to take a reverse action here. I think we want to approve this Amendment. I think we want to mix it in with the last Amendment. I think we want to put it all on this Bill. And I think it'll make it a lot easier when we get to Third Reading and I certainly would encourage everybody on this side to vote for it. Thank you."

Speaker Collins: "The Gentleman from Lake, Representative Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, I agree with the Chairman of the Revenue Committee. It is an excellent Amendment. I appreciate his support and I have no objection to Amendment #3 and ask that we adopt it."

Speaker Collins: "The Gentleman from Cook, Representative Bowman, to close."

Bowman: "Well, Representative... Mr. Speaker, it appears that everyone seems to be supporting this Amendment, so I forego the closing and ask for an Affirmative Roll Call."

Speaker Collins: "The question is, 'Shall Amendment #3 be adopted?'. All those in favor will indicate by saying 'aye', opposed. The 'ayes' have it and the Amendment #3 is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

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Speaker Collins: "Third Reading. Gentleman from DeKalb, Representative Ebbesen, for what purpose do you rise?"

Ebbesen: "Well, Mr. Speaker, I was... Could the Chair give us some information regarding the schedule for today? Are we going to break for lunch or are we going to... It was indicated last night by the real Speaker that..."

Speaker Collins: "As soon as I hear from the real Speaker I'll share the secret with you."

Ebbesen: "Thank you."

Speaker Collins: "House Bill 1630, Representative Kosinski. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1630."

Speaker Collins: "Representative Kosinski. House Bill 1630? Read the Bill, Mr. Clerk."

Clerk Leone: "A Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Collins: "Are there any Motions ... of Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Collins: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Kosinski, amends House Bill 1630 on page two, line 28 and so forth."

Speaker Collins: "Gentleman from Cook, Representative Kosinski."

Kosinski: "First of all to explain the Bill, this was the Bill which demanded first line tires on the steering wheels of trucks and buses in the State of Illinois rather than recaps, retreads, reprocessed tires. It's a safety Bill. In... When the Committee Amendment #1 was adopted, I inadvertently forgot something I wished to include. It's in reference to my friends the farmers and Amendment #2 covers that. I am not concerned about such tires on tractors in the field nor tires on tractors that transport farm produce less than twenty miles at speeds under 45



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miles an hour. So in protection of the farmers which I intended to include in Amendment #1, I wish to adopt Amendment #2."

Speaker Collins: "Is there any discussion? Question is, 'Shall Amendment #2 be adopted?'. Those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it and Amendment #2 is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #3, Kosinski, amends House Bill 1630 as amended."

Speaker Collins: "Gentleman from Cook, Representative Kosinski."

Kosinski: "Mr. Clerk, I think that's a duplication of Amendment #2, isn't it?"

Clerk Leone: "It appears the language is the same, although the underscoring is different."

Kosinski: "I see evidently there's a technical problem with Amendment #2 and that's why we're forwarding Amendment #3. The same affect occurs. Mr. Speaker..."

Speaker Collins: "Do you move to table Amendment #2?"

Kosinski: "I move to table Amendment #2 and adopt Amendment #3."

Speaker Collins: "Gentleman moves to table Amendment #2. All those in favor will indicate by saying 'aye', opposed 'nay' and Amendment #2 is tabled."

Kosinski: "Now I move the adoption of Amendment #3 which is technically correct, but it does the same thing as Amendment #2."

Speaker Collins: "Gentleman moves the adoption of Amendment #3. All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it and Amendment #3 is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 1632, Representative Tate. 1632. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1632, a Bill for an Act providing

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protection of public health and safety by prohibiting possession, delivering, manufacturing, advertising of drug paraphenalia. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Cullerton, amends House Bill 1632 on page one and so forth."

Speaker Collins: "Gentleman from Cook, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment brings this Bill in conformity with the Bill that Representative Stanley has and also with the Bill that we passed out of here last Session that did not pass in the Senate. It bans the sale of tobacco accessories and smoking herbs to minors. This Bill is designed to, it's patterned after a law that we have in many municipalities throughout the state including Chicago and Elgin and it is designed to affectively and constitutionally stop the head shops that attempt to sell to, pardon the expression, head shops that attempt to sell to minors. It's a Bill that has, as I said, passed this House but did not pass the Senate. I believe that the Sponsor is in favor of the Amendment. It improves this Bill and I would ask for a favorable vote on this Amendment."

Speaker Collins: "Is there any discussion? The question is, 'Shall Amendment #1 be...?'. The Gentleman from Macon, Representative Tate."

Tate: "Mr. .... Mr. Speaker, Ladies and Gentlemen, I just want to rise in support of Representative Cullerton's Amendment. We have agreed that this language would bring the Bill into the proper form for passage of the House."

Speaker Collins: "Question is, 'Shall Amendment #1 be adopted?'. All those in favor will indicate by saying 'aye', opposed

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'nay'. The 'ayes' have it and Amendment #1 is adopted.  
Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 1648, Representative  
Davis. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1648, a Bill for an Act to amend the  
Revenue Act. Second Reading of the Bill. No Committee  
Amendment."

Speaker Collins: "Are there Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Davis, amends House Bill 1648  
on page four and so forth."

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

Davis: "Thank you, Mr. Speaker. Amendment #1 simply attempts to  
restrict the affect of the Bill to Will County only. I  
have no desire with the affect of the Bill to invoke this  
kind of a measure in any other county in the State of  
Illinois and since Will County, I'm ashamed to say, has one  
of the most fouled up taxing systems on the real estate  
property tax in the state, that I feel it necessary to  
offer the Bill, 1648, and the Amendment to try and restrict  
it only to Will County. It does two things. It affects  
now only counties between three and four hundred thousand  
in population and I hope that's just Will. And it  
increases or sets an amount in the Bill of notification of  
200,000 dollars in property assessment. That's all the  
Bill does. That's all it's going to do. Wherever it goes  
and wherever it comes back it's an isolated problem just  
unto us."

Speaker Collins: "Is there any discussion? Question is, 'Shall  
Amendment #1 be adopted?'. All those in favor indicate by  
saying 'aye', opposed 'nay'. The 'ayes' have it and  
Amendment #1 is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

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Speaker Collins: "Third Reading. House Bill 1661, Representative... Out of the record, Mr. Clerk. House Bill 1679, Representative Hoxsey. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1679, a Bill for an Act to amend the Charitable Solicitation Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Collins: "Third Reading. House Bill 1681, Representative Ropp. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1681, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Collins: "Are there any Motions relative to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "Floor Amendment #2, Ropp, amends House Bill 1681 as amended."

Speaker Collins: "The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. Amendment #2 puts a cap on the Bill which states allowable costs and that's the only change. It gives some ceiling as to the amount of money that will be charged for certain costs and the word 'allowable' has been added to the Bill."

Speaker Collins: "Is there any discussion? The question is, 'Shall Amendment #2 be adopted?'. All those in favor will indicate by saying 'aye', opposed. 'Ayes' have it and Amendment #2 is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "A request for a fiscal note was filed. Has the

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fiscal note been..."

Ropp: "I don't think it has but it's enroute."

Speaker Collins: "It'll have to stay on Second Reading. House Bill 1690, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1690, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Collins: "Are there any Motions relative to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "Floor Amendment #2, Terzich, amends House Bill 1690 on page four and so forth."

Speaker Collins: "Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Mr. Speaker, Amendment #2 is at the request of the Pension Committee which will exclude the participation under the state mandate program and I move for its adoption."

Speaker Collins: "Is there any discussion? The Gentleman moves the adoption of Amendment #2. All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it and Amendment #2 is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 1715, Representative Tuerk. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1715, a Bill for an Act to amend an Act relating to the composition of election of county boards in certain counties. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

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Speaker Collins: "Third Reading. House Bill 1719, Representative McGrew. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1719, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Steczo et al, amends House Bill 1719 on page one and so forth."

Speaker Collins: "The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #1 to House Bill 1719 was introduced by myself and Representatives Birkinbine, Chapman, Hallstrom, Jaffe, and Nelson and this Amendment refers to suburban Cook County only, and refers to the position of school township treasurers which were abolished in downstate in 1962. Many local school districts in the suburban area, in fact, 100% of the high school districts and 91% of the elementary and secondary districts maintain their own records and documents. Therefore, the position of the school township treasurer is duplicative and costly to those local districts. So what we attempt to do in Amendment #1 is not to necessarily abolish the office by to allow local districts to make their own determination and to, by vote of the board, opt out of that system if they so choose and to offer the residents of that particular school district a process by referendum to determine whether or not they want to retain that system. So I would ask for the support of the Membership on Amendment #1 to 1719. In terms of trying to provide some relief to the school districts who feel that their operations in terms of the operation of the school treasure's offices could be done in a much better way and it would save them, you know, money for certain and

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also provide that protection for residents of that local area who wish to keep the system and have a referendum to determine whether or not that system is the best for them."

Speaker Collins: "Is there any discussion? The Lady from Cook, Representative Pullen."

Pullen: "Mr. Speaker, would you please inform the House whether this Amendment is germane?"

Speaker Collins: "The Lady questions the germaneness of the Amendment. Can I see it, Mr. Clerk? The ruling is that it is germane."

Pullen: "Mr. Speaker, may I address the Amendment, please?"

Speaker Collins: "Proceed."

Pullen: "I think it should be pointed out to the House that it is, if it is germane at all it is only technically germane. It has nothing to do with the Bill that was approved by Committee. This Amendment would permit school districts to opt out of the township school treasurer's system and I think that the Members of this House ought to very carefully consider such a situation that is being proposed here because I recall a couple of years ago when the Chicago school funding situation arose all the difficulties that auditors and various other people had in determining who really had what money. And the fact that the monies were mixed. They were being held not by an outside independent, impartial source but by the school system. I think that that was...that the township school treasurer situation in the rest of the state has served to protect the taxpayers but that is the kind of thing that is very difficult to get across to them for their own best interest in a situation where they have the opportunity to remove an official from government. This House witnessed last November the vote of the people in removing public officials from government that the public may very soon rue

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having taken that action, giving up elected public officials for appointed staff people, losing representation and not having representation in government. I think this Amendment should be defeated. I think if the Gentleman wants to propose such a Bill, he should take it through the Committee system in the normal course and should not be attaching to a Bill that has nothing whatsoever to do with school treasurers. Thank you."

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

Huskey: "Mr. Speaker, I couldn't agree more with Representative Pullen. This is too serious of a Bill to hang on as an Amendment. This is a political Bill. It's made to help desolve the system we're using in Cook County, the township treasurer, the school township treasurer. It's a devisive of means to help destroy township government and it's certainly a bad Bill, and it certainly should deserve the support, the defeat of every Member of this House. Because if the City of Chicago had this type of treasury where we have someone looking in on what was happening to the money of the City of Chicago, they would have never, never gotten into the financial mess that they got into without the public knowing about it. So this is a bad Bill, bad Amendment and it certainly should get the reward it deserves with a big red vote and thank you very much."

Speaker Collins: "Further discussion? The Gentleman from Cook... I beg your pardon. The Lady from Cook, Representative Chapman."

Chapman: "Thank you, Mr. Speaker. I have a question for the Sponsor of the Amendment, Sir."

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

Chapman: "I've been interested in the office of township school treasurer trustee for a number of years. It exists only in



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the suburbs of Cook County. No other school district in the entire state has this extra expensive layer on top of them except suburban school districts. And I've been pleased to see that Senator Totten has introduced legislation into the Senate that will deal with this issue. I wonder, Representative, could you tell me, is your Amendment similar to the Bill which Senator Totten is proposing in the Senate which will provide an option to local voters to decide if they want to continue this archaic duplicatory form of government?"

Speaker Collins: "Representative Steczo, I believe that was a question."

Steczko: "Thank you, Mr. Speaker. I think it was. It vaguely resembled one, Mr. Speaker."

Speaker Collins: "Vaguely resembled a speech too."

Steczko: "In answer to Representative Chapman, yes it is similar to the legislation that Senator Totten's introduced in the Senate. I think the Senator and I agree on the fact that school districts are governed by elected school boards and that the township school treasurer is an appointed position but not by the school boards. And in response to a previous speaker, it has nothing to do with township government."

Speaker Collins: "The Lady from Cook."

Chapman: "Just one word then about the Amendment. I would ask everyone in this House to join, pardon me, join Senator Totten and join Representative Steczo in offering to the voters in our suburbs the chance to have their school boards appoint their own treasurers as all other governmental units do and as other school boards do."

Speaker Collins: "The Lady from Cook, Representative Nelson."

Nelson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am a Cosponsor of this Amendment and I would ask

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for your affirmative vote. It is, as was pointed out by the Sponsor, optional and it would give the power to the local boards of education to decide how they wish to invest their money. In my own district, high school district 204, Lion's Township High School, we found that the township school treasurer had invested the money from the various school districts in a brand new bank and in fact that the assets, the total assets of that bank were less than twice the money that was deposited by the township school treasurer. In other words, the schools were supporting that bank entirely and I think that is a bad business practice. I would ask your support of Amendment #1 to House Bill 1719. Thank you."

Speaker Collins: "The Gentleman from Cook, Representative Steczo, to close."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would like to reiterate what I had mentioned in my previous statement that this Bill affects only suburban Cook County. These offices were abolished downstate in 1962. We do have a situation where our local school boards are elected. They can appoint their own auditors. They can appoint their own attorneys. They can appoint their own architects yet when it comes to financial matters, they have to deal exclusively with the school township treasurer. Our school boards in the suburbs want to have this option. They feel that there's much duplication that goes on with the school township treasurers office. Right now, many of them, have to or do have their own duplicative processes so they can attract the investment procedure, they can monitor what the school township treasurer does. The school township treasurers office depends on the local school district to reconcile bank statements, to provide for a monthly statement of cash receipts and disbursements and to provide

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accounting data as well as providing other problems. When we heard the statements before about any kind of problems with the township government I would ask you that in your municipal governments you don't have appointed people that deal with their finances. No municipality, no village, no city would stand for that. Townships are the same way. Those are all elected officials who should have control over the finances of their particular unit of local government. I feel this is a good Bill. It's a responsive Bill and it's a permissive Bill. It allows local school districts to choose their own future in terms of dealing with the school township treasurer or retaining that particular system. I would ask for your support of Amendment #1 to House Bill 1719."

Speaker Collins: "The question is, 'Shall Amendment #1 be adopted?'. All those in favor will indicate by voting 'aye', oppose by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 110 voting 'aye', 28 voting 'no', 2 voting 'present' and Amendment #1 is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, McGrew, amends House Bill 1719 on page one and so forth."

Speaker Collins: "I'm informed that this Amendment has not been printed and distributed so the Bill will have to remain on Second Reading awaiting this Amendment. The Gentleman from Knox, Representative McGrew, for what purpose do you rise?"

McGrew: "Would it be possible to move it to Third and then I'll bring it back to Second at a later date?"

Speaker Collins: "You'd have to dispose of Amendment #2 before you do that, Representative McGrew, so you'd have to move to table Amendment #2."

McGrew: "I don't...I don't think that's the case, Mr. Speaker."

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Speaker Collins: "Well, the Amendment has been filed but not printed and distributed. The Gentleman from Madison, Representative McClain."

McClain: "Thank you, very much, Mr. Speaker. The Sponsor of the Bill always has that latitude to move the Bill onto Third. We did the same thing last night with Mr. Reilly's Bill."

Speaker Collins: "You're correct. Awaiting an Amendment but this Amendment has been filed."

McClain: "Same thing happened last night. I had an Amendment that was filed but not printed and distributed. I permitted Mr. Reilly to move his Bill to Third Reading and we brought it back to Second Reading today. Same situation, Sir."

Speaker Collins: "Is Representative McGrew the Sponsor of the Amendment? Alright. Then we can do it. Move it to Third Reading with the assurance that we'll move it back. Third Reading. House Bill 1763, Representative Telcser. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1763, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1 has been withdrawn. Amendment #2, Telcser, amends House Bill 1763 on page one and so forth."

Speaker Collins: "Representative Telcser. Is the Gentleman on the floor? Take it out of the record temporarily, Mr. Clerk. House Bill 1767, Representative Friedrich. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1767, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

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

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Clerk Leone: "Floor Amendment #1, Virginia Frederick, amends House Bill 1767 on page one and deleting lines..."

Speaker Collins: "Lady from Lake, Representative Frederick."

Frederick: "Mr. Speaker and Ladies and Gentlemen of the House, before I present the Amendment, may I have leave to consider 1768 which is a companion Bill and addresses the same problem? It's on the Short Debate, Second Reading."

Speaker Collins: "Are there any objections to the Lady's Motion to remove House Bill 1768 from the Order of Short Debate and consider it on Second Reading with House Bill 1763(sic, 1767). Hearing no objections, read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1768, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Satterthwaite, amends House Bill 1768 on page one, line twelve and so forth."

Speaker Collins: "We'll have to take these separately. House Bill 1763 first. There is ..."

Frederick: "1767. May I take that first?"

Speaker Collins: "I beg your pardon. 1767 first. It is your Amendment to House Bill 1767."

Frederick: "Yes."

Speaker Collins: "Representative Frederick."

Frederick: "Amendment #1 of House Bill 1767 really become the Bill and provides that upon the request of a penal or correctional facility the Illinois Department of Public Aid shall cooperate in providing informational material and application forms concerning financial aid or social services under this Act to the facility and in providing an interview with the appropriate public aid office for persons incarcerated in such a facility upon their release from the facility. This Amendment came about as a result

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of hearings that were held at Dwight Prison and where we found out that the big problem with people who were eligible for public aid sometimes had to wait as long as 45 days to get that aid. So this Amendment does have the approval of the Department and I urge your adoption."

Speaker Collins: "Is there any discussion? The Lady from Champaign, Representative Satterthwaite. On this one or the next one?"

Satterthwaite: "Next one but I support this Amendment as well."

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

Getty: "Would the Lady yield?"

Speaker Collins: "She indicates she will."

Getty: "First of all just one moment, parliamentary inquiry. We are on 1767. There is no reference to 1768 at this time. Is that correct?"

Speaker Collins: "That's correct. We're on Amendment #1 to House Bill 1767."

Getty: "Alright. The purpose of this is to see that a person who is incarcerated has an opportunity to know of his rights, if any, to apply for public aid upon his release from the penitentiary. Is that correct?"

Frederick: "That is partially correct. In addition to being informed of his rights he or she may also be supplied with application forms for such aid and preparations are made for an immediate interview for that person upon release to shorten the time lag that such aid may be applying."

Getty: "Would this extend to a person formally a resident of another state who came into this state and committed a crime and was incarcerated in one of our penal institutions for a period of time and then was to be released on mandatory supervised release as provided by the statutes?"

Frederick: "I'm not sure I understand what you mean by mandatory."

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The person must be a resident of the State of Illinois in order to qualify for such aid."

Getty: "What I'm trying to ascertain from you is is it your intent to provide this to people who were formerly, that is prior to their convictions, not residents of the State of Illinois but of course have been in residence necessarily because of their incarceration in a penal institution in this state for some period of time?"

Frederick: "Actually, the Amendment does not address that kind of person."

Getty: "I'm...That's why I'm asking you to find out what your legislative intent is. Is it the legislative intent to extend that to those people or to only people who were formerly, that is prior to their conviction, residents of the State of Illinois?"

Frederick: "It is my judgement that it would people that are formally residents of the State of Illinois."

Getty: "Alright. Mr. Speaker, may I, on the Amendment?"

Speaker Collins: "Proceed."

Getty: "I think that there probably is some merit to this. I don't know that it's as tightly drawn as I would want to have it. If this is adopted, it conceivably could keep somebody from going back out on the street after release from the institution and committing another crime. But I would respectfully suggest to this Body that there's a far cheaper and better way of fighting this and that's by providing reasoned and systematic re-entry by halfway houses so that instead of releasing people and paying them public aid, you release them to a half wayhouse and you make them go to work and start earning a living instead of being... praying on society further. I'm not saying this is bad. I'm going to vote for it but I'm saying this Body should be very, very interested in making our system not

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one where we turn people out of the penitentiary and then give them public aid. If we're going to turn them out of the penitentiary, let's put them in a halfway house then let's get them working, then let's get them supporting their family and off public aid doles."

Speaker Collins: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

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

Leverenz: "What benefits does a prisoner receive when they get out of prison? Do they get a new suit or any cash or anything of that nature?"

Frederick: "At the moment I understand that a prisoner is given 100 dollars upon release."

Leverenz: "They get 100 dollars upon release. They don't get a change of clothes or anything like that?"

Frederick: "I'm not aware of that, no."

Leverenz: "Doesn't your Amendment then give a leg up for a person that has been in prison but the same benefit is not afforded to a person that has led a clean life, so to speak, not had a problem, not been in jail. It eliminates the normal processing and waiting time. I mean, is that true?"

Frederick: "Actually, Representative, the problem is primarily focused on women who are the sole support of small children and there truly is no way that such a woman could come out of prison and immediately go to work and provide for the care of her children at the same time. She, under the present law, would have to wait probably a minimum of 45 days before receiving any kind of support at all and heavens knows what she might have to do in order to support herself in that interval. So this Bill..."



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Leverenz: "Are you suggesting that they have to turn to prostitution to support themselves?"

Frederick: "I'm not... No. I am not indicating that they have to turn to prostitution but there may be other crimes that they might have to turn to. All we're trying to do, these people are entitled to financial aid in the first place and all we're trying to do is shorten the time (end of tape)."

Frederick: "...wait probably a minimum of 45 days before receiving any kind of support at all and heaven knows what she might have to do in order to support herself in that interval. So this Bill..."

Leverenz: "Are you suggesting that they have to turn to prostitution to support themselves?"

Frederick: "I'm not... No. I am not indicating that they have to turn to prostitution, but there may be other crimes that they have to turn to."

Leverenz: "Well, you..."

Frederick: "All we're trying to do, these people are entitled to financial aid in the first place. And all we're trying to do is shorten the time lag so that they do not have this long wait before they have some kind of support."

Leverenz: "Well, what percent of the people that end up being clients to the Public Aid Department are you giving them special treatment to?"

Frederick: "Actually, I do not have those figures. All I know is that of about 345 residents at Dwight Correctional Center, 80 percent of them are the sole support of children and this is what our primary concern is."

Leverenz: "Well, what about the prisoners released from Statesville that are men, Menard and all the other institutions in the State of Illinois? What's the impact for them? The analysis says 60 percent female. What about the 40 percent?"

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Frederick: "Well, actually this applies to men as well as women prisoners who have such need."

Leverenz: "By introducing this Amendment what you're really saying, if you can answer it, is that a person to get a jump on the public aid program should actually go to jail first so they get three square meals a day and a bed..."

Frederick: "No. No..."

Leverenz: "...Until the public aid money starts flowing?"

Frederick: "No, Sir. That is not my intent."

Leverenz: "Well, that's the way to take greatest advantage of your Amendment, is it not?"

Frederick: "I do not believe that is true. No."

Leverenz: "Why are...How can we extend the same privilege to a person that has to apply for public aid that's out on the street then? ...Answer that question?"

Frederick: "No, I can't."

Leverenz: "Then you do agree that a prisoner that is released receives \$100.00 cash..."

Speaker Collins: "Just a minute, Mr. Leverenz. The Lady from Cook, Representative Balanoff, for what purpose do you arise?"

Balanoff: "Mr. Speaker and Members of the House, the Sponsor of this Bill is the Sponsor of the Amendment and if people want to vote it up or down on Third Reading that's fine. But I don't think she should...I think it's out of order to have her explain the whole Bill now and to argue with her now on the whole Bill."

Speaker Collins: "I think your point is well taken."

Balanoff: "Thank you."

Speaker Collins: "Confine yourself to the Amendment, please, Representative Leverenz."

Leverenz: "Fine. Would the Sponsor then again explain the Amendment?"

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Frederick: "Actually, I think I have explained the Amendment and I should say to you in response to your question about preferential treatment for people incarcerated, people on the outside have the freedom every day of the week to go and apply for public aid. This is not true if you're incarcerated in a penal institution. And we just tried to make this more accessible for people like that who are the sole providers of children. So that is the purpose of my Amendment."

Leverenz: "Well, thank you. Mr. Speaker, to the Amendment..."

Speaker Collins: "Proceed.."

Leverenz: "It appears that the Amendment provides for unequal treatment under the law and that would be an injustice to the system. Thank you."

Speaker Collins: "The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker. Would the Sponsor yield for a question please? I would like to ask you, Representative, does the family which is probably being cared for by public aid continue to receive public aid during the interim period between the time that the so-called head of household would be released from prison and in the interim days before they could receive public aid on their own? Does the family of this so-called head of household continue to receive public aid?"

Frederick: "Not always, Representative."

Koehler: "Pardon?"

Frederick: "Not always. It depends on where the minor children are placed for care during the interim. Sometimes they are placed out of state. Sometimes they are placed by DCFS. But the family does not always receive aid while the mother is in prison or the father is in prison."

Koehler: "No. I was asking, if they are ...If they are on aid

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while the mother or father is in prison, does this aid continue in the interim time between the time that the parent is released from prison and the time that they can receive?"

Frederick: "It probably does for the minor children, yes. But, that does not include the mother who is just...or the father who has just been released. So there has to be a recomputation of benefits and that time."

Koehler: "Okay. But the children do...would continue to receive it?"

Frederick: "Yes."

Koehler: "Thank you."

Speaker Collins: "The Lady from Cook, Representative Stewart."

Stewart: "I rise in support of the Sponsor's Amendment. I think it's important that we also remember that when people are released from penal institutions with no place to go, with no provisions made for them, what else are we expecting but a return to their former criminal behavior? I think that at least this Amendment provides for..basically for information and presents the option to people before they are in the street and dependent on their own wit. I think it's a good Bill. It's a good Amendment. I think one of the other speakers was grilling the Sponsor unnecessarily and I would urge an 'aye' vote."

Speaker Collins: "The Lady from Lake, Representative Frederick, to close."

Frederick: "Mr. Speaker and Ladies and Gentlemen, I think you've heard the Bill discussed sufficiently. I urge adoption of the Amendment."

Speaker Collins: "The question is, 'Shall Amendment #1 be adopted?' All those in favor will indicate by saying 'aye'; opposed. And the 'ayes'...All those in favor will indicate by saying 'aye'...by voting 'aye'; those opposed

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by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Gentleman from...Take...Take the record, Mr. Clerk. On this question there are 89 voting 'aye', 52 voting 'no', 4 voting 'present'. And Amendment #1 is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 1768, Representative Frederick. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1768, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Satterthwaite, amends House Bill 1768 on page one, line twelve and so forth."

Speaker Collins: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this is simply a rewording of the Bill as it was originally introduced. There is no change in the intent of the Amendment and it now meets the approval of the Department of Public Aid and I urge your support."

Speaker Collins: "Is there any discussion? The question is, 'Shall Amendment #1 be adopted?' All those in favor will indicate by saying 'aye'; opposed by saying 'no'. The 'ayes' have it. And Amendment #1 is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendment."

Speaker Collins: "Third Reading. House Bill 1763, Representative Telcser."

Clerk Leone: "House Bill 1763, has been read a second time previously. Amendment #1 was withdrawn. Amendment #2, Telcser, amends House Bill 1763."

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Speaker Collins: "The Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, Amendment #2 simply takes out the provisions for nonsalaried employees on page one, lines 19 through 22."

Speaker Collins: "Is there any discussion? The question is, 'Shall Amendment #2 be adopted?' All those...The Gentleman from Cook, Representative Bowman."

Bowman: "A question of the Sponsor."

Speaker Collins: "Indicates he'll yield."

Bowman: "Does this affect the General Assembly Retirement Fund at all?"

Telcser: "The Bill does, yes. And what I'm doing with this Amendment is taking out some nonsalary people, who, if the Bill should pass and become law, would have benefits. I don't think that..."

Bowman: "Okay.. Could you explain what a nonsalaried person is? Could you give me an example?"

Telcser: "Let's say somebody was a member of a Park Board.."

Bowman: "Yes?"

Telcser: "And they got \$20.00 a day per diem."

Bowman: "Yes."

Telcser: "Or they got no salary. The Bill as it's written right now would give them the opportunity to come into the system. What I'm saying is they really ought not to have the opportunity."

Bowman: "Okay. So you're saying this is a good Amendment."

Telcser: "It kind of makes it easier to support the Bill."

Bowman: "It makes it more restrictive."

Telcser: "Correct."

Bowman: "Okay. Thank you."

Speaker Collins: "Further discussion? The question is, 'Shall Amendment #2 be adopted?' All those in favor will indicate

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by saying 'aye'; all those opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 1785, Representative Davis. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1785, (a Bill for) an Act to transfer certain functions of the Department of Labor to the Department of Commerce and Community Affairs. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Collins: "Third Reading. House Bill 1814, Representative Findley. Is the Gentleman on the floor? Out of the record. House Bills, this is on Second Reading, page three of your Calendar. House Bill 61, Representative Matijeovich? Representative Matijeovich? House Bills..."

Matijeovich: "Mr. Speaker, just hold that. We're going to hold that Bill for a while."

Speaker Collins: "Out of the record. The Gentleman from Cook, Representative Madigan."

Madigan: "Mr. Speaker, could you explain your new plan?"

Speaker Collins: "Yes. We're starting right at the beginning of Second Reading and going through."

Madigan: "Numerically?"

Speaker Collins: "Numerically."

Madigan: "Thank you."

Speaker Collins: "House Bill 65, Representative Davis. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 65, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Collins: "Are there any Motions relative to Amendment

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#1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "Floor Amendment #2, Davis, amends House Bill 65 on page one and so forth."

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

Davis: "Thank you, Mr. Speaker. Amendment #2 was inadvertently not ready for Committee action or it would have been put on in Committee. It's an Amendment consistent with the same kind of language we've put in the 'Greer' case statute last year that got caught in the cracks at the end of the Session. It simply refers to the doctors and the mothers and the Abortion Act of 1975. Puts the Bill in the kind of shape that I think everybody in this General Assembly can support House Bill 65. And I would move for its adoption."

Speaker Collins: "Any discussion? The question is, 'Shall Amendment #2 be adopted?' All those ....The Gentleman from Cook, Representative Beatty."

Beatty: "Would the Sponsor please indicate just what the Amendment does? I don't remember back to what that Bill did in that year..."

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

Davis: "I'm sorry, Representative. What it does is hold harmless because the Abortion Act of 1975 has felony penalties and a class 2 felony for third trimester, fetus murder by the mother herself or by doctors who perform illegal abortions. And the ..Also the Abortion Act protects the mother and the physician from any prosecution under that Act if the abortion was for medically or therapeutic reasons. And consequently House Bill 65 has to do with the subject of fetus murder by other persons other than the mother herself. This Bill simply....er..this Amendment simply brings it into focus that the 1975 Abortion Act protects,



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or not protects, but is covered...covers the classes of people that we're talking about, the mother herself and the physician under that Act and does not make them liable for prosecution under the tenants of House Bill 65. It was the Daniels' Amendment."

Speaker Collins: "The question is, 'Shall Amendment #2 be adopted?' All those in favor will indicate by saying 'aye; opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 79, Representative Catania. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 79, a Bill for an Act to revise the law in relationship to the public assistants and the Illinois Public Aid Code. Second Reading of the Bill..."

Speaker Collins: "The...Oh..."

Clerk Leone: "Amendments #1, 2, 3, 4, 5 and 6 were filed in...were adopted in Committee."

Speaker Collins: "Are there any Motions relative to Amendments #1, 2, 3, 4, 5 or 6?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "Floor Amendment #7, Matijevich, amends House Bill 79 on page 52 and so forth."

Speaker Collins: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Mr. Speaker, Members of the House, could I have leave to withdraw Amendment #7, please?"

Speaker Collins: "The Gentleman withdraws Amendment #7. Are there further Amendments?"

Clerk Leone: "Floor Amendment #8, Currie, amends House Bill 79 on page one, 34 and so forth."

Speaker Collins: "The Lady from Cook, Representative Currie."

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Currie: "Thank you, Mr. Speaker, Members of the House. Amendment #8 would require the Department of Public Aid to report annually to the Legislative Advisory Committee on Public Aid the number of staff assigned to fulfill certain responsibilities. It would help us, in the Legislature, make the determination whether the staffing levels at the Department of Public Aid are in fact appropriate and adequate to the tasks of the present case loads. I urge adoption of Amendment #8."

Speaker Collins: "Is there any discussion? The question is, 'Shall Amendment #8 be adopted?' All those in favor will indicate by saying 'aye'; opposed 'no'. The 'ayes' have it and Amendment #8 is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #9 has been withdrawn. Number ten has been withdrawn. Floor Amendment #11, Vinson."

Currie: "Mr. Speaker?"

Speaker Collins: "For what purpose does the Lady from Cook, Representative Currie, arise?"

Currie: "Just to ask whether Amendment #11 has been distributed. I don't seem to have a copy upon my desk."

Speaker Collins: "Just a minute. It has not been distributed."

Currie: "Well, then we can't move the Bill up...move to Third..."

Speaker Collins: "Then we cannot proceed any further. How many more? The Gentleman from DuPage, Representative Daniels, for what purpose do you arise?"

Daniels: "Well, Mr. Speaker, I am advised that Amendment #11 is the one that Representative Vinson would like to go with that he tabled #10 in order to get to #11. And I would request that we hold the Bill on Second Reading until #11 is distributed. I understand it has been filed, but not yet distributed. No. Settle down over there. We want to get down to this. Emil, we'll take care of you in due

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time. Soon as it's distributed we'd like to get this Amendment heard."

Speaker Collins: "The Lady from Cook, Representative Catania, are you seeking recognition?"

Catania: "Thank you, Mr. Speaker. We held this Bill all last week waiting for the Department of Public Aid to get its Act together. We held it in Committee for three hearings so the Department of Public Aid could get its Act together and now I would like to move it to Third Reading please."

Speaker Collins: "Well, absent the permission of the Sponsor of the Amendment, we cannot move to Third Reading. I would suggest to the Lady .....I would suggest to the Lady she can move to table the Amendment."

Catania: "Thank you. I move to table the Amendment."

Speaker Collins: "All right. The Lady has moved that Amendment #11 to House Bill 79 be tabled. The Gentleman from DuPage, Representative Daniels."

Daniels: "Well, Mr. Speaker, I understand you tabled Amendment #10. Is that correct?"

Speaker Collins: "It was withdrawn."

Daniels: "Who withdrew it?"

Speaker Collins: "I'm advised that it was done by the direction of the Sponsor."

Daniels: "Who's the Sponsor?"

Speaker Collins: "Representative Vinson."

Daniels: "Representative Vinson is not on the floor, Mr. Speaker. How could he withdraw it?"

Speaker Collins: "It was ...I'm told it was an instruction to the Clerk."

Daniels: "Well, Mr. Speaker, I don't think we take those kind of instructions unless the Member is on the floor. Was number nine tabled as well? Who was the Sponsor?"

Speaker Collins: "Was withdrawn as well. It's Representative

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Vinson's Amendment also."

Daniels: "Who was the Sponsor of nine?"

Speaker Collins: "Representative Vinson I stated."

Daniels: "And again, he wasn't there to withdraw or table that.

Well, I think...I think, you know, we want to very careful here. I'm not going to speak for Representative Vinson. The man, you know, he should control his own Amendments. I don't think we should just willy-nilly be tabling and withdrawing Amendments without the Sponsor of the Bill being on the floor. Now either we run legislation properly in this House, or we don't. And I'm all for do it properly, Mr. Jones and Ms. Catania, but I don't want to be moving legislation without the Sponsor being here. So I suggest we hold this Bill. Go on to another one. We'll send the pages out. Try to find Representative Vinson, very fine Member of this House and then we'll come back and try to move this Bill then. And I think that's the proper way to proceed."

Speaker Collins: "The Gentleman from Cook, Representative Jones."

Jones: "Yes, thank you, Mr. Speaker. I don't know whether you're playing favoritism. I've been trying to get your attention and you keep recognizing your own side of the aisle. But, the question is, does the Sponsor of a piece of legislation have control over the destiny of that legislation? And I think precedent has already been set in this General Assembly wherein if the person who is sponsoring the Amendment is not on the floor at the time the Amendment is called, if the Sponsor so desires for her Bill to go to Third Reading, then that Bill automatically goes to Third Reading."

Speaker Collins: "The Lady from Cook, on a point...Representative Catania, on a point of order. State your point."

Catania: "Thank you, Mr. Speaker. We're not debating whether the

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Sponsor ought to be on the floor or not. The Amendment has not even been distributed. So even if the Sponsor were here for the Amendment it wouldn't do much good. The Motion is to table the Amendment which hasn't even been distributed, so we can move this Bill which has been held up by the Department for months. After we had a Committee to revise and rewrite the Public Aid Code, which worked for two years to put the Bill together with the Public Aid Department breathing down our necks the whole time. I would ask for a vote on my Motion to table."

Speaker Collins: "Well, you're going to get one and we've asked for discussion relative to your Motion to table."

Catania: "But it has nothing to do with whether the Sponsor is here or not."

Speaker Collins: "Representative Matijevich, state your point."

Matijevich: "Point of order, even the Motion to table is not in order. The Amendment really is not before us. The only thing we have before us is a Bill which we have completed and which then must be ordered to the Order of Third Reading. And the reason I say that is that we are in the last week of when Bills on Third Reading must be called. The Speaker earlier said that we are going to go on the Order of Call. All Members should be here. Some of you may not have heard that because you weren't on the floor. We got here at eight o'clock. And anybody who doesn't have their Bill called is in jeopardy that that Bill may not be passed or you may not even have the opportunity to consider it. For us now to hold a Bill because a Member is not on the floor I think is a serious jeopardy to the Sponsor who is on the floor, no matter who it might be, and I think that the only thing we can do is order this Bill to Third Reading. Then if Susan wants to work with Vinson and call it back to Third, that's her priority. She can call it

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back if she so wants to. But the only order of business we have now is to order this Bill to Third Reading."

Speaker Collins: "Representative Matijevich, your point is not well taken. The Bill is not being held because the Sponsor of the Amendment is not on the floor. The problem is that the Amendment has been filed and not printed and distributed. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, is the status of the situation that the Bill, under precedent, the Bill will be held on Second Reading if 11 is not distributed? Or, do I need to go with Amendment #10?"

Speaker Collins: "The position of the Bill is that it would be held on Second Reading pending the distribution of the Amendment unless the Lady's Motion to table the Amendment prevails. And the Motion is before the House."

Vinson: "Well, Mr. Speaker, then is it appropriate for me, at this point, to go with Amendment #10?"

Speaker Collins: "It's been pointed out to the Chair that the Sponsor did not request the withdrawal of the Amendment. And perhaps....the Chair was in error in ordering that withdrawn. I would think that it would be in order for the Gentleman to proceed with his Amendment. Has it been printed and distributed?"

Clerk Leone: "Amendment #10 has been printed and distributed."

Speaker Collins: "The Gentleman from Cook, Representative Getty."

Getty: "Mr. Speaker, I thought I heard the Chair inquire and saw the Clerk of this House respond that it was at the request of the Sponsor. And the Chair then said, after talking to the Clerk, that it was at the request of the Sponsor."

Speaker Collins: "That was our understanding. It was a misunderstanding."

Getty: "I'd like to know from the Clerk if there ever was any

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request. And Representative Vinson is absolutely right, if there was never a request made. But if we're just changing the rules in midstream to accommodate somebody, it's a disservice to this entire House."

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

Vinson: "Thank you, Mr. Speaker. And in response to Representative Getty's request, I will absolutely say to him and to every Member of this House, that I have never made a request to table or withdraw either Amendment 9 or 10."

Speaker Collins: "All right. We currently have before us a Motion to table Amendment #11. Does the Lady care to withdraw that Motion?"

Catania: "No."

Speaker Collins: "Representative Daniels."

Daniels: "Let's just back up a little bit here so we can get on with this busy day. Representative Vinson has told you, as the Speaker of this House said, that he did not ask that 9 and 10 be withdrawn. Somebody obviously passed that message up in his stead. He is now asking you to go with Amendment #10, Mr. Speaker, and I think that because the Gentleman is here, he did not himself move to table or withdraw Amendment #10, that you ought to back up and give him an opportunity to present his Amendment, like you would to any other Member of this House. Now, let's do it in an orderly fashion. Give them an opportunity to present it so that we can get on with the business of the House. What are you afraid of? Let's go with the Bill."

Speaker Collins: "The Gentleman's Motion...The Gentleman's Amendments 9 and 10 were erroneously passed over by the Chair. The Gentleman has the right to call his Amendments. Therefore, any Amendment...any Motions relative to

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Amendment #11 at this time would be out of order. We'll revert to Amendments 9 and 10 for the Gentleman's pleasure and disposal. Then we will proceed to 11 and if the Lady choses to pose her Motion again, it'll be considered at that time."

Clerk Leone: "Floor Amendment #9, Vinson, amends House Bill 79 as amended."

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

Vinson: "I would withdraw Amendment #9, Mr. Speaker."

Speaker Collins: "The Gentleman withdraws Amendment #9. Further Amendments?"

Clerk Leone: "Floor Amendment #10, Vinson, amends House Bill 79 as amended."

Speaker Collins: "Just a minute. The Gentleman from Bond, Representative Slape, for what purpose do you arise?"

Slape: "Yes, an inquiry of the Chair. Is the Chair absolutely sure that this time Representative Vinson wants to withdraw Amendment #9?"

Speaker Collins: "The Chair is satisfied. I hope you are. Further Amendments? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #10 substantially changes certain aspects of the Lady's Bill. The most significant way in which it changes the Bill is to reduce its cost by 261.1 million dollars. What the Lady's Bill does is to rewrite the Public Aid Code of Illinois, something that undoubtedly needs to be done. But it doesn't need to be done in a fashion which increases costs to the taxpayers of Illinois and which expands..."

Speaker Collins: "Just a minute, Representative Vinson. For what purpose does the Lady from Cook, Representative Currie,



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arise?"

Currie: "With a point of order, Mr. Speaker..."

Speaker Collins: "State your point."

Currie: "I think there are technical problems with Amendment #10 that Representative Vinson is presenting to us. And I'd like to ask whether we want to move on an Amendment that is technically inaccurate. For example, on page nine, line seven, Section 4104, I believe that should be Section 4106."

Speaker Collins: "Does the Gentleman..."

Currie: "For example, lines that are deleted on page six and replaced are then further deleted on page eight of this Amendment. I would ask the Gentleman to withdraw the Amendment on the grounds of these technical inaccuracies."

Speaker Collins: "Does the Gentleman wish to proceed with his Amendment?"

Vinson: "Yes, Mr. Speaker."

Speaker Collins: "Proceed."

Vinson: "The ...What the Amendment will do is to strengthen the Lady's Bill most substantially. The Amendment will avoid, for instance, the ...."

Speaker Collins: "The Gentleman from Adams, Representative McClain, for what purpose do you arise? Excuse me, Representative Vinson."

McClain: "Parliamentary inquiry, please."

Speaker Collins: "State your point."

McClain: "Mr. Speaker, we would suggest that the Amendment is out of order and should be ruled as such."

Speaker Collins: "On what basis is it out of order?"

McClain: "On the same basis that Ms. Currie just presented to the Chair, on those technical deficiencies, the Gentleman has two...or three alternatives then, whether to amend on the face with leave, to withdraw the Amendment and thirdly then,

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to present another Amendment. But it's technically incorrect at this time. We'd ask the Chair to so order."

Vinson: "Mr. Speaker?"

Speaker Collins: "Yes."

Vinson: "All we're talking about is the enumeration of a Section and that's not adequate basis for ruling the Amendment out of order and I'm perfectly willing to proceed with the enumeration of the Sections as would be realized through the Amendment."

Speaker Collins: "Well, I think on that basis, it's in order. Representative Currie?"

Currie: "It's not the only deficiency, Mr. Speaker. I would refer you to page six where ...where on page 25, lines six through thirty-five are deleted ...on page 26, '..deleting line one and inserting in lieu thereof the following...'. Later on in the Amendment the same operation is on page 26, deleting line one which has just been replaced by something is then deleted. And it's a good deal more of a problem than just inaccurate numbering of the Sections."

Vinson: "Well, Mr. Speaker, the problem with what the Lady is suggesting is that I am perfectly satisfied to have the Bill stand with the Amendment..."

Currie: "But, Mr. Speaker..."

Vinson: "...I have no problems with that. I think that's a perfectly legitimate way in which ...."

Currie: "Mr. Speaker, if the Amendment..."

Speaker Collins: "Okay. Let's have order. Now, Representative Currie."

Currie: "The Amendment is clearly deficient, that I think it's inappropriate for anybody to ask this House to consider an Amendment that is technically in error and deficient and I would ask the Chair, please so to rule. We should not be considering this Amendment at this time and I would ask you

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please to rule it out of order."

Speaker Collins: "We have just asked the Clerk to give us the Amendment so we can examine it. Representative Currie? Representative Currie, would you come up here? Representative Vinson, perhaps you had better too. Yes, Representative Vinson."

Vinson: "Why don't we take this out of the record for a few minutes and move on with other people's legislation while we examine this issue?"

Speaker Collins: "Well, that would be agreeable with the Chair. I don't know if the Sponsor of the Bill would agree to that. Predictably she said no. Representative Vinson, why don't you come up here also? If the House would be at ease for a few minutes... Representative Catania, certainly, would you come up here too, please? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker. I will withdraw Amendments 9, 10 and 11 and any others that might be associated with my name."

Speaker Collins: "The Gentleman withdraws Amendments #9, 10 and 11. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 113, Representative Kosinski. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 113, a Bill for an Act to amend the Code of Criminal Procedure and the Unified Code of Corrections. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Collins: "Are there any Motions..."

Clerk Leone: "Was adopted on the floor previously. Amendment #2 was withdrawn."

Speaker Collins: "Are there further Amendments?"

Clerk Leone: "Motion to ..."

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Speaker Collins: "Amendment #1 was adopted previously. There is a Motion relative to Amendment #1. Read the Motion, Mr. Clerk."

Clerk Leone: "I move to table Amendment #1 to House Bill 113, which was adopted by voice vote. Representative Stuffle."

Speaker Collins: "The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, I filed this Motion in writing on Thursday and I would move pursuant to Rule 64-D to table Amendment #1 which was adopted by a voice vote on the floor of this House. I so move."

Speaker Collins: "The question is, 'Shall Amendment #1 be tabled?' All those in favor will indicate by saying 'aye'; opposed 'nay'. And the 'ayes' have it. And Amendment #1 is tabled. Are there further Amendments?"

Clerk Leone: "Floor Amendment #3, Margaret Smith, amends House Bill 113 as amended."

Speaker Collins: "The Lady from Cook, Representative Smith..."

Smith: "Thank..."

Speaker Collins: "Just a minute please. For what purpose does the Gentleman from Cook, Representative Cullerton, arise?"

Cullerton: "Thank you, Mr. Speaker. I renew my questioning the germaneness of this Amendment."

Speaker Collins: "The Gentleman questions the germaneness of the Amendment. Please stand at ease. The ruling is that the Amendment is germane. The Lady from Cook, Representative Smith."

Smith: "Thank you, Mr. Speaker. This Amendment is not a mandate. But it would simply add another factor for consideration at the time of the sentences to the seven considerations that are already in the law, that victims who are over 60 years of age would be considered and I have received from across the state encouragement that we support this Bill, because

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crime is on the upgrade. I'm asking, Mr. Speaker and those of us here, in the House, that you give me a favorable vote on this Amendment."

Speaker Collins: "The Lady moves the adoption of Amendment #3. Is there any discussion? The question is, 'Shall Amendment #3 be adopted?' All those in favor will indicate by saying 'aye'; opposed 'nay'. The 'ayes' have it and Amendment #3 is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. Third Reading, yes. House Bill 114, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 114, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Collins: "Are there any Motions relative to Amendments #1 and 2?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Collins: "Third Reading. House Bill 128, Representative McGrew. Out of the record. House Bill 144, Representative Zwick. Is the Lady on the floor? Out of the record. House Bill 155, Representative Stearney? Out of the record. House Bill 228, Representative Schuneman. Out of the record. House Bill 239, Representative Davis. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 239, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Davis, amends House Bill 239 on page six and so forth."

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

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Davis: "Thank you, Mr. Speaker. I move to withdraw Amendment #1."

Speaker Collins: "The Gentleman withdraws Amendment #1. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, Davis, amends House Bill 239 on page three and so forth."

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

Davis: "Thank you, Mr. Speaker. Amendment #2 addresses the concerns that the Committee Members in Judiciary II had regarding House Bill 239. And what it does essentially is to remove some language relating to psychological torture of children. Puts a severability clause in the Act in the event that this portion would be found unconstitutional it would not jeopardize the Death Penalty Act of 1977 and Section 2 makes an effective date of 1, July 1982 at which time the Supreme Court will have had a chance to rule on the Death Penalty Act of 1977. Representative Kosinski joins me in this effort. And as suggested..his language is suggested in this Amendment. And I wholeheartedly concur."

Speaker Collins: "Is there any discussion? The question is, 'Shall Amendment #2 be adopted?' All those in favor will indicate by saying 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment's adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 240, Representative Davis? 240, Representative Davis?"

Davis: "I beg your pardon, Sir?"

Speaker Collins: "House Bill 240?"

Davis: "Yes."

Speaker Collins: "Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 240, a Bill for an Act to amend the Regional Transportation Authority Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Ebbesen, amends House Bill 240 on page one, line one and so forth."

Speaker Collins: "The Gentleman from DeKalb, Representative Ebbesen."

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

This Amendment #1 to House Bill 240 is really one that addresses itself to a problem up in the Regional Transportation Authority District and what it provides for is that since the RTA did not see fit to raise the farebox at the last time, I thought maybe it might be advisable for this House and hopefully the Senate to address itself to raising the revenue up there at the farebox to help that situation as far as moving the people around in that geographical area, which is definitely a necessity. But the Bill itself, the Amendment, says that the authority shall cause to be imposed as a user fee upon the bus fares of public transportation services provided by the authority and by every transportation agency which has entered into any kind of a purchase of service agreement or has received a grant from the authority a 75% increase in the amount of such fare. Now the reason that I went to the 75% is the fact that according to our staff that each nickel increase will generate two million dollars a month and this will ...this Amendment if adopted would generate 24 million dollars a month and address itself to a problem that is certainly out there. And I'm sure that there are people on this floor who wish to see the issue of transportation, a road program and the RTA separated, and this is an excellent opportunity to provide you with that opportunity to vote affirmatively. And I would be glad to respond to any questions and if there are none, why I would certainly entertain a favorable Roll Call."

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Speaker Collins: "The Gentleman from Cook, Representative Getty."

Getty: "Would the Gentleman yield?"

Speaker Collins: "Indicates he will."

Getty: "Representative Ebbesen, this is your bus fare increase Bill, isn't that right?"

Ebbesen: "The Amendment calls for a bus fare on all rails and whatever, whatever the service contracts, grants, would include all methods of transportation in the RTA area."

Getty: "And you had another Bill previously to do the same thing, is that correct?"

Ebbesen: "I had an Amendment that got 70 votes that was similar to this, yes."

Getty: "Okay. And what would the effect of this be on the cost of fares?"

Ebbesen: "Well, whatever they are now. I'm assuming that if we take the, I think it's an 80% cost for bus fare at this point in time, plus I think there's a ten percent transfer...10 cent transfer. But everything would be relative. The...It would now take the 80% one way bus fare to, I think, \$1.40 and it's been my contention that, as I indicated, each nickel increase would generate two million. This Amendment, if adopted, would generate 24 million dollars a month throughout the...related to all methods of travel. The idea being that...I don't think there's anybody, especially in the downstate area, that can back their automobile out of the garage, out of the driveway and go to work when you consider depreciation, the cost of gasoline, the insurance, what have you, for \$1.40. Two dollars and eighty cents round trip, you know, I think it's a steal at that cost. And that's the reason and the rationale behind this Amendment."

Getty: "Do you represent any part of the RTA District?"

Ebbesen: "I do not at this time."



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Getty: "Uh-huh. And, do you represent any downstate Transit District?"

Ebbesen: "Yes. There's one in DeKalb.."

Getty: "What's the bus fare in DeKalb?"

Ebbesen: "Well, it's a university bus system. It's paid for out of the fees of the students."

Getty: "I see. And, so what is the fare?"

Ebbesen: "I have no idea."

Getty: "Is it \$1.40?"

Ebbesen: "Could very well be. Maybe it doesn't cost as much to operate in those areas. I don't know."

Getty: "Well, as a matter of fact, isn't it..."

Ebbesen: "...I might respond by saying that students are paying not 40%, or 50%. They're paying 100% of what it costs to operate."

Getty: "Isn't it a fact that the highest bus fares in the State of Illinois are in the Chicago metropolitan area?"

Ebbesen: "I'm sorry. There was so much..."

Getty: "As a matter of fact, the highest bus fares already are in the Chicago metropolitan area."

Ebbesen: "Well, but they seem to be inadequate. That's my whole purpose of my Amendment, that they are inadequate and I think that since anything is inadequate and you're operating a business, if the revenue coming in is not sufficient to operate, then certainly you ought to address the problem in a businesslike manner which would mean go to the farebox and ask the people in the form of a users fee to take care of that deficit."

Getty: "Well, Mr. Speaker, Members of the House, I am delighted to see the Representative from outside of the RTA District make such constructive recommendations, especially in view of the fact that his bus systems are so much less expensive to his constituents. I would suggest that this deserves a

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'no' vote."

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

Davis: "Well, Mr. Speaker, I think it's only proper that I make the Sponsor's response to this Amendment. I want to make it clear that I have a very good Bill. I had a good Bill that got out of Committee and Representative Ebbesen approached me with this Amendment and with the one that's going to follow it, which is rather a startler too, and I suggested to him that if it was the will of the General Assembly they be attached to this Bill, that's fine. The Sponsor is officially neutral. I think the Bill in its pristine form unamended, is a good Bill. But that's the will of the General Assembly."

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

Bowman: "Thank you, Mr. Speaker. A Parliamentary point..."

Speaker Collins: "State your point."

Bowman: "I would like to call the Chair's attention to the fact that Amendment #1 amends the title of the Bill and as such, I will exercise my prerogative under the rules of the House to request that the Chair return, if this Amendment, that the Chair return the Bill to the Order of Second Reading, First Legislative Day, if the Amendment is adopted."

Speaker Collins: "I think your point is well taken. Can you quote the rule?"

Bowman: "There's a rule, Mr. Speaker. It's in there."

Speaker Collins: "Any rule is appropriate at an appropriate time, Representative Bowman. The Gentleman from Macon, Representative Tate."

Tate: "Mr. Chairman (sic), Ladies and Gentlemen of the House, I rise in support of the Amendment and in reference to several points that were made in the debate from some of the opponents, I think it's noteworthy for all Members that

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represent any Mass Transit District that when we compare the RTA or the CTA to downstate mass transit systems we have to make the analogy and let's be fair about it. Let's compare apples to apples. And I'm sure that Chairman Hill or Chairman Barnes would concede the point that in their higher density areas that their performance at the farebox and their...relative to their operating costs are substantially higher. And in lower population centers which most of us from downstate that represent a mass transit service, we're not making that fair comparison in a city of 100,000 compared to a city of three and a half million. And I would also suggest to the opponents of this Bill that there were many...that there were several Amendments offered to the transportation package back in March that proposed this same type of Amendment to downstate operators and wherever it will be, Quincy, Decatur, Bloomington, Rockford, or wherever we want to talk about. I think what the Sponsor is attempting to do..."

Speaker Collins: "Representative Tate, if you will forgive me..Representative Matijevich, for what purpose do you arise?"

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to violate the rule like all of the rest of us do by introducing the Mother of God School in Waukegan. They have with them 'Joanne Purpich and MaryAnn Jerap'. And I'd like to have Virginia Frederick and Dave Barkhausen, we represent them. We're going to go in the gallery and say hello to them. They're right up here."

Speaker Collins: "Yes, you're absolutely right. It's against the rules. Welcome, Representative Tate."

Tate: "As I was saying, what I think the Sponsor is attempting to do, very successfully in this Amendment, is that the people who use the service should pay for the service. And I

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don't care whether we're talking about the RTA or a downstate municipality like Decatur in my District. I think that all of us have to reconcile ourselves to the fact that the money, the gravy train from Washington, has stopped and that people utilizing the services are going to have to pay for the service. I encourage a 'yes' vote on this Amendment."

Speaker Collins: "The Gentleman from Adams, Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I'd like to speak to the Amendment, if I could, Mr. Speaker?"

Speaker Collins: "Proceed."

McClain: "Ladies and Gentlemen of the House, this Amendment has some substantial impacts. I'd like to talk to all of us across the State of Illinois. Right now the Regional Transportation Authority has an average farebox reliance of 46.6%. The average farebox reliance for downstate Transit Districts is somewhere around 20%. So in other words what we're doing here and mandating by law, a certain percentage really through this Amendment, a farebox reliance for the Regional Transportation Authority. Ladies and Gentleman, especially for the rest of the 96 counties, sooner or later those six counties are going to turn on on us. They're going to turn around and they're going to start looking at the 96 counties and realize what we're charging our farebox reliance. They're going to start looking at what we get from UMPA. They're going to look what at our reliances are with state subsidies or our reliance with property taxes. I think that when you start getting the habit of mandating a certain percentage of farebox reliance by state, no matter where you are in the state, what's good for the goose is good for the gander. If we mandate an

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increase of 50 percent or more, which is what this Amendment in essence would do, for the Regional Transportation Authority, and they turn back on us and do the same thing for Peoria and Quincy and Decatur, Champaign-Urbana, it'll put every system in downstate Illinois in bankruptcy. Right now, 14 of the 18 Transit Districts in downstate Illinois are in deficit financing. They're in deficit financing and they still have a farebox reliance of around 20 percent. So what happens in those municipally owned transit systems is the city takes out of their property taxes to pay for the deficit. And we get a subsidy from the State of Illinois. The RTA does not. I think that especially in those areas, especially if you have commuter rail reliance, your commuter rails have about 47 percent farebox reliance. This kind of increase will have a substantial impact on especially the CTA commuter rail. The suburban bus lines have just around 30 percent farebox reliance. I don't want to go through too many figures, but this has an awesome impact for all the systems in the State of Illinois and for those of us who are downstate, I think what's good for the goose is good for the gander. This kind of an Amendment, if it's ever turned back on downstate Districts, will bankrupt all 18 downstate Transit Districts."

Speaker Collins: "The Gentleman from St. Clair, Representative Flinn."

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

Speaker Collins: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor will indicate by saying 'aye'; opposed 'no'. The Motion prevails. Representative Ebbesen to close."

Ebbesen: "Well, yes, I think that this has been adequately discussed, not just today on this Amendment, but about a

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month ago on this subject. I think that you all understand the thrust of this. It's a users fee and I'd like to respond to Representative McClain talking about downstate Districts. If there's inequity and you say there's 45.6 percentage at the farebox versus 20 percent, well that's inequity. And if this turns things around, makes it a little worse, then it makes it worse. But I haven't heard this type of a problem coming from --not that it doesn't exist-- coming from downstate Transit Authority Districts, but there certainly is a problem in the major metropolitan area and in the RTA District and the thrust of this is to, as a users fee, and I repeat to take that based on an 80¢ bus fare to \$1.40, \$2.80 round trip and everything else proportioned out, a flat 75% increase which will generate 22 million dollars a month, a month, mind you, and certainly will go along way towards resolving the financial crunch they've got up there contributed by the people who are using the transportation. And I would certainly appreciate a favorable consideration of this Amendment."

Speaker Collins: "The question is, 'Shall Amendment #1 be adopted?' All those in favor will indicate by voting 'aye'; those opposed by voting 'no'. Representative...The Gentleman from Cook, Representative Birkinbine, to explain your vote."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's been some misunderstanding on this Bill. I don't have any argument with setting a certain percentage on the farebox that people should pay, but this is just a flat 75% increase across the board. Now the Northwestern Railroad, which runs through my District, the people who ride that railroad are already paying better than 70% of the cost of that service. You may be upset with the fact that the CTA is only paying about 48% out of its farebox

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for the service, but there are people in that RTA region who are paying better than 70% of the service. If you go ahead and adopt an Amendment such as this you're asking them to pay better than 100% of the cost of that service and it just does not make sense."

Speaker Collins: "The Gentleman from Cook, Representative Emil Jones, to explain your vote."

Jones: "Yes, thank you, Mr. Speaker. The previous speaker just took the words right out of my mouth because I represent a suburban as well as a Chicago District. And the people in my District who use the commuter lines will have to pay an exorbitant fare just to get to work in the city of Chicago. So, this is a very bad Amendment and my colleagues in the suburbs should join with me and defeat this bad Amendment."

Speaker Collins: "The Gentleman from Cook, Representative Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, I don't want to belabor the point because most of the points have been made. But I should like to point out to my colleagues from the other counties that one day, one day, the city of Chicago, the County of Cook and DuPage County might get together. Once that happens, woe be unto you and your transit systems. Woe be unto you in terms of the exorbitant amounts of money that you take out of the Agricultural Premium Fund without a return. Woe be unto you for the massive amounts of sales tax that are taken disproportionately from the six county area. Woe be unto you as to the income tax that is taken disproportionately from the six county area. I say to you that it will not last for all times, that you can constantly think of yourselves as provincial people without thinking of the rest of the state. And indeed, it is a mistake to cast this kind of dispersions on the water for they shall float back to haunt you."

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Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 53 voting 'aye', 77 voting 'no', 1 voting 'present' and the Gentleman's Motion is lost. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, Ebbesen..."

Speaker Collins: "The Gentleman from DeKalb, Representative Ebbesen."

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

Speaker Collins: "The Gentleman withdraws Amendment #2. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 253, Representative Yourell? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 253, a Bill for an Act to amend an Act in relationship to state revenue sharing with local governmental entities. Second Reading of the Bill. Amendments #1, 3 and 4...#1 was adopted in Committee. Amendment #2 is withdrawn. Amendment #3 and 4 were adopted previously."

Speaker Collins: "Are there any Motions relative to Amendments #1, 3 or 4?"

Clerk Leone: "Motion, I move to table Amendment #3 to House Bill 253, Representative Davis."

Speaker Collins: "The Gentleman from Will, Representative Davis, on the Motion."

Davis: "Mr. Speaker, I move to withdraw or table, whatever the appropriate Motion is for Amendment #3."

Speaker Collins: "The Gentleman withdraws his Motion (sic). Did I misunderstand, Representative Davis? Did you withdraw your Motion?"

Davis: "No, Sir. Is Amendment #3 on the Bill?"

Speaker Collins: "Yes."



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Davis: "In that case, I move to table Amendment #3."

Speaker Collins: "Your Motion is to table Amendment #3."

Davis: "That's correct."

Speaker Collins: "And that's the Motion the Clerk read."

Davis: "Yes, Sir."

Speaker Collins: "Representative Davis on the Motion.  
Representative Davis."

Davis: "I'm sorry, Sir. I move to table Amendment #3 which is in  
conflict with a further Amendment #4."

Speaker Collins: "Representative Yourell."

Yourell: "That's correct. There were technical difficulties with  
Amendment #3. We made the corrections in Amendment #4.  
That has been adopted and Amendment #3 should be withdrawn  
with the wishes of the Sponsor.."

Speaker Collins: "All right. The Motion is to table Amendment  
#3. All those in favor will indicate by saying 'aye'; all  
opposed by saying 'no'. The 'ayes' have it. And Amendment  
#3 is tabled. Now, #4 has been adopted. Are  
there...Representative Yourell."

Yourell: "Mr. Speaker, I'd like the attention of Representative  
Pullen who requested a Fiscal Note to this Bill. I just  
talked to the Department of Revenue and I requested the  
Fiscal Note last week and they have just assured me that  
it's on the way over here and there is no fiscal impact  
with House Bill 253 as it relates to any cost to the State  
of Illinois. So, if Representative Pullen would accept  
that, I'd like to move the Bill to Third Reading."

Speaker Collins: "The Lady from Cook, Representative Pullen.  
Representative Pullen, Representative Yourell has stated  
that the Fiscal Note is on its way. It will state that  
there is no fiscal impact in the Bill and as I understand  
it it's his request that you withdraw your request for the  
Fiscal Note. Since there is no response we'll have to wait

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for the Fiscal Note, Representative Yourell."

Yourell: "There has been filed, Mr. Speaker, a State Mandates Act Fiscal Note and the Department of Revenue has indicated that in their judgment, that that is sufficient. But if the Sponsor of the Motion requesting a Fiscal Note wants to hold the Bill, fine. I have no objection. It's on its way. I just want assurance that we'll get back to it if possible when it gets here because they said it's on its way by messenger."

Speaker Collins: "Representative Yourell, you could put the question before the House that the need for the Fiscal Note is not required and I think 89 votes could sustain you in that action."

Yourell: "Thank you, Mr. Speaker. I ask leave now and move that the House accept my explanation of the status of the Fiscal Note and ask for leave to move the Bill to Third Reading."

Speaker Collins: "You've heard the Motion. All those in favor of Representative Yourell's Motion will indicate by voting 'aye'; those opposed by voting 'no'. The Gentleman from Cook, Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, we're honored here today to have 29 students from 13 countries that are with the Rotary Club of Downer's Grove. They're sitting up here on the left. Let's give them a hand and welcome them."

Speaker Collins: "Welcome to Illinois. On this question there are 122 voting 'aye', 6 voting 'no', and the Gentleman's Motion prevails. Are there further Motions or further Amendments?"

Clerk Leone: "No further Motions nor Amendments."

Speaker Collins: "Third Reading. Speaker Ryan in the Chair."

Speaker Ryan: "We can either break at two o'clock or work straight through till seven. What's your pleasure? All in

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favor of seven o'clock say 'aye'. House Bill 282,  
Representative Stuffle."

Clerk Leone: "House Bill 282, a Bill for an Act to amend the  
Illinois Insurance Code. Second Reading of the Bill. No  
Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Schuneman, amends House Bill  
282 on page one, line..."

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

Schuneman: "Yes, thank you, Mr. Speaker. Mr. Speaker, Amendments  
#1 through number 12 are technically incorrect and I would  
like to withdraw those Amendments. I'd like to withdraw  
Amendments #1 through 12."

Speaker Ryan: "The Gentleman withdraws Amendments 1 through 12.  
Are there further Amendments?"

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

Speaker Ryan: "Representative Schuneman on Amendment #13."

Schuneman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the  
House, it's now time for that great moment in the Session  
of each Legislature when we take up the battle of  
automobile windshield losses. Representative Stuffle has  
the great pleasure this year to have this wonderful Bill  
that's been around the Legislature since Hector was a pup.  
And what his Bill seeks to do is to deny you and me the  
right to have a deductible on automobile windshield repairs  
on our insurance. And, since the presentation of that Bill  
in Committee was based entirely on the strength of the  
argument that this is a Bill which is designed for safety  
only. I've accepted that premise and therefore, I'm going  
to offer some Amendments, Mr. Speaker, that are going to  
strengthen this Bill and we're going to make the automobile  
a very safe mechanism for everybody to drive on the

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highways of the State of Illinois. The Bill will no longer, after you accept my Amendments, the Bill will no longer apply only to the automobile windshields which happens to be the proposal of the glass industry in Illinois, but it will also apply to those other parts of an automobile which have to do with safety. Now, my first Amendment which is number 13 says that your automobile insurance company can no longer sell you insurance and you can no longer buy insurance that would have a deductible apply to any of the replacement parts for damaged steering mechanisms on an automobile. So an insurance company could not put a deductible on that part of your insurance policy and I offer Amendment #13."

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

Stuffle: "Yes. I'd attempted to rise on a point of order to ask the Gentleman to speak to the Amendments as opposed to the Bill, but he did both. Let me proceed on the Amendments. I think if you listen to Representative Schuneman's arguments on Amendment #13, and I'm sure he'll make the same arguments on the rest of these Amendments, you realize that he's not trying to strengthen my Bill. He's trying to kill my Bill. He does, indeed, have a very strong feeling coming from where he does with regard to this Bill. But I suggest he ought to make those arguments on Third Reading. Instead he made them on these Amendments. Let me point out on Amendment 13 and subsequent Amendments that there is no data to sustain these Amendments. He has no data from the Department of Insurance because they collect no data on this particular thing as to the type of Amendments he proposes. He's attempting only to kill this Bill, not to deal with it on its merits and not in any way to strengthen the Bill. His attempt is to gut the Bill and he knows that and I know that and I think you can tell by his

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tongue-in-cheek approach that he believes that too. Each of the Amendments, #13 to begin with, deals with mechanical elements, mechanical component parts to the car, not with what the Bill deals with. The Bill deals with a nonmechanical noticeable item that's either repaired or not repaired, either broken or not broken, either there or not there, that the person can see. We presented arguments. We presented data. We presented facts based upon experience to put this Bill together. None has been presented today for this particular Amendment and I suggest none can be on the other Amendments. It's merely an attempt to gut the Bill as is each of the succeeding and subsequent Amendments. For those reasons I would urge that you vote 'no' and let this Bill be heard on its merits on Third Reading. I don't think that the fact that it's been introduced before makes it any different than any other Bill that's been introduced on this House floor since Hector was a pup or otherwise. The difference is the Bill is not still in Committee as in most past Sessions, but here for our consideration. And I hope we'll give it consideration on its merits or lack thereof based upon the opinions and the arguments and the data presented. And for that reason I would urge the Members to keep this Bill intact and as the Sponsor I would urge a 'no' vote on Representative Schuneman's Amendment 13 and each and all of his subsequent Amendments."

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

Leverenz: "Could the Sponsor of the Amendment yield for a couple of questions?"

Speaker Ryan: "He indicates he will."

Leverenz: "One, how will this impact on you as an insurance broker?"

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Speaker Ryan: "Representative Schuneman."

Schuneman: "Well, it will impact on me, Representative, a lot like you, like it will on you as an insurance buyer. It would deny us the right to save premium on automobile insurance and in that way, it will impact upon me. If you're talking about my commissions as an insurance agent, then there should be less premiums so I guess I'd make less money. But that has nothing to do with where I'm coming from."

Leverenz: "How would this impact then on me as an insurance buyer?"

Schuneman: "It would raise your insurance, Representative."

Leverenz: "Well, how would then that provide you with less commission as a broker?"

Schuneman: "Well, because I think..."

Leverenz: "...If it raises my rates..."

Schuneman: "Because I think insurance companies would quit writing some of this coverage."

Leverenz: "Well, that's hypothetical. You have indicated that it's going to raise my rates. Therefore, if your percentage is not changed, you end up making more money."

Schuneman: "Well, but Representative, I think you're smart enough not to buy the high premium. I'm assuming that you are and I think you are."

Leverenz: "Well, I would assume that something close to price fixing might enter the situation and everybody would raise their rates equal percent. Would you agree?"

Schuneman: "I don't know about that. We don't have rate regulation on this kind of business in Illinois so I'm assuming that what would happen is that the market might dry up."

Leverenz: "Mr. Speaker, to the Amendment."

Speaker Ryan: "Proceed."

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Leverenz: "It is clear that the Amendment is to the benefit of the insurance seller, the industry, the insurance brokers. It is clear that the Amendment is against the consumer and you and I, as a buyer. I don't know which conflict to serve. Thank you."

Speaker Ryan: "Is there any further discussion? Representative Schuneman to close."

Schuneman: "Well, thank you, Mr. Speaker. I would only say in closing that I think that if you subscribe to the idea that is being suggested by this Bill that you should subscribe to the Amendment and I would suggest to Representative Stuffle that we can offer just as much factual information from the companies that manufacture steering mechanisms for cars for support of this Amendment as he did from the glass companies for the Bill. So I would suggest a 'yes' vote on this Amendment."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #13 to House Bill 282. All in favor will signify by saying 'aye'; all opposed by saying 'no'. The Gentleman moves for the adoption of Amendment #13. All in favor will signify by voting 'aye'; all opposed by voting 'no'. Representative O'Brien, one minute to explain your vote."

O'Brien: "Yes, Mr. Speaker and Members of the House, I sit on the Insurance Committee where this Bill came from and I can tell you, as the Sponsor of the Amendment also sits on the Committee, none of the Amendments appear to be serious and I think it's kind of a frivolous attempt on the part of the Sponsor of these Amendments to scuttle a Bill whose time has come. There was no testimony or comment from the individual who is sponsoring these Amendments when the Bill passed out of the Committee and it passed out rather handily out of the Committee. And I see that the Amendment does not have enough votes. Rightfully so. Thank you."

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Speaker Ryan: "Have all voted who wish? Have all voted who wish?"

Take the record, Mr. Clerk. On this question there are 68 voting 'aye', 78 voting 'no', and none voting 'present'. And the Gentleman's Motion fails. Further Amendments?"

Clerk Leone: "Floor Amendment #14, Schuneman, amends House Bill 282 as amended."

Speaker Ryan: "Representative Schuneman on Amendment #14."

Schuneman: "Yes, thank you, Mr. Speaker. In response to one of the other comments that were made, this Bill passed out of Committee on an eleven to five vote. This Bill, like some others that you and I knew about, was very well greased in Committee, but I don't think we ought to grease here on the House floor. Amendment #14 would say that insurance companies could not write insurance for you and put any kind of a deductible on brakes or mechanisms used for the purpose of stopping or slowing an automobile. That was left out of the Representative Stuffle's Bill and I think that if we're really looking for safety in Illinois, that we ought to protect the brakes on every automobile and we shouldn't just look at the glass and the glass industry and their interests. We ought to be concerned about other interests. So, I suggest that Amendment #14 would be a wonderful addition to the Bill."

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

Stuffle: "Yes, I won't belabor the time of the House. Simply to say that the same arguments apply to this Amendment because of its mechanical nature and I think its frivolous nature as well, that applied to the first Amendment. I would ask for a 'no' vote and merely suggest, Representative Schuneman, that some Bills are greased and some Bills come out on their merits and I think it's a matter of opinion what happened to this one. I'd ask for a 'no' vote."

Speaker Ryan: "Any further discussion? The Lady from Cook,



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Representative Alexander."

Alexander: "Mr. Speaker, according to my copies of Amendment 13 and 14 they are identical. I'd like to address the Sponsor of these Amendments and see if they're misnumbered in some fashion."

Speaker Ryan: "Representative Leverenz."

Leverenz: "Mr. Speaker, in all due respect I think the previous speaker did not receive questions...er..answers to her questions."

Speaker Ryan: "Representative Alexander, were you ....completed?"

Alexander: "According to the copies of Amendments 13 and 14 that I have on my desk, they are identical. I'm wondering whether they are misnumbered or are we going into a state of confusion as to what we're talking about at this point?"

Speaker Ryan: "Representative Schuneman."

Schuneman: "Well, I'm not sure which Amendments the Lady has, Mr. Speaker. But my copy of the Amendments indicate that Amendment 13 applies to steering mechanisms and 14 applies to brakes."

Alexander: "Mine apply...Mr. Speaker, my 14 reads identical to 13."

Speaker Ryan: "Well, Representative Alexander, the copies that are shown here, that are filed with the Clerk, are definitely as Representative Schuneman represented them. Well.."

Schuneman: "Mr. Speaker..."

Speaker Ryan: "...These Amendments been printed and distributed, Mr. Clerk?"

Schuneman: "Mr. Speaker?"

Speaker Ryan: "Representative Schuneman."

Schuneman: "Rather than take the time of the House on this nothing issue, I will withdraw Amendment 14 if that will solve your problem."

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Speaker Ryan: "The Gentleman withdraws Amendment #14. Further Amendments?"

Schuneman: "Now, Mr. Speaker...Oh, excuse me."

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

Speaker Ryan: "Representative Schuneman on Amendment #15."

Schuneman: "Mr. Speaker, I would ask leave to consider Amendments 15, 16, 17, 18 and 19 on one Roll Call to save the time of the House."

Speaker Ryan: "Fifteen, sixteen, seventeen, eighteen and nineteen..."

Schuneman: "Eighteen and nineteen..Yes."

Speaker Ryan: "Have those Amendments been printed and distributed?"

Schuneman: "I have my copy, Sir."

Clerk Leone: "Amendments have been printed and distributed."

Speaker Ryan: "The Gentleman asks leave to have Amendments 15, 16, 17, 18 and 19 to House Bill 282 heard on one Roll Call. Are there objections? Hearing none, leave is granted. Proceed, Representative Schuneman."

Schuneman: "Thank you, Mr. Speaker. Amendment #15 simply says that an insurance company could not offer a policy in Illinois that would have a deductible on any damage that would apply to the repair or replacement of tires. Amendment 16 says that the insurance company could not offer a deductible on any policy that would apply to the repair or replacement of headlights or tail lights. Seventeen says that they couldn't offer a deductible on any policy that would apply to the repair or replacement of car doors. Now certainly it's important to have a good door on your car so it doesn't fall off when you're driving. Amendment 18 applies to all of the above, Mr. Speaker, all of those parts on the car that are important to have

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repaired and Amendment #19 simply says if you drive a car in Illinois with a broken windshield, by gosh, you're going to be subject to a class 4 felony. We had that originally as a class x felony and we decided that was a little too strong and therefore, we changed it. The point of all this, Mr. Speaker, is that ..to bring the attention of the House to this Bill that would seek to, at the benefit of one industry in Illinois, to deny all of the insurance buyers of the state the possibility and the ability to save a little premium on your automobile insurance. And I would offer these Amendments as good government Amendments."

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

Stuffle: "Yes, Mr. Speaker and Members, it seems to me that ...It almost seems to me that this is almost laughable as I talk to my seatmate here. But it's a deliberate attempt to gut the Bill as I indicated. He should have put all of these together to start with. I'm glad at least he took them all on the same Roll Call. It seems interesting that Representative Schuneman wants to do so much to help me on my Bill that he fought so hard to kill in the Committee and he's fought so hard to kill every year. It's also interesting if he considers all these things ought to be nondeductibles, even though they're all mechanical, excluding my Bill's provisions for windshields, that he only concerns himself with making it a class 4 felony for not having a windshield. I would think he would want to have a death penalty for that the way he's put these together, make all the others felonies for having flat tires, bad door locks and so forth. You can vote for this. You can vote for anything. I'd ask for a 'no' vote."

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

Kulas: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, we

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know what's going on here. This is a big charade being played. We know that these Amendments are dilatory. They're laughable. And I might not support Representative Stuffle's Bill on Third Reading, but I think he should have his Bill in the posture that he wants it and I hope that you should all give these Amendments a resounding 'no' vote."

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

Leverenz: "Thank you very much, Mr. Speaker. A few questions of the Sponsor?"

Speaker Ryan: "He indicates that he will yield."

Leverenz: "How will the Amendments that you offer now in lump have an impact on an insurance broker?"

Schuneman: "Well, you keep coming back to that question, Representative, and I guess the only thing I could tell you is that it would probably make me so rich that I could give up my life here in the General Assembly and leave and so, if that adds anything to the substance of the Amendment I suggest you vote for it and ..."

Leverenz: "How about the consumer?"

Schuneman: "The consumer? Well, I think it would be a rip-off of the consumer and I think the Bill is a rip-off of the consumers. But the Amendment is right in line with the strategy of the Bill."

Leverenz: "With the Amendments, the consumers now are going to pay probably substantially more and the commissions will remain the same and everyone then will probably not be able to get insurance in the state."

Schuneman: "Well, I really have not gone into it in that great depth, Representative. I don't know that I could respond to that question really."

Leverenz: "I thank you. I just want to help serve my best interests..."

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Speaker Ryan: "Is there any further questions? The Gentleman from Coles, Representative Stuffle, to close."

Schuneman: "They are my Amendments..."

Speaker Ryan: "Pardon me. Pardon me. Representative Schuneman to close."

Schuneman: "Stuffle hasn't joined me yet in these Amendments I don't think, although he has offered to work with me on death penalty and other such things that we could add to this Bill. But I'd just ask that you vote your conscience on these Amendments, Mr. Speaker."

Speaker Ryan: "The Gentleman moves for the adoption of Amendments 15, 16, 17, 18 and 19 to House Bill 282. All in favor will signify by saying 'aye'; all opposed by saying 'no'. The 'ayes' have it...or the 'nos' have it and the Amendments fail. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Before I move it to Third Reading...Third Reading on House Bill 282. Representative Birkinbine, do you seek recognition?"

Birkinbine: "Thank you, Mr. Speaker. For a momentary violation of the rules, we have with us the Washburn School of Winnetka up in the balcony to my side here represented by Representative Katz, Representative Hallstrom and myself."

Speaker Ryan: "Welcome. House Bill 293, Representative Satterthwaite."

Clerk Leone: "House Bill 293, a Bill for an Act relating to the increase in the Drivers Education Fund. Second Reading of the Bill. No Committee Amendments."

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

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

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

Satterthwaite: "Mr. Speaker and Members of the House, this

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Amendment was one that was agreed upon in Committee before the Bill was released from Committee. I think it now is in a form that the Committee Members would all agree to and one that they Secretary of State is happy to support and I move for its adoption."

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

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

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

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, this is a very important Bill and I think it's a very important Amendment too. We are dealing with the subject of mandate. We are dealing with the subject of a mandate on our local schools, and as we know, our local schools and our local governments have been complaining that these mandates cost money and we have not been giving them the money. If there is any educational mandate that we all know costs a lot of money, it is the Drivers Education Mandate. For example, with road training we know that the instructor student ratio is normally about one to three. It's one of the most expensive courses to offer. One of the high schools in my district recently purchased some automobiles because the automobile industry is in so much trouble, no longer are you able to get free courtesy cars. So our schools are pleading for some help. There are two ways that we can help them. We can either tax the people more to get more money to pay for this mandate or we can give our local schools some freedom and some financial flexibility to decide whether this particular mandate is a high priority. The basic Bill offered by Representative Satterthwaite follows the first course which is to tax the people more by

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increasing the drivers license fee. Amendment #2, which I am offering, follows the other course of giving the local schools some freedom. Amendment #2 would make the road training aspect of the drivers education permissive or optional. I should point out that in other states in the United States the low priority and high expense aspect of drivers education has been recognized. In Florida, I believe, they have no mandate. In Arizona, they have no mandate for the road training. In California, the Governor is now proposing that the state give no money to the local schools for drivers ed. I think that Amendment #2 to House Bill 293 which will allow our local schools all over Illinois to decide whether or not they wish to continue to offer the road training is a responsible Amendment that is consistent with the philosophy that's sweeping this country and that is, get the Federal Government off our back, get the State Government off our back and let us decide at the local level what we want to do. There is no mandate for reading, writing, and arithmetic but there is for drivers ed. I don't think drivers ed. is going to suffer but I think it ought to be treated by our locally elected school board officials the same way they treat other subjects. They ought to decide, is this something we can afford. Is this something that the people in our community, whether it be in southern Illinois or northern Illinois, are clamoring for and insisting for? Is this something that the State Government in Springfield or the Federal Government at Washington should tell us we must have whether or not we can afford it? I would be happy to answer any questions you might have on this Amendment. I would add this, that I recall that the State Board of Elections has voted to recommend that road training be made optional or permissive as I do in this Amendment. I would urge your favorable

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consideration and support for Amendment #2."

Speaker Ryan: "Is there any discussion? The Gentleman from Bond, Representative Slape."

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

Speaker Ryan: "Indicates he will."

Slape: "Representative Deuster, do I understand your Amendment correct, by this Amendment you're removing the mandate to local schools to provide behind the wheel training?"

Deuster: "That's correct. Not for classroom instruction, just for out on the road, behind the wheel training."

Slape: "In your personal opinion, why do we have behind the road training?"

Deuster: "We have behind the wheel training and drivers education generally because at a time when we were rolling in dough and we had all kinds of money, we mothers and fathers decided that where as you and I probably learned how to drive because your dad or mother took you out on the road, that we were living in an age where we would be more happy to reach in our pocket, pay some tax money to the school and let the school do it. But we aren't in that prosperous age anymore. But that is the reason that we had it. It was one of these things that we shifted from the family to the school."

Slape: "And there's no free lunch?"

Deuster: "There's no free automobiles. There's no free instructors who work for nothing and so we found out it's cost an awful lot and we ought to allow our local schools to decide whether they want to continue that or not."

Slape: "Would you happen to know if there are any statistics to indicate that since behind the wheel training has been given in public education if the quality or driving ability of teenagers' has risen under this program?"

Deuster: "I think you probably received as all Members have



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statistics and information from various sources indicating that there's confusion. There's really no clear cut evidence that the young people who take drivers ed. are doing better. I happen to believe in education and I happen to believe that taking any kind of a course where students are consciensous and pay attention and have good instructors that any kind of education helps. However, I must say that the statistics brought to my attention do not confirm that drivers ed. has improved the driving record of the young people. There's confusion there as statisticians always seem to bring us."

Slape: "Well, as Sponsor of this Amendment apparently then your opinion is that it it hasn't been effective in giving us a uniform driving public."

Deuster: "No, not at all. I believe that we are Legislators and we believe in local government. The people in our communities elect a school board and I think the school boards and the school administrators will sit down and decide if they have to cut some corners somewhere, the school where my wife is teaching is closing this year. We're having schools closing all over the place. If there's anything we can do to help them order their priorities and determine what they really want to fund and what they can't fund and cut the least desirable. I think all of the parents would rather have the children coming out of school knowing how to read and to fill out an employment application and perhaps as to driving, it's something they can work on and go out on a Saturday and take their children... sons or daughters and teach them how to drive or enroll them in a school."

Slape: "You're wife's school's closing because they give driver ed.?"

Deuster: "No."

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Slape: "It's probably closing because enrollment's down, is it?"

Probably because enrollment's down."

Deuster: "What I'm saying... I'm saying schools are having trouble and financial difficulties and we're hearing from them."

Slape: "But I imagine isn't their school closing because of enrollment's probably down in the district, right? They don't need the school any longer?"

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

Hudson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It's always refreshing when one of our colleagues rises and the sum total of his words make good common sense. I rise today in support of Representative Deuster's Amendment. I feel that it does make good common sense. I have gone to many meetings back in my district where school people are represented, school boards and our teachers and there's one thing that comes through plain and clear and that is that we here in the General Assembly have simply mandated too many things upon our local school systems. Then I have asked them what, if you had your choice, what would you not have mandated? Drivers education is one of those things that has come up time and time again as a possibility, and it seems to me that what Representative Deuster is doing is giving us an opportunity here in his Amendment to give these school districts an option as to whether to have this program or not. If they choose not to exercise the option, they have reduced the mandates that we have placed upon the school systems by at least one. This seems to be what they are crying for. They are saying, 'Let us up. We've had enough. Let us out. We're paying too much.' Representative Deuster is giving you a chance today through his Amendment to do just that. And I believe

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to do it without endangering students. I think that their drivers ed. can be obtained in other ways, and I think he has here an excellent idea and I would urge support of his Amendment."

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

Bullock: "Thank you, Mr. Speaker. I was wondering if Representative Deuster could answer a couple of questions. Will he yield for two questions?"

Speaker Ryan: "He indicates he will."

Bullock: "First of all, Representative Deuster, what is the anticipated cost savings to the State of Illinois for demanding behind the wheel instruction?"

Deuster: "Representative Bullock, if we give the local schools the freedom, the option to decide for themselves there's no way that you nor I can predict how many are going to elect that option."

Bullock: "Mr. Deuster, if you just give me a specific figure..."

Deuster: "Representative Bullock, that's a characteristic of freedom. It could be millions of dollars that we save, but it depends on the extent to which the local schools would look at this, study it, and decide whether or not to elect to opt not to provide this course."

Bullock: "Representative, I respectfully disagree with you. We're only expending at present in excess of 112,000 dollars for this behind the wheel instruction. I don't know how in your wildest imagination you could tell me it's going to be millions of dollars, but perhaps your imagination is a bit larger than mine. Secondly, my concern, Representative Deuster, is that whatever savings might accrue to the state, and I submit to you it's minimal if not nil, that we will see a ... increase in human misery, property damage and other types of loss as a result of ill prepared and ill trained drivers on our streets and

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highways. Could you give me, at this point, any indication, Representative Deuster, as to what insurance premiums, what would be the affect on insurance premiums if these teenage individuals did not have this type of training? Would you anticipate any change in insurance premiums for these drivers?"

Deuster: "If the young people get a drivers license, they have to satisfy the examiner that they know how to drive a car and it's up to the insurance companies to decide what recognition they would want to give to students who have licenses at the younger age and who have either taken or not taken a school course. They would still be graduates of the classroom instruction which is still left on as a mandate. It's not possible to calculate what change, in my opinion Representative Bullock, that would occur."

Bullock: "Thank you, Representative Deuster. Mr. Speaker, briefly to the Bill, unfortunately, my good friend, Representative Deuster, has pulled a Bill or an Amendment out of the hat that I don't think is well researched and certainly is deficient in many respects and I'm sure he understands that and more appropriately might choose to withdraw the Amendment at the appropriate time. In the event that he doesn't withdraw the Amendment, I submit to you, Ladies and Gentlemen of the House, that this Amendment in no way saves the State of Illinois any money but it does in fact, as I said in my earlier remarks, increase the possibility of personal and property damage and increases the possibility that many of our youths will be on our highways ill prepared for the very responsible assignment they have as drivers of automobiles. For that reason and many more, I would urge that you vote 'no' on Amendment 2 to House Bill 293."

Speaker Ryan: "The Gentleman from Morgan, Representative Reilly."

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Beilly: "Thank you, Mr. Speaker. I rise to oppose the Gentleman's Amendment. This is about the fourth time, basically, this Session that we've had an opportunity to vote on exactly this same idea, and let me remind you, I'm sorry to sound like a broken record but I'm not the one that keeps offering the same idea over and over again. We have in the Elementary and Secondary Education Committee a Subcommittee chaired by Representative Kustra which is working with the School Problems Commission and Don Gill, the State School Superintendent, to review the whole subject of mandates. I think this may well be a direction that we want to go in the future but I think the Members of the Committee seem to think, a majority of them including the leadership on both sides of the aisle in that Committee, that the way you do that is you do that in a studied way and do that as a package. Now, some have somehow suggested, I guess the idea of offering this plan time and time again on the floor to get around the Committee, is somehow a theory that Committee is not going to work. The fact is, the one de-mandating Bill the Committee actually heard they voted to approve. There's no reason at all to suppose that a majority of the Members of this Subcommittee are against the idea of de-mandating. What they're saying is we can't do it over night. We need to do it as a package. There are a lot of mandates and a lot of rules and regulations we need to look at. Representative Hoffman, with the School Problems Commission, has called a meeting this week to begin that process through the School Problems Commission also, and that is essentially the position of the State Board of Education. I don't know why we keep trying to get around the Committee process. It's working and should be allowed to work. What Representative Satterthwaite said with her

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Amendment is and what the Elementary and Secondary Education Committee recommended with support from both sides of the aisle was, while we're doing that let's not make the school districts go broke. While we're doing that, while we're deciding what the proper shape of the mandate is, if any, let's give them some additional funds so they can continue functioning. That's what the Bill would do without this Amendment. I hope that the Members will join with me in upholding the Committee system and in opposing Amendment #2. It should be defeated."

Speaker Ryan: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Mr. Chairman (sic) and Members of the House, I only wanted to point out to the Members here what a difference a week makes. Remember last week when we had the right to work Bill and that's all I heard people say was that a Sponsor ought to have the right to have their Bill in the form that they desire. And here we have today the Sponsor of that Bill saying how refreshing it is to have somebody change a Bill in a different form. I only rise because I agree totally and he took the words right out of my mouth with what Representative Reilly said. On this issue of de-mandating, we ought to have that whole issue studied and it is being studied by both the School Problems Commission and the Committee. This is no Bill to be putting into subject of de-mandating but I just wanted to rise here to say what a difference it made. I don't know how many people rose to defend Representative Ray Hudson on the right to work Bill, and here the same Gentleman rises on the floor to say how refreshing it is to make these changes on Second Reading."

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

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DuPage, Representative Hoff... Representative Deuster, do you seek recognition? Representative Deuster?"

Deuster: "Mr. Speaker, I'm really impressed that this is being studied so seriously and also Representative Matijevich touched my heart. Representative Satterthwaite has her Bill and the more I reflect upon this I don't know if I want to offer an Amendment which would go in the contrary direction of her tax proposal here. And out of respect to the School Problems Commission and the distinguished Members who are studying this, I'm confident that maybe this time there will be some action, and so as to not take up further time of the House, Mr. Speaker, I will withdraw Amendment #2."

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

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 406, Representative Steele. Representative Topinka, we're not going to call appropriation Bills because they're not up against the deadline like other Bills are."

Clerk Leone: "House Bill..."

Speaker Ryan: "Only the appropriation Bills that we'll have to call will we call. House Bill 406, Representative Steele."

Clerk Leone: "House Bill 406, a Bill for an Act to amend the School Code. 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 further Amendments?"

Clerk Leone: "Floor Amendment #2, Schuneman et al, amends House Bill 406..."

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

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Schuneman: "Thank you, Mr. Speaker. Amendment #2 also addresses the question of our state mandate on local schools. The Amendment would simply change the mandate for physical education classes in our local schools. At the present time, each local school is required to offer physical education classes for every student, every day for 12 years. If the Amendment is adopted, the law will require that pupils enrolled in public schools through grade 11 will be required to engage daily in courses of physical education. All my Amendment says is that instead of P. E. being required of every student every day for 12 years, we're now only going to require it for 11 years. That's all it does."

Speaker Ryan: "Is there any discussion? Representative Ebbesen. Do you seek recognition, Representative? Is there any discussion? The Gentleman moves for the adoption of Amendment #2 to House Bill 406. 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 #3, Getty, amends House Bill 406 as amended."

Speaker Ryan: "Representative Getty."

Getty: "Mr. Speaker, Amendment #3 would provide that the certified mail provision would have a return receipt requested. It merely adds the words, 'return receipt requested' so that there would be some check to make sure that the notice was actually received. I would ask for adoption of the Amendment."

Speaker Ryan: "Is there any discussion? Representative Steele, do you care to comment?"

Steele: "Yes, I think this is a good Amendment. Makes the Bill better. I support it and urge your support."

Speaker Ryan: "Gentleman moves for the adoption of Amendment #3."



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All in favor will signify by saying 'aye', all opposed will say 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "Floor Amendment #4, Deuster, amends House Bill 406..."

Speaker Ryan: "Representative Deuster, on Amendment #4. Deuster, on Amendment #4. This is your Amendment, Representative. Amendment #4 to House Bill 406. Representative Stuffle, for what purpose do you rise?"

Stuffle: "I rise on a point of order, Mr. Speaker."

Speaker Ryan: "State your point."

Stuffle: "On Amendment #4, I believe it's technically incorrect. It does not amend the Bill as amended and it does not fit in the Bill as amended by Amendment #1 and I ask you to rule it out of order for those reasons."

Speaker Ryan: "Representative Stuffle."

Stuffle: "Yes, if I could elaborate on the point of order. The reasons it's technically incorrect, number one, the Bill has been amended and the Amendment does not amend the Bill as amended. Number two, specifically, the Bill amends lines in the original Bill that are no longer there in that place and the Amendment cannot have effect for those reasons."

Speaker Ryan: "Your point is well taken, Representative. The Amendment's out of order. Representative Schneider, do you seek recognition? Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 411, Representative Reilly. Out of the record. House Bill 441, Representative McGrew. Just a minute. Representative McAuliffe, is House Bill 439... somebody told me that that was some kind of emergency on that appropriation Bill. It's a supplemental. House Bill 439."

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Clerk Leone: "House Bill 439, a Bill for an Act making appropriations to the Data Information Systems Commission. Second Reading of the Bill. No Committee Amendment."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 441, Representative McGrew. Representative McGrew? Read the Bill."

Clerk Leone: "House Bill 441, a Bill for an Act to amend the School Code. 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 Floor Amendments? Amendments from the floor."

Clerk Leone: "Floor Amendment #2, McGrew-Wolf-Schneider, amends House..."

Speaker Ryan: "Representative McGrew, on Amendment #2."

McGrew: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 to House Bill 441 would provide that the State Board of Education shall, by rule, promulgate guidelines to, for tuition charges for those students that are living on government property and not otherwise paying taxes to the school district. I'd move for its adoption."

Speaker Ryan: "Is there any discussion? Gentleman moves for the adoption of Amendment #2 to House Bill 441. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 482, Representative McClain."

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Clerk Leone: "House Bill 482, a Bill for an Act to amend the Abused and Neglected Child Reporting Act. 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: "No Floor Amendment."

Speaker Ryan: "Representative McClain."

McClain: "Mr. Speaker, with leave of the House, I'd like to place 482 and 987 in Interim Study, please. 482 and 987 in Interim Study."

Speaker Ryan: "482 and what was the other number?"

McClain: "987."

Speaker Ryan: "987?"

McClain: "Yes, Sir."

Speaker Ryan: "The Gentleman asks leave to place House Bill 482 and House Bill 987 on the Interim Study Calendar. Are there any objections? Hearing none, leave is granted. House Bill 531, Representative Catania. Read the Bill."

Clerk Leone: "House Bill 531, a Bill for an Act to amend the Regional Transit Authority Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

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

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

Speaker Ryan: "Representative Ebbesen, on Amendment #2."

Ebbesen: "Yes, Mr. Speaker, I'd like to withdraw."

Speaker Ryan: "Gentleman withdraws Amendment #2. Further

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Amendments?"

Ebbesen: "And 3."

Speaker Ryan: "And 3? Gentleman withdraws Amendment 2 and 3. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 555, Representative Schuneman. Out of the record. House Bill 556, Representative Schuneman. Out of the record. House Bill 584, Representative Stuffle. Out of the record. House Bill 597, Representative Dunn, Ralph Dunn. House Bill 597."

Clerk Leone: "House Bill 597, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1 or 2?"

Clerk Leone: "No Motions filed."

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

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

Speaker Ryan: "Representative Dunn, on Amendment #3."

Dunn: "Thank you, Mr. Speaker, Members of the House. I also filed a Motion to or would like to move to table Amendment #2 if the Motion..."

Speaker Ryan: "Gentleman moves to table Amendment #2 to House Bill 597. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment #2 is tabled. Further Amendments."

Clerk Leone: "Floor Amendment #3, Ralph Dunn,..."

Speaker Ryan: "Representative Dunn, Amendment 3."

Dunn: "Thank you, Mr. Speaker, Members of the House. Amendment #3 is exactly the same as Amendment #2 except we put in a word that had been left out in the original drafting. It

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said 'before each primary election' instead of 'before each election'. This is a technical correction and I move for its adoption."

Speaker Ryan: "Is there any discussion? Gentleman moves for the adoption of Amendment #3. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 598, Representative Chapman. Read the Bill."

Clerk Leone: "House Bill 598, 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, Saltsman, amends House Bill..."

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

Saltsman: "Mr. Speaker, Amendment #1. I would like to have stricken from the record because of a technical error."

Speaker Ryan: "Withdraw Amendment #1?"

Saltsman: "Yes."

Speaker Ryan: "Gentleman withdraws Amendment #2(sic). Further Amendments."

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

Speaker Ryan: "Representative Saltsman."

Saltsman: "Yes, Amendment #2 is credible service given to firefighters who are layed off from 1950 to 1965. These men at the time of the layoff were not eligible to draw their money from the pension fund. At that time the state law would not let them withdraw what their contribution was. The time element here is anywhere from three months to two years and represents about 22 or 23 firefighters in the State of Illinois, and they are willing to pay what their normal contribution would have been during the time that

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they were layed off from the municipality. Amendment #3,  
when we get to it is..."

Speaker Ryan: "We're still on Amendment #2."

Saltsman: "Yes, I vote to adopt Amendment #2."

Speaker Ryan: "Is there any discussion? Gentleman moves for the  
adoption of Amendment #2 to House Bill 598. 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 #3, Saltsman, amends House Bill..."

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

Saltsman: "Yes, under the Mandates Act the General Assembly finds  
that the state is relieved of reimbursement liability on  
the State Mandates Act. I'd urge this adoption also."

Speaker Ryan: "Is there any discussion? The Gentleman moves the  
adoption of Amendment #3 to House Bill 598. All in favor  
will signify by saying 'aye', all opposed by saying 'no'.  
The 'ayes' have it and the Amendment's adopted. Further  
Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 607, Representative  
Donovan. Read the Bill."

Clerk Leone: "House Bill 607, a Bill for an Act to create the  
Illinois Farm Development 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: "No Motions filed."

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

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

Speaker Ryan: "Representative Rigney, on Amendment #2."

Rigney: "Mr. Speaker, House Bill 607 is the one that creates an  
Illinois Farm Development Authority with the purpose of  
making low interest loans to young farmers who are not able

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to get capital through ordinary sources. I felt there was one problem with House Bill 607 and that was the structure of the board and I have talked with the Sponsor of the Bill and apparently he is of the same opinion. As the Bill now stands it names certain state officers to be members of that board. The effect of this Amendment is to take those people out of the board structure to name seven members who have no elected state office, local office, or are they affiliated even with the local school board. It's an attempt to de-politicize the structure of this board."

Speaker Ryan: "Is there any discussion? Representative Donovan, do you care to comment?"

Donovan: "Yes, Mr. Speaker. Me and Representative Rigney have talked about a week over this and we have come to agreement that we'll accept his Amendment on Amendment #2, I believe it is, to 607."

Speaker Ryan: "Any further discussion? Representative Darrow."

Darrow: "Will the Sponsor yield?"

Rigney: "Yes."

Darrow: "What is the purpose of this Amendment? Why are you changing the composition of the board?"

Rigney: "The board, I think, in its original form was made up of certain named state officers. I felt that this had the affect of making the board somewhat political in nature so I; therefore, substituted a provision whereby there would be a seven member board made up of no state, local, or school board officers. I felt it would just be a better board structure this way."

Darrow: "I may have the wrong Amendment but isn't this the Amendment that was beaten by the bipartisan Committee? Aren't you changing this to say that the appointments are to be made by the Governor?"

Rigney: "Under the terms of this, it'll be a seven member board

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appointed by the Governor with the advise and consent of the Senate the way that most boards are filled in this state."

Darrow: "I don't understand how that takes it out of politics if you have the Governor doing the appointment. I think you are going to get just the same result."

Rigney: "Keep in mind that the Governor makes the appointments with the consent of the Senate, and as long as he's not able to appoint elected state officials and local officials to this board, I think it does have the affect of making it non-political."

Darrow: "Why did you want the treasurer removed from this?"

Rigney: "Well, under the original Amendment the treasurer and the Governor were directly on this board and I felt it simply was not wise to have those two individuals so named as members of the board."

Darrow: "Why would that be? Why don't you want them or their designated deputies? The Governor and other elected officials are on other boards aren't they?"

Rigney: "Well, there are several reasons. First of all, you specifically asked about the treasurer. I think if you'll check our Executive Article of the Illinois Constitution you'll find that really we, as a General Assembly, are not suppose to be assigning the duties directly to either the State Treasurer or the State Comptroller. Obviously, the Governor, I don't think, is going to serve much of a function on that board even though he is specifically named. I hope to have a good seven member working board and I think we're going to achieve it this way. And the Sponsor apparently now agrees with that position."

Darrow: "I would like to point out to you that if you're going to quote the Constitution according to our analysis, the Constitution provides that the Governor may appoint or



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shall appoint if the General Assembly does not act and the Supreme Court of Illinois also has reinforced that indicating that the Legislature can appoint. So I think you're on pretty shaky grounds when you state what you have just stated. I personally am going to vote against this Amendment. I think it's an end run by the Sponsor of the Amendment to knock the treasurer out of this. I hadn't had an opportunity to check with my Cosponsor on this but I feel that it was better when the Governor's as designated deputy were on it and the treasurer and the designated deputy. I see no reason to have the Governor making all the appointments. I think it's a power-grab by the chief executive of the state through his mouth piece, Harland Rigney. Thank you."

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

Ewell: "Mr. Speaker, will the Sponsor yield to a question?"

Speaker Ryan: "He indicates he will."

Ewell: "I understand you want to de-politicize this revenue bond situation but isn't this political money to begin with? In other words, where does the money come from?"

Rigney: "The money, of course, will come by the sales bonds by the authority, and there will have to be some type of a guarantor for this. Either..."

Ewell: "State of Illinois?"

Rigney: "No, not the State of Illinois. Either Farmers Home Administration or the legislation provides that it can be done by some type of a private guarantor."

Ewell: "But why would we want to de-politicize some money which is essentially political in operation and orientation? In other words, once you give it to a private board and take it away from the political appointees as you say, what control then do we as Members of the General Assembly have

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on this? In other words, you want the money but you don't want the regulation."

Rigney: "Well, keep in mind that this board will be appointed by the Governor and will be confirmed by the Senate and that board will set the policy for the operation of that board. And it seems to me that we do not want to set up the type of situation, for instance, in the original legislation it provided that the State Treasure would even name the Chairman of the board. I thought that was a little strange in that particular provision. That's one of the reasons I objected to it. I just think it's a better board structure this way."

Ewell: "That's all."

Speaker Ryan: "Is there any further discussion? Representative Rigney, to close."

Rigney: "I think, Mr. Speaker, the issue has been clearly made and I'm pleased to see that the Sponsors of this legislation on the other side of the aisle are now in agreement with this board provision, and with that kind of agreement I think we're just going to have a better Bill. House Bill 607 is an excellent Bill and one that's going to deserve our support on Third Reading, but I do think we need to make just this one little clarification concerning the structure of the board."

Speaker Ryan: "Gentleman moves the adoption of Amendment #2 to House Bill 607. All in favor will signify by saying 'aye', all opposed by saying 'no'. The those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 76 voting 'aye', 61 voting 'no', and 1 voting 'present', and the Gentleman's Motion prevails and the Amendment is adopted. Further Amendments."

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

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Speaker Ryan: "Representative Donovan on Amendment 3."

Donovan: "Yes, Mr. Speaker. Amendment #3 just adds the word 'soil' on water conservation projects and water sheds to the Bill that was left out. We thought that was important. So, that's the Amendment. I move adoption."

Speaker Ryan: "Is there any discussion? Gentleman moves for the adoption of Amendment #3. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "Floor Amendment #4, Donovan, amends House Bill 607..."

Speaker Ryan: "Representative Donovan on #4."

Donovan: "Yes, Mr. Speaker. Amendment #4 adds specifically the name, 'Farmer's Home Administration' of the Department of Agriculture in the Bill. That was the intent of the Bill but it never specifically stated it so now that's what the Amendment is about. I move the adoption of Amendment #4."

Speaker Ryan: "The Gentleman moves the adoption of Amendment #4. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendment."

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

Speaker Ryan: "Representative Donovan on #5."

Donovan: "Amendment #5 deals in the area of real estate purchases to this authority. We felt that we ought to put a hundred thousand dollar cap on it. Our intention is not to be buying land with this authority. It is to help young people and people that are in trouble in farming. So we put a hundred thousand dollar cap on any real estate transaction. I move adoption of Amendment #5."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #5. All in favor will signify by saying 'aye', all oppose by saying 'no'. The 'ayes' have

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it and the Amendment's adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 609, Representative Kelley. Jim Kelley. Read the Bill."

Clerk Leone: "House Bill 609, a Bill for an Act to provide for the lein from medical services. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Jim Kelley, amends House Bill 609..."

Speaker Ryan: "Representative Kelley, on Amendment #1."

Kelley: "Yes, Mr. Speaker, Amendment #1 was agreed upon in the Committee before it was passed out. It passed out of the Committee unanimously and it's a small Amendment that just puts customary and reasonable, and this is in relation to fees for hospitals and physicians and dentists. I move adoption."

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

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 618, Representative Topinka. Read the Bill."

Clerk Leone: "House Bill 618, a Bill for an Act to amend an Act to revise the law in relationship to the election of county commissioners in Cook County. Second Reading of the Bill. No Committee Amendments."

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

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

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

Getty: "Mr. Speaker, Members of the House, Amendment #1 would specifically incorporate the language of Article VII,

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Section 3C of the Illinois Constitution in providing for the alternative methods of selection of the county board. It provides that members of the Cook County Board would be elected from two districts, Chicago and that part of Cook County outside of Chicago unless, as provided in the Constitution, a different method of election is approved by a majority of votes cast in the two districts at a countywide referendum or in the alternative, the Cook County Board, by ordinance, divide the county into single member districts from which the members of the county board, resident in each district would be elected. I would solicit your affirmative vote for this. This will exactly implement the constitutional provisions of the Illinois State Constitution."

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

Stanley: "I noticed with great interest, Representative Getty, that you filed a Motion of descent to House Bill 1154 which is my Bill that require the Cook County Board to redistrict. I'm not sure I understand this Amendment and what your opposition is to 1154 but you're talking about the constitutional provision with respect to elections of county commissioners. In my Bill it simply requires the Cook County Board to reapportion. Now I'm not sure if... We're talking about a constitutional question here and I'm a little confused. Would you explain it a little further?"

Getty: "Why certainly. House Bill 1154 is unconstitutional because it impowers the General Assembly to restructure..."

Stanley: "That is not true."

Getty: "The Constitution specifically provides that it can be done in one of two ways. By referendum approved by the voters in Cook County or by a county board ordinance."

Stanley: "Representative Getty, I would advise you to read House Bill 1154 because it does not do what you said it does and

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I will yield to Representative Vinson."

Speaker Ryan: "The question is on House Bill 618. Representative Vinson."

Vinson: "I would like to have a clarification of the Gentleman's Amendment to 618."

Speaker Ryan: "Representative Getty. Would you explain your Amendment again, please?"

Getty: "You must have been out of the chamber at the time I did before, Representative."

Vinson: "I think you mumbled through it, Representative."

Getty: "It provides that members of the Cook County Board will be elected from two districts, Chicago and that part of Chicago out of Cook County outside of Chicago unless a different method of election is approved by a majority of votes cast in each of the two districts at a countywide referendum or that the Cook County Board by ordinance divides the county into single member districts from which the county board resident in each district are to be elected. If a different of election is adopted pursuant to option one, the method of election may thereafter be altered only pursuant to option two or by a countywide referendum. A different method of election may be adopted pursuant to option two only once and the method of election may thereafter be altered only by countywide referendum. It further provides that unless option one or option two is adopted the number of members of the Cook County Board shall be 15 except that the county board may, by ordinance, increase the number if necessary to comply with apportionment requirements. If either of the foregoing options is adopted, the county board shall, by ordinance, fix the number of members of the county board."

Speaker Ryan: "Representative Vinson, are you completed?"

Vinson: "I'd like to speak to the Amendment."

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Speaker Ryan: "Proceed."

Vinson: "The Gentleman has chosen not to show the same degree of courtesy that Representative Deuster did a few minutes ago to the Sponsor of the Bill. Representative Deuster, in his action, chose not to emasculate a Sponsor's Bill so that the Sponsor might have the concept voted on on Third Reading. Representative Getty's Amendment does gut the intention and the thrust of the Bill of Representative Topinka. Now, sometimes that might be justified, but I'd ask people to stop and think about the issues involved here. What Representative Topinka wants to do is to cause members of the Cook County Board to be elected by district. What Mr. Getty's trying to do is to give that authority back to the same members of the board who have chosen not to do that so far. I'd ask the question, how can a member of the Cook County Board who resides in a lake front highrise represent constituents in Marquet Park, or how can a member of the Cook County Board who resides in a lake front highrise represent constituents in Hyde Park? The point is obviously that the member of the board can't do that. The members of the board currently simply do not represent the citizens of most of the City of Chicago or the citizens of most of the County of Cook. It's a most unrepresentative board. I would argue that the Lady's Bill is extraordinarily constitutional and is extraordinarily responsible to the principle of representative government that we have fought for so hard. Now, it's clear that the Gentleman has never been an advocate of citizen representation and of representative government. His votes show that on many occasions and I would not expect him to endorse that concept. But it would appear to me that Members of this chamber who care about independence, who care about Legislators, who care about county boards to be

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representative who want their government to express positions and concerns and cares that arise out of their neighborhoods, that arise out of their local regions can support this. This is a bipartisan measure. Opposing this Amendment is a bipartisan measure. We can defeat this Amendment. We can get more responsive government and more representative government and come to a point on Third Reading where we have a Bill that puts government where it ought to be, in the neighborhoods of Cook County, in the neighborhoods of the City of Chicago and that will be aborted if Representative Getty gets his wish to destroy this Bill. I would urge a 'no' vote on this Amendment."

Speaker Ryan: "Representative Topinka."

Topinka: "Mr. Speaker, Members of the House, I'm in agreement, of course, with Mr. Vinson as to what's being done here. It's basically a very simple Bill of one man, one vote and basically codifies by ordinance representation of the people. And with population changes, I think that this is good insurance that everybody does have their say. It's a very democratic measure. It's very bipartisan and I suppose what probably bothers me more about this, I wish that, you know, my able colleague had asked me whether or not he had wished an Amendment or would have spoken to me before hand because I don't think that the Amendment does anything for this Bill, in fact, will probably gut it and divert my intentions by it. So I would encourage the House not to vote for the Amendment. If it would be so kind."

Speaker Ryan: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Unfortunately, the distinguished Gentleman from DeWitt who is usually able and correct is a bit off the mark on this Amendment and last I checked we were discussing the Amendment which is Amendment #1. We had not



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gotten to the posture of discussion the Bill Representative Topinka has offered to this Body. Representative Vinson is well aware that this Amendment in all respects does indeed attempt to codify one man, one vote. It does indeed attempt to address the issue that must be addressed in reapportionment and that is to make certain that the population of the Cook County area is, in fact, adequately represented by members on the Cook County Board. For Representative Vinson to make an assertion or to be so specious as to say that individuals who reside in certain dwellings in Chicago are in no way in tune with their constituency flies in face of the truth and he knows that. I think that what we have to understand on this Bill and my friend surely understands that is that this Amendment in fact is constitutional. It helps make a Bill which is questionable in its constitutionality a bit better and hopefully on Third Reading we can not only support the Bill but support the Bill as amended. For that reason and many others, I would urge an 'aye' vote on Amendment #1 and I would hope that my learned colleague would join with us after he has reassessed his previous remarks."

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

Pullen: "Mr. Speaker, it doesn't particularly matter to me whether this Amendment is constitutional. It's just plain unfair and there is absolutely nothing bipartisan about it. It is a cruel, mean, low attack by the Democrat machine on the people in the suburbs and I urge everyone to defeat this Amendment and give Representative Topinka the opportunity to have her Bill heard as is rather than being completely reversed."

Speaker Ryan: "Representative Karpziel."

Karpziel: "I move the previous question."

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Speaker Ryan: "The Gentleman from Cook, Representative Getty, to close."

Getty: "Mr. Speaker, Members of the House, apparently the Gentleman from DeWitt misunderstood this Bill, read another one instead of it. But this is not the Bill, that is Representative Topinka's Bill, in its original form provides for election from Chicago and outside Chicago and addresses itself to apportionment. There's no fault with that. What this Amendment proposes it to take the exact language of our Constitution that is the language which the Lady from Cook just described as a low, mean blow by the Democratic Party. The Constitution of the State of Illinois is what we are seeking to put in word for word here. Now, this House doesn't have the authority to repeal the Constitution of the State of Illinois and no Act that we would attempt to pass could override the Constitution of the State of Illinois and indeed this Bill, this Amendment to this Bill will exactly implement the Constitution of the State of Illinois and set forth in proper constitutional language the exact method of election. Giving the people of Cook County the right to a referendum, setting forth that the option of ordinance by the county for districts as provided by our Constitution will be observed. I ask for your support. This is no mean, low blow by anyone. If it was a mean, low blow it was done by the Constitutional Convention. If you don't agree with it, introduce a Constitutional Amendment, but until then, this is the Constitution of our state. The state which we were all... The Constitution we were all sworn to uphold and I take exception to anyone casting dispersions to my suggesting constitutional language in a statute as being a low blow of the Democratic Party of anyone else. I think just to show that this is indeed the Constitution of our state and

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that's all we're implementing, I would like to see a unanimous Roll Call on this Amendment."

Speaker Ryan: "The Gentleman moves the adoption of Amendment #1.

All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Representative Conti, one minute to explain your vote."

Conti: "Mr. Speaker, what I have to say I can't say in one minute, but the 1970 Constitution perfectly spelled out how lax we have been for over a hundred year in reapportioning this state for the General Assembly. If Mr. Getty's intentions are as honorable as I think they are, he's going about it the wrong way. We do need reapportionment in the County of Cook. We do need the members not to be running at large but from districts and I think that Representative Stanley and Representative Topinka's got a Bill that will do such a thing for Cook County. The population back in 1970, 1920, 1930 when this was first adopted, there's three and a half million people in the City of Chicago and only one million people in the suburbs. Today there is less than 200,000 people, less in the suburbs than the City of Chicago. We are in dire need of reapportionment but I think Mr. Getty's going at it the wrong way and we should reapportion and give serious consideration to the two other Bills that are pending before this House and not by amending this particular Bill."

Speaker Ryan: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Bullock, for what purpose do you rise?"

Bullock: "Mr. Speaker, if the negative votes prevail, at the appropriate time I'd like to be recognized for a verification."

Speaker Ryan: "Take the record, Mr. Clerk. On this question

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there are 34 voting 'aye', 86 voting 'no' and none voting 'present'. Representative Getty."

Getty: "Poll of the absentees, please, Mr. Speaker."

Speaker Ryan: "Gentleman requests a poll of the absentees. Poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of the absentees. Bowman. Garmisa. Levin. Margalus. Martire. Satterthwaite."

Speaker Ryan: "Representative Levin. Representative Levin, I didn't hear you."

Levin: "Please vote me 'aye'."

Speaker Ryan: "Record the Gentleman as 'aye'. Are there any other changes? The count now is 85 'aye', 86 'no'. The Gentleman... Representative Satterthwaite."

Satterthwaite: "'Aye'."

Speaker Ryan: "Record Satterthwaite as 'aye'. We now have 86-86. That's a tie vote. There's nothing to verify, Representative Bullock and the Amendment loses. Representative Getty."

Getty: "Mr. Speaker, I suggest to you respectfully that on a tie vote the negative side prevails and that it indeed should be verified."

Speaker Ryan: "Representative Bowman, do you seek recognition? Representative Bowman wishes to be voted 'aye' on House Bill 618, Amendment #1. Representative Conti."

Conti: "Mr. Speaker, if this should receive the necessary votes for passage, I want a verification of the Roll Call."

Speaker Ryan: "Representative Bianco."

Bianco: "Mr. Speaker, change my vote to 'no', please."

Speaker Ryan: "Record the Gentleman from 'aye' to 'no'. Representative Robbins. Record the Gentleman as 'no'. What's the count now, Mr. Clerk? There are now 85 'ayes' and 88 'nos'. Representative Madigan requests a verification. Representative Bullock requests a

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verification at the request of Representative Madigan.  
Read the negative votes would you, Mr. Clerk?"

Clerk Leone: "Abramson. Ackerman. Alstat. Barkhausen. Barnes.  
Bartulis. Bell. Birkinbine. Bluthardt. Boucek. Bower.  
Catania. Collins. Conti. Daniels. Davis. Deuchler.  
Deuster. Jack Dunn. Ralph Dunn. Ebbesen. Epton. Ewing.  
Fawell. Findley. Virginia Frederick. Dwight Friedrich.  
Griffin. Grossi. Hallock. Hallstrom. Hastert.  
Hoffman. Hoxsey. Hudson. Huskey. Jackson. Johnson.  
Karpel. Jim Kelley. Klemm. Kociolko."

Speaker Ryan: "Representative Getty."

Getty: "Mr. Speaker, I wonder if you'd ask the Membership to be  
in order and in their seats. It's very difficult to see.  
I think there's quite a few unauthorized people and I note  
that there are a quite a few people out of their seats and  
I'd ask for some order."

Speaker Ryan: "The House will be in order and the Members will be  
in their seat. Proceed, Mr. Clerk."

Clerk Leone: "Continuing with the poll of the negative. Klemm.  
Kociolko. Koehler. Kucharski. Kustra. Leinenweber.  
Macdonald. Mays. McAuliffe. McBroom. McCourt.  
McMaster. Excuse me. Representative McCourt is not here.  
McCormick. McMaster. Ted Meyer. Roland Meyer. Miller.  
Neff. Nelson. Oblinger. Peters. Piel. Polk. Pullen.  
Reed. Reilly. Rigney. Robbins. Ropp. Sandquist.  
Schuneman. Irv Smith. Stanley. Stearney. E. G. Steele.  
C. M. Stiehl. Swanstrom. Tate. Telcser. Topinka.  
Tuerk. Vinson. Watson. Wikoff. Winchester. J. J. Wolf.  
Woodyard. Zwick, and Mr. Speaker."

Speaker Ryan: "Are there any questions, Representative Bullock?"

Bullock: "Yes, Sir."

Speaker Ryan: "Proceed."

Bullock: "Mr. Speaker. Ralph Dunn."

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Speaker Ryan: "Representative Dunn, Ralph Dunn. The Gentleman in the chamber? Representative Dunn in the chamber? How is the Gentleman voted...recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Bullock: "Tate."

Speaker Ryan: "Representative Tate is in the back of the chamber."

Bullock: "Bell."

Speaker Ryan: "Representative Bell in the chamber? Representative Bell's in his chair."

Bullock: "Deuster."

Speaker Ryan: "Representative Deuster is in his chair."

Bullock: "Deuchler."

Speaker Ryan: "She's here too."

Bullock: "Where, Mr. Speaker?"

Speaker Ryan: "Right there in her chair."

Bullock: "I don't know some of the new Members, Mr. Speaker."

Speaker Ryan: "Well, if I tell you they're here, Representative, that's what they are."

Bullock: "I'd like to get to know some of my colleagues, Mr. Speaker. You know the rules of the House."

Speaker Ryan: "Proceed with your questions."

Bullock: "Alright. Vinson."

Speaker Ryan: "Representative Vinson in the chamber? He's over on your side cutting a deal."

Bullock: "He's on the right side."

Speaker Ryan: "You better watch him Madigan."

Bullock: "Johnson."

Speaker Ryan: "Representative Johnson. Representative Johnson on the floor? He's over here."

Bullock: "Kucharski."

Speaker Ryan: "Representative Dunn. Return Representative Dunn

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to the Roll Call."

Bullock: "Kucharski."

Speaker Ryan: "Representative Kucharski. Representative Kucharski on the floor? Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Bullock: "Stearney."

Speaker Ryan: "Representative Stearney's in his chair."

Bullock: "Peters."

Speaker Ryan: "Representative Peters on the floor? Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Bullock: "Is that Phil Collins down there?"

Speaker Ryan: "Collins? Is that what you said? Did you say Collins?"

Bullock: "I see him, Mr. Speaker."

Speaker Ryan: "Fine."

Bullock: "Smith. Irv Smith."

Speaker Ryan: "In his chair."

Bullock: "Watson."

Speaker Ryan: "Representative Watson? Right at his desk there."

Bullock: "Representative McAuliffe."

Speaker Ryan: "Representative McAuliffe. The Gentleman in the chamber? Representative McAuliffe. How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him."

Bullock: "Representative Oblinger."

Speaker Ryan: "In her chair."

Bullock: "She's probably around. Representative Pullen."

Speaker Ryan: "Representative Pullen. Right here."

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Bullock: "Representative Reilly."

Speaker Ryan: "Representative Reilly in the chamber? Is Representative Reilly in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Bullock: "Representative Robbins. Clyde Robbins."

Speaker Ryan: "Representative Robbins on the floor? The Gentleman in the chamber? Representative Robbins? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call. Return Robbins to the Roll Call. He just returned to the floor?"

Bullock: "Who's that, Mr. Speaker?"

Speaker Ryan: "Robbins. Returned to the floor."

Bullock: "Representative E. G. Steele."

Speaker Ryan: "Is Representative Steele on the floor? Everett Steele? Is Everett Steele on the floor? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call. Return Representative Reilly to the Roll Call. Representative Schuneman."

Schuneman: "Would you return me to the Roll Call, please, Mr. Speaker?"

Speaker Ryan: "You weren't removed, Representative."

Schuneman: "I would like to be verified. Pardon me?"

Speaker Ryan: "You weren't taken off."

Schuneman: "Oh. Excuse me."

Speaker Ryan: "Return Reilly to the Roll Call."

Bullock: "Representative Jack Dunn."

Speaker Ryan: "Right here in front at his desk."

Bullock: "Mr. Clerk, could you give me the count?"



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Speaker Ryan: "Do you have any further questions? Return Representative McAuliffe to the Roll. Return Representative Kucharski. He is back."

Bullock: "The count, Mr. Clerk."

Speaker Ryan: "There are 85 voting 'aye', 86 voting 'no'. Further questions? On this question there are 85 voting 'aye', 86 voting 'no' and the Gentleman's Motion fails. Further Amendments."

Clerk Leone: "Floor Amendment..."

Speaker Ryan: "Representative Vitek."

Vitek: "Mr. Speaker, I hate to interrupt and I know it's against the rules, but I'd like to for the first time introduce the students from the Immaculate Conception School in the gallery and represented by Bobby Krska, myself, and Bill Margalus."

Speaker Ryan: "Welcome to the Illinois House. Further Amendments on House Bill 618."

Clerk Leone: "Floor Amendment #2, Getty, amends House Bill 816."

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

Getty: "Mr. Speaker, Members of the House, since there appears to be a reluctance on the part of this House to implement constitutional provisions and in order to save further time of the House, because I think the result would be the same, I'll withdraw Amendment #2."

Speaker Ryan: "Gentleman withdraws Amendment #2. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 627, Representative Pawell. Read the Bill."

Clerk Leone: "House Bill 627, a Bill for an Act to amend the Unemployment Insurance Act. Second Reading of the Bill. No Committee Amendments."

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

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Clerk Leone: "Floor Amendment #1, Mautino, amends House Bill 627."

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

Mautino: "Mr. Speaker, thank you, Sir. I'd like to table Amendment #1 and go with Amendment #2."

Speaker Ryan: "Gentleman withdraws Amendment #1. Further Amendments."

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

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

Mautino: "Thank you, Mr. Speaker. Amendment #2 is very similar to the Amendment that Representative Bowman had on a previous Unemployment Compensation Bill addressing the question of the minimum level for those small businesses who do not have any experience factor built into their rate. If you will recall, that legislation was amended on a previous Bill. What this legisla... What this Amendment does in deference to that one is it's addressing the question of remuneration as opposed to wages that was presented in Representative Bowman's Amendment."

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

Fawell: "Mr. Speaker, I rise to oppose Amendment #2. I agree with the concept but I'm afraid it might bog down this very important Bill. This Bill that I have introduced concerns 85% of our communities and a problem that they are having with their part-time unemployment compensation, and I would rise to ask that the Assembly turn down this Amendment and since we have already passed this Amendment on another Bill, I believe that has taken care of the situation that my colleague on the other side of the aisle is addressing."

Speaker Ryan: "Is there any further discussion? Representative Mautino, to close"

Mautino: "Thank you, Mr. Speaker. As you all know, this increases the taxable wages from 40,000 to 60,000 a quarter

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by the small employers so that they can receive the minimum rate provision. Back in 1975... '77 the rate was increased 900%, from one tenth of one percent to one percent. This puts those small employers that have sixty thousand dollars or less of taxable wages in a quarter and no experience factor in unemployment at the low rate. It's a good Amendment. It's one that should be adopted and I ask for your support."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2. All in favor will signify by saying 'aye', all opposed by saying 'no'. You want a Roll Call, Representative Mautino? All in favor will signify by voting 'aye', all oppose by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 87 voting 'aye', 69 voting 'no', 1 voting 'present' and the Gentleman's Motion prevails. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 629, Representative Rigney."

Clerk Leone: "House Bill 629, a Bill for an Act to protect the family farm in Illinois. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendments 1 or 2."

Clerk Leone: "Motion; 'I move to table Amendment #2 to House Bill 629'. Representative Rigney."

Speaker Ryan: "Representative Rigney, on your tabling Motion."

Rigney: "Mr. Speaker, Amendment #2 is a fine Amendment. It was just put on at the wrong place. We've got to table this and re-establish it on the right line."

Speaker Ryan: "Gentleman moves to table Amendment #2. All in favor will signify by saying 'aye', all opposed by saying 'no'. The Motion carries and the Amendment's tabled."

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Further Amendments."

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

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

Rigney: "Okay. Same Amendment., we just put it in amending Section 6 and that's where it belongs in the Bill."

Speaker Ryan: "Gentleman moves the adoption of Amendment #3. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

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

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

Rigney: "Amendment #4 merely adds the word 'zone' on line 29 of page four. What it's doing is adding to the exemption section a means to prove that those corporation are not engaged in agriculture. This is one, by the way, that was requested by Caterpillar."

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

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 637, Representative Vinson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 637, a Bill for an Act to amend the Personnel Code. Second Reading of the Bill. No Committee Amendments."

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

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

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill streamlines and makes more effecient the process in this case, the Department of Personnel. It provides for adequate future safeguards and I would urge

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adoption of the Amendment."

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

Darrow: "Thank you, Mr. Speaker. I would question the germaneness of this Amendment. I believe we were on this one other day and it deals with a different subject matter than the original Bill and it should; therefore, be non-germane. The Bill amends the Personnel Code and the Amendment abolishes the Civil Service System and it also makes a title change."

Speaker Ryan: "In the opinion of the Parliamentarian and the Chair, Representative Darrow, the Amendment is germane. Representative Darrow."

Darrow: "Well, then in the past you have ruled it must deal with the same subject matter. Are we now opening it up so that is no longer a criteria since this does not deal with the same subject matter?"

Speaker Ryan: "You've heard my ruling, Representative."

Darrow: "Would it be possible to clarify it for future reference?"

Speaker Ryan: "We take these as they come, Representative Darrow. One at a time."

Darrow: "We can't go then on past rulings."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "No..."

Speaker Ryan: "Is there any further discussion? On the Amendment, Representative. Representative Darrow."

Darrow: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #1 does away with the Personnel Code in the State of Illinois. What will be required then is that the employees in order to obtain relief for offenses and misconduct by an employer by the State of Illinois. What they will have to do then is hire an attorney and appeal to court. They will not longer have any type of

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administrative hearing, any type of assistance where they no longer have to use an attorney... where they no longer can go have a hearing without an attorney. What we will be doing by this legislation is having a legislation which allows attorney's to be hired. It's a good Bill if you think that a person who is discharged from employment with the State of Illinois should go out and hire an expensive attorney and go to local Circuit Court. If you believe that the current system under the Civil Service System where you have a hearing where you don't have to hire an attorney, where you don't have to go to a big legal expense, is a proper system, then vote 'no' on this Amendment. If on the other hand, you don't want that; if you want then to hire an attorney and go to the Circuit Court, then vote 'yes' for this fine Amendment offered by attorney Vinson."

Speaker Ryan: "Any discussion? Representative Winchester."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I stand in support of Representative Vinson's Amendment. I think it will streamline government. I think it gives certain responsibilities to the Department of Personnel the Department of Personnel should have had a long time ago. I think each and everyone of us, if we reflect back, have from time to time confirmed in our own minds in private discussions that what Representative Vinson is trying to do now is what we all would want to do. I would urge a favorable Roll Call vote on this Amendment."

Speaker Ryan: "Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this Amendment. What we have now is presently unnecessary and duplicative. This is a time when not only in the State of Illinois but across the country we are looking for ways to cut down on the size

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of government, do things more effeciently and this Amendment is one good move in that direction. I recommend your support."

Speaker Ryan: "Representative McClain."

McClain: "Thank you, very much, Mr. Speaker. Would the Gentleman yield?"

Speaker Ryan: "Indicates he will."

McClain: "Mr. Vinson, if you're transferring all of the duties of the Civil Service Commission to the Director of Personnel, would in essence that could lead to do away with the entire Personnel Code, could it not?"

Vinson: "No. The Personnel Code is still there."

McClain: "So, it could never go to patronage. It that right?"

Vinson: "Absolutely not. It's still, number one, the Director of Personnel still has to enforce those things and there's judicial review on each decision."

McClain: "So, you don't do anything for the political system or the political parties and you don't do anything to keep it cheap for the agreed party. What's the purpose of your Amendment then?"

Vinson: "To save money for the taxpayers, Representative."

McClain: "Does it abolish any Civil Service protections?"

Vinson: "I beg your pardon?"

McClain: "Does it abolish any Civil Service..."

Vinson: "Absolutely not. Absolutely not."

McClain: "Thank you."

Speaker Ryan: "Any further discussion? Representative Conti."

Conti: "I'll explain my vote."

Speaker Ryan: "Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I find it interesting that somebody would say that the only organization in state government that protects the employee makes government too large. The Commission is a small

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Commission. It provides the employees some protection that the employee does not have to lay out money for an attorney and go to court. I think that this Amendment should be defeated soundly."

Speaker Ryan: "Representative Ewell."

Ewell: "Will the Sponsor yield to a question?"

Speaker Ryan: "Indicates he will."

Ewell: "Who is it that wants this particular Amendment?"

Vinson: "The taxpayers, Representative."

Ewell: "I mean, just be a little more specific. The taxpayers didn't right you and say, 'Let's abolish the Civil Service Commission and put it to the Director of Personnel'. Who..."

Vinson: "The taxpayers have written me asking me to abolish every unnecessary agency, Representative."

Ewell: "Then I'd like to speak to it having talked to a few taxpayers myself. Mr. Speaker, Ladies and Gentlemen, when you talk about abolishing the Civil Service Commission and transferring the duties to the Director of Personnel you're talking about nothing but a pure and simple power grab for which the Sponsor is one of the most famous authors. I suggest to you that what you're trying to do is now staff the Republican political structure throughout the State of Illinois by abolishing what we have fought for a long time, that is an honest days wage and an honest days pay for the worker's of the State of Illinois. What you're doing by this Amendment is you're going to amesh all of these people into the political arena, make them subject to political bosses and, as I remember, cries from the other side of the aisle about good government about all the necessity for the taxpayers and wanting to keep politics out of government, what we have here is an unabashed claim to attempt to scuttle the entire Civil Service system for the benefit of



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political appointees. It's an atrocious Bill, a power grab pure and simple and now we're inaugurating the Thompson Machine. I suggest that you cannot replace one political machine with another, but if we really want to give the people an honest count, then let's leave the Bills where they are. You can't tell from month to month what we're going to do in this Legislature. And I think we ought..you ought really ought to be ashamed of yourself, Mr. Vinson. At least you could be honest and say it's a power grab and I want to restructure my political organization at the expense of the people of the State of Illinois. It's a disgrace and this Amendment clearly is beyond the intent of the original Bill and I believe it ought to be defeated and let the Gentleman put in his own personal power grab."

Speaker Ryan: "Representative McBroom."

McBroom: "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 by saying 'no'. The 'ayes' have it and the previous question is moved. The question is, 'Shall Amendment #1 be adopted?' All in favor will signify by voting 'aye'; all opposed by voting 'no'. Representative Bowman to explain his vote."

Bowman: "No, Mr. Speaker, a Parliamentary point. This Bill...This Amendment amends the title. If this thing passes I wish to exercise my right under Rule 34-D to return the Bill to the Order of Second Reading, First Legislative Day."

Speaker Ryan: "Zale. Have all voted who wish? Representative Madigan to explain his vote."

Madigan: "I rise in opposition to this Amendment, Mr. Speaker, and to explain my 'no' vote. This is simply part of the power grab of State Government by the Thompson administration and his clique of friends. First of all, he

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appoints the Attorney General. He appoints the Secretary of State. He attempts to engineer the election of the President of the Senate even though the Republican party is in the minority status. And now..."

Speaker Ryan: "Would you explain your vote, Representative Madigan?..."

Madigan: "...One of his ....agents on the floor, Mr. Vinson, one of his mouthpieces on the floor, he's attempting to take over all of State Government personnel practices. I recommend a 'no' vote."

Speaker Ryan: "Representative Telcser to explain his vote."

Telcser: "Well, Mr. Speaker, Members of the House, in explaining my vote, I must comment on the most amazing display of political hypocrisy I've witnessed in recent years on the part of the Minority Leader who was weaned and brought up on patronage politics every single day of his political life. The Gentleman is one of the toughest, iron-fisted political leaders in Chicago because of the patronage which he enjoys, the patronage which his Mayor tried to grab just a few short weeks ago the City Council up north in the city of Chicago. So the Gentleman's words this afternoon are crocodile tears. They're meaningless. They don't mean a thing. All one has to do is look to the city of Chicago's machine and ask who was one of the integral parts of it. It's the Minority Leader who leads the Democratic party in this Assembly because of that patronage and the downstate Members and the city Members play to his tune because of the patronage which he controls...."

Speaker Ryan: "Representative McAuliffe to explain his vote."

McAuliffe: "Well, Mr. Speaker, Ladies and Gentlemen of the House, after listening to Ray Ewell he convinced me to vote for this Bill and after listening to Representative Madigan I only wish that what he said was true."

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Speaker Ryan: "Representative Levin to explain his vote."

Levin: "Mr. Speaker and Ladies and Gentlemen of the House, I just can't believe what I'm seeing on the other side of the aisle, a party that has had a reputation of being against patronage. Now what's sauce for the goose is sauce for the gander. And if we're reforming in the city of Chicago, as I think we are, we should go the opposite way statewide. I think this...I think it's a bad Amendment and I think it should be defeated."

Speaker Ryan: "Representative Conti to explain his vote."

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House, it does shock me also to hear the last couple of speakers on the other side of the aisle talking about power grab. It wasn't too long ago...and this last Gentleman that just got through speaking didn't come back last year...just several months before the Honorable Secretary of State thought he was ready to become the Senate...the United States Senator, there was an 'aye' vote. A Bill passed here that automatically put in 2600 employees in the Secretary of State under the Personnel Code. If you read this Amendment it does just the opposite of what they're talking about, a power grab. To bear or conduct investigations as it deems necessary or of appeals of lay-offs filed by employees appointed under the jurisdiction be after examination provided that such proposals are filed within 15 calendar days. The State of Illinois, Ladies and Gentlemen, whether you want to believe this or not, the State of Illinois leads the country with 200 regulatory agencies. We have a Republican and we have a Democrat and then we put them in the bureaucrats. And the minute they become bureaucrats, then they don't know anything about being Republicans or Democrats. This is going to reevaluate the personnel

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department in the State of Illinois and it is going to save millions in the long run. Take a second look at it, whether you're a Republican or a Democrat. The people spoke loud and clear last November. They want some relief. Those of us who had to sit in on budget meetings in the last couple of weeks heard that the Governor has to cut 400 million dollars out of his budget. If we really wanted a power grab we certainly wouldn't be putting in a Bill like this. We have to reevaluate some of the bureaucracy we have; get rid of some of the waste that we have in some of these departments; cut down the budget and then let's start talking about tax relief to the people back home. And until you do this and until you adopt an Amendment such as this, we're never going to be able to go back home and say, 'We really tried to give you tax relief'."

Speaker Ryan: "Representative Vinson to explain his vote."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's been much ado about nothing on this Amendment. It simply transfers the functions to another agency of government, an equally strong watchdog. It provides for full judicial review of how those functions are exercised. It's an Amendment that accomplishes one thing and one thing only and that's to remove duplicative agencies and to save money for the taxpayers and I would urge its adoption."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 83 voting 'aye', 84 voting 'no' and none voting 'present'. Representative Vinson."

Vinson: "I'd like to have a verification of the Negative Roll Call."

Speaker Ryan: "The Gentleman requests a verification. Would you poll the absentees? Representative Madigan."

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Madigan: "I request a poll of the absentees."

Speaker Ryan: "Yes. We've got that in the works. We're waiting for the Clerk."

Clerk Leone: "Poll of the Absentees: Deuster. Ebbesen. Flinn. Garnisa. Huskey. Jackson. Margalus. Martire. And, Zwick."

Speaker Ryan: "Are there any changes? Would you read the Negative Roll Call, Mr. Clerk?"

Clerk Leone: "Poll of the Negative: Alexander. Balanoff. Beatty. Bowman. Bradley. Braun. Breslin. Brummer. Bullock. Capparelli. Carey. Catania. Chapman. Christensen. Cullerton. Currie. Darrow. DiPrima. Domico. Donovan. Doyle. John Dunn. Ewell. Farley. Getty. Giglio. Giorgi. Greiman. Hanahan. Hannig. Henry. Huff. Jaffe. Jones. Kane. Katz. Keane. Dick Kelly. Kornowicz. Kosinski. Krska. Kulas. Laurino. Lechowicz. Leon. Leverenz. Levin. Madigan. Matijevich. Mautino. McClain. McGrew. McPike. Mulcahey. Murphy. O'Connell. Ozella. Pechous. Pierce. Pouncey. Preston. Rea. Richmond. Rhem. Richmond. Ronan. Saltsman. Satterthwaite. Schneider. Schraeder. Slape. Margaret Smith. Steczo. Stewart. Stuffle. Terzich. Turner. Van Dwyne. Vitek. White. Sam Wolf. Younge. Yourell. And, Zito."

Speaker Ryan: "Representative Lechowicz asks leave to be verified. All right. Do you have any questions, Representative Vinson?"

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

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

Zwick: "Yes. I'd like to be recorded as a 'yes' vote."

Speaker Ryan: "Record the Lady as 'aye'. You're starting out with a dead tie, Representative Vinson. 84 to 84."

Vinson: "I would question Mr. Beatty."

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Speaker Ryan: "Is Representative Beatty in the chamber?  
Representative Beatty. How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him. Representative Madigan, do you seek  
recognition?"

Vinson: "Representative Breslin?"

Speaker Ryan: "Representative Breslin in the chamber? She's in  
her chair."

Vinson: "Representative Chapman."

Speaker Ryan: "Representative Chapman in the chamber? Yes, right  
here in front."

Vinson: "Representative Darrow."

Speaker Ryan: "Representative Darrow? Representative Beatty has  
returned. Put him back on the Roll Call. Where is  
Representative Darrow? In the back on the Republican  
side."

Vinson: "Representative Donovan."

Speaker Ryan: "At his desk."

Vinson: "Representative John Dunn."

Speaker Ryan: "Over here on the Democratic side."

Vinson: "Representative Farley."

Speaker Ryan: "Representative Farley? Representative Ronan, you  
don't look a whole lot like Representative Farley. I would  
appreciate it if you wouldn't waive your arm when his name  
is called. How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Vinson: "Representative Giglio."

Speaker Ryan: "Representative Giglio is in his chair."

Vinson: "Representative Greiman."

Speaker Ryan: "Representative Greiman. On the floor down here  
consulting with Representative Jaffe."

Vinson: "Representative Hanahan."

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Speaker Ryan: "Representative Hanahan on the floor? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Vinson: "Representative Huff."

Speaker Ryan: "Representative Huff in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Vinson: "Representative Leverenz."

Speaker Ryan: "Who?"

Vinson: "Leverenz."

Speaker Ryan: "Representative Leverenz in the chamber? Representative Leverenz. How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call. Representative Huskey, do you seek recognition?"

Huskey: "Yes, Mr. Speaker. Would you kindly vote me 'yes'?"

Speaker Ryan: "Record the Gentleman as 'aye'."

Vinson: "Representative Rea."

Speaker Ryan: "Representative Rea in the chamber? Representative Rea? In his seat."

Vinson: "Representative Schneider."

Speaker Ryan: "Representative Schneider in the chamber? Representative Schneider? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him please from the Roll Call."

Vinson: "Representative Stuffle."

Speaker Ryan: "Representative Stuffle is over here."

Vinson: "Representative White."

Speaker Ryan: "Representative White in the chamber? Representative White. Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Vinson: "Representative Younge."

Speaker Ryan: "She's right here."

Vinson: "Representative Zito."

Speaker Ryan: "Zito, Representative Zito. There he is in the back. Representative White is back. Return him to the Roll Call."

Vinson: "Representative Carey. Representative Katz."

Speaker Ryan: "Is Representative Carey in the chamber? Representative Katz is here. Representative Carey is here. They're both here."

Vinson: "Representative Yourell."

Speaker Ryan: "Representative Yourell in the chamber? Representative Yourell. How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Vinson: "Representative Ronan."

Speaker Ryan: "Representative Ronan? Representative Ronan in the chamber? Remove the Gentleman from the Roll Call. Remove the Gentleman from the Roll Call. Who's in Representative Ronan's chair there? Well, stand up so I can see you, Representative. The Gentleman is in his chair. Representative Madigan."

Madigan: "Would you restore Mr. Leverenz to the Roll Call?"

Speaker Ryan: "Return Representative Leverenz to the Roll Call. The Gentleman has returned."

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

Speaker Ryan: "Representative Madigan?"

Madigan: "Request a verification of the 'aye' vote."

Speaker Ryan: "Representative Deuster."

Deuster: "I believe I'm not recorded."

Speaker Ryan: "How is the Gentleman recorded?"



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

Deuster: "I was trying to figure out how to be recorded. I guess I'd better vote 'aye'."

Speaker Ryan: "Record the Gentleman as 'aye'. Representative Martire? Record the Gentleman as 'aye'. Are there any other changes? What's the count, Mr. Clerk? Representative Madigan requests a poll of the 'aye' votes. You begin with a count of 87 'aye', 79 'no'. Representative Madigan."

Madigan: "I'll withdraw the request for a verification."

Speaker Ryan: "The Gentleman withdraws his request. On this question there are 87 voting 'aye', 79 voting 'no', and the Gentleman's Motion prevails. Representative Bowman?"

Bowman: "I renew my request under Rule 34-D..."

Speaker Ryan: "All right. Let me see if we've got any other Amendments, Representative. Are there any further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. The Amendment amended the title of the Bill and under 34-D any Member of the chamber can request under those circumstances the Bill be returned to the Order of Second Reading, First Legislative Day. I'm exercising my option under that rule to make that request."

Speaker Ryan: "You're absolutely right. Your point is well taken and the Bill will be returned to the Order of Second Reading, First Legislative Day."

Bowman: "Thank you."

Speaker Ryan: "House Bill 663, Representative Christensen. Out of the record? Representative Christensen, out of the record? House Bill 672, Representative Schuneman. Out of the record. House Bill 676, Representative Henry. Read the Bill."

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Clerk Leone: "House Bill 676, a Bill for an Act to amend various Acts to permit disclosure of county jail inmates' medical records without their consent. 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 676. Representative Henry."

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

Henry: "Yes. Thank you, Mr. Speaker. I would ask leave of the House to table Amendment #1. It's no longer needed and we have some information from the Department of Corrections which means that we do not need the other Amendments."

Speaker Ryan: "The Gentleman moves to table Amendment #1. All in favor will signify by saying 'aye'; all opposed 'no'. The 'ayes' have it and Amendment #1 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Vinson, amends House Bill 676 on page one..."

Speaker Ryan: "Representative Vinson, Amendment #2 on House Bill 676."

Vinson: "Thank you, Mr. Speaker. I would withdraw the Amendment."

Speaker Ryan: "The Gentleman withdraws the Amendment. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Vinson, amends House Bill 676..."

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

Vinson: "Thank you, Mr. Speaker. I would withdraw the Amendment."

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

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 677, Representative Telcser."

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Clerk Leone: "House Bill 677, a Bill for an Act in relationship to the establishment and operation of multi-county statewide Grand Jury. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Cullerton, amends House Bill 677 on page two, lines six, ten and so forth."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to table Amendment #1 please."

Speaker Ryan: "The Gentleman tables ...withdraws Amendment #1. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends House Bill 677..."

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

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

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

Clerk Leone: "Floor Amendment #3, Telcser, amends House Bill 677 on page..."

Speaker Ryan: "Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, Amendment #3 to House Bill 677 provides that in the area of enforcement of the narcotic portion of House Bill 677 that the Attorney General's jurisdiction would be limited to counties in which there is concurrence of the State's Attorneys in those particular counties. I offer and move the adoption of Amendment #3."

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

Levin: "Would the Sponsor of the Amendment yield for a question?"

Speaker Ryan: "Absolutely."

Levin: "Okay. Representative, it's my understanding that the

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...that a State's Attorney in terms of his subpoena power, that subpoena power extends beyond the county in which he is the State's Attorney. So if he brings a Grand...If he has a Grand Jury proceeding in Cook County and his need to bring somebody in from Livingston or Coles or some other county, he's able to do that. Does this Amendment...By this Amendment is the ..would the Attorney General have the authority to subpoena somebody outside of the county where the State's Attorney said, 'Okay, you can have the Grand Jury on drugs here.'? Or, by this Amendment, is he precluded in terms of the jurisdiction of the subpoena to go in and subpoena somebody from some other county?"

Telcser: "Well, Representative, this Amendment does not answer that question. I will have the answer for that one for you on Third Reading. What this Amendment simply does is deal with the question of convening the Grand Jury itself by limiting the convening of a Grand Jury and that subject matter to those counties in which the State's Attorneys give their approval. Any one State's Attorney could veto the convening of the Grand Jury. The question of subpoenas within or without the county or counties in which the Grand Jury is going to be convened is something which this Amendment is not related to. However, I will get you that answer before we get to Third Reading."

Speaker Ryan: "Is there any discussion of Amendment #3? Representative Darrow."

Darrow: "Parliamentary inquiry. On our Amendment #3, this is a new Act and yet everything is underlined. I wonder if this Amendment is in order or if some changes should be made?"

Speaker Ryan: "What's your question, Representative?"

Darrow: "My question is on Amendment #3, you have, in the Amendment itself, everything is underlined. And what you have is a new Act. This is a new piece of legislation, a

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new Section of the Statute. It's my understanding that such an Amendment should not be underlined. It's improper form and therefore out of order."

Speaker Ryan: "Parliamentarian tells me that the Amendment is in order, Representative Darrow. Further discussion? Representative Stearney?"

Stearney: "Would the Gentleman yield?"

Speaker Ryan: "Indicate he will."

Stearney: "My question is this; this Amendment deals solely with the question of narcotics investigations convening a Grand Jury to investigate regarding the sale and distribution of narcotics. Am I right?"

Telcser: "Right."

Stearney: "Now, does this Amendment say that before the Attorney General can convene a Grand Jury relative to a narcotics investigation, he needs the concurrence of the State's Attorney in that particular county?"

Telcser: "That's correct."

Stearney: "So if a State's Attorney did not concur, the Attorney General could not convene a Grand Jury in that county relative to the investigation of any narcotics trafficking?"

Telcser: "That is correct."

Stearney: "That is the gist of it?"

Telcser: "Right."

Stearney: "Well, may I suggest then that really this Amendment is really not necessary and that provision of the Bill should be deleted in regards to narcotics investigations because I do want to point out to the Members that under the 'People versus Mascerele' decision the Illinois Supreme Court has ruled that. The Attorney General already has the power to go before a jury, a Grand Jury in the process of an investigation where he has the concurrence of the State's

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Attorney of that county. So if you're willing to do that, you might as well just omit this provision of the Bill because the Attorney General already is empowered to do such a thing, a matter, at the present time."

Telcser: "Well, Representative, let me simply answer your inquiry by stating that Amendment #3 is an Amendment that was offered based upon discussions with various State's Attorneys throughout the state and they feel more comfortable with the Bill with the adoption of Amendment #3. So, while your point, I'm sure, is well taken, they apparently disagree. We want to assure State's Attorneys throughout the state of cooperation between law enforcement agencies and this is an idea which a number of State's Attorneys concur with."

Stearney: "Well, if that be the case then, the further question that comes to mind is, why are you not amending the Bill to provide that in the cases of hazardous wastes and violations of the Consumer, Fraud and Protection Act that you also would need the concurrence of the State's Attorney to convene a statewide Grand Jury?"

Telcser: "Because for reasons which I don't know the nuances of, the State's Attorneys who are active in reviewing this legislation were only really concerned in the area of narcotic investigations and they felt this was not necessary in the areas of hazardous wastes or consumer protection."

Stearney: "So, in other words, the State's Attorneys Association feels that they're well equipped to prosecute narcotics violations and they do not need the assistance of the State Attorney General."

Telcser: "Draw your own conclusions, Representative."

Stearney: "I have no other questions."

Speaker Ryan: "Any further discussion? Representative Bowman."

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

Speaker Ryan: "Indicates he will."

Bowman: "Okay. I'm not an attorney, as the Sponsor knows, but I do have some concerns and I'd like some clarification on Representative..an extension of Representative Stearney's point. As I understand it, your response to Representative Stearney indicated that if the State's Attorney of a particular county objected, the Grand Jury could not be convened in that county. Is that correct?"

Telcser: "That is correct."

Bowman: "Okay..."

Telcser: "For the narcotic portion of the Bill.."

Bowman: "Okay. How about the other portions of the Bill?"

Telcser: "No. This only deals with the one out of the three jurisdictions. This only deals with the narcotic."

Bowman: "I see. I'm glad you clarified that point for me because I was not aware of that at all. I do have one..one further inquiry. Let's suppose, hypothetically, that there's a narcotic ring operating in, say, ten counties around the state, okay? The ...There are potentially ten different State's Attorneys involved. Now, let's suppose that nine of them disagree that there should be a Grand Jury convened. One of them agrees that there should be a Grand Jury convened. Now, can the Attorney General then proceed under this Amendment to convene a Grand Jury in that one county?"

Telcser: "They could only proceed in the one county."

Bowman: "Okay. Would the..Okay, now it is the statewide Grand Jury, is it not?"

Telcser: "Well, it may be by title, but in the example you set forward it would not be a multi-county Grand Jury. It would only be in the one county or two or three counties in

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which the State's Attorneys concur with the Attorney General's request."

Bowman: "Okay, but I'm trying...What I'm trying to determine here, since I'm not an attorney, is to try and figure out exactly what it means to have a statewide Grand Jury operating in only one county when all of the other State's Attorneys indicate that they don't wish to proceed with the investigation. Let me ask some specifics. For example, can subpoenas be issued? Can subpoenas be issued which could be served in the other counties?"

Telcser: "Representative, this is the same question which the prior Gentleman asked.."

Bowman: "I'm sorry.."

Telcser: "And I told the Gentleman that this Amendment does not directly address itself to the question of subpoenas within or without the boundaries of Grand Jury jurisdiction and that I would have the answer for that prior to calling the Bill on Third Reading."

Bowman: "Okay. I will renew the question at that time. Are there other....Is there any activity that the Attorney General could undertake outside of the county in which the Grand Jury is convened? Is there any other activity at all?"

Telcser: "The Attorney General could engage, I assume, in some activities in cooperation with the existing law enforcement agencies, but without this legislation could not, under his or her initiative, impanel a Grand Jury, but at this point can only cooperate with other law enforcement agencies in those individual counties."

Bowman: "Okay. Mr. Speaker, then let me just speak briefly to the Amendment because it seems to me that there are still more facts that need to get...to come out here. For the benefit of those who can't find the Amendment on the



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clutter of their desks, let me simply read the relevant phrase here. It says, '...The jurisdiction of the statewide Grand Juries convened under this subparagraph 3, shall be limited to counties in which the concurrence of the State's Attorney has been obtained...' It seems to me that the language of the Amendment is very clear, that nothing can be done..no action can be taken by the Attorney General outside of those counties in which the State's...local State's Attorney has given their consent or concurrence to the investigation, no activity whatsoever, including the service of subpoena. The Sponsor promises to get a definitive statement on that in time for the debate on the full Bill and I'm sure he will. But my reading of the Amendment at this time, and I urge you to rummage around in your desks and find it and reach your own conclusions, it seems to me to be quite clear, quite clear on this point, that the Attorney General can do nothing outside of those counties in which the State's Attorney has given his or her concurrence. Thank you."

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

Telcser: "I would simply appreciate a favorable Roll Call and I'll have any answers ready prior to the calling on Third Reading that we discussed on the floor."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #3 to House Bill 677. All in favor will signify by saying 'aye'...All in favor will signify by voting 'aye'; all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 81 voting 'aye', 75 voting 'no' and 5 voting 'present'. And the Gentleman's Motion prevails. Further Amendments?"

Clerk Leone: "No further Amendments."

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Speaker Ryan: "Third Reading. Representative Peters in the Chair. House Bill 680."

Speaker Peters: "House Bill 680. Representative Braun. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 680, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Fawell, amends House Bill 680..."

Speaker Peters: "Amendment #1, Representative Fawell. Is the Lady on the floor? Read the Amendment. Representative Fawell."

Fawell: "This is a very simple Amendment. All it does is DuPage County to opt out of this Bill. The way it's presently written, it includes all counties who use the carousel type of voting booth. We have just gone to a lot of expense in DuPage to purchase these carousels and we have..I have been asked by our Board of Elections to please opt us out of this Bill. It only affects DuPage County. I have talked to the former Speaker, Redmond. He has agreed that this is a good Amendment and I would ask for a favorable vote."

Speaker Peters: "Any discussion on Amendment #1? Representative Getty."

Getty: "Representative, I'm sorry. The noise level I guess was too high. Would you just go over that briefly? I'm having difficulty finding it here in my file."

Fawell: "All it is...All it concerns is DuPage County. We have just purchased carousels instead of the voting booths with the curtains and this Bill (sic) pertains to that particular question. We have asked to be opted out of this Bill because we, in DuPage County, do not feel that we need

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this kind of a voting booth and we would put to..."

Getty: "...Did your Amendment limit it to DuPage County?"

Fawell: "Just DuPage County."

Getty: "Okay."

Speaker Peters: "Any further discussion? If not, the question is, 'Shall Amendment #1 to House Bill 680 be adopted?' All those in favor will signify by saying 'aye'; opposed? In the opinion of the Chair, the 'ayes' have it. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Third Reading. House Bill 730, Representative Pierce. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 730, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Peters: "Third Reading. House Bill 731, Representative Robbins? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 731, a Bill for an Act to amend the Unemployment Insurance Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

Clerk Leone: "No Motions filed."

Speaker Peters: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #2, Donovan, amends House Bill 731 on page.."

Speaker Peters: "Representative Donovan? Amendment #2."

Donovan: "Yes, Mr. Speaker. I move to table or withdraw Amendment #2 to House Bill 731."

Speaker Peters: "The Gentleman withdraws Amendment #2. Any further Amendments?"

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

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731..."

Speaker Peters: "Amendment #3, Representative Robbins."

Robbins: "This is just a technical change in here to make sure that the Bill does what it is intended to do..."

Speaker Peters: "Excuse me, Representative Robbins. Representative Catania, for what purpose do you arise?"

Catania: "On a point of order, Mr. Speaker. Someone is violating the House temporary rules by handing out a petroleum council handout. The rules say we cannot have handouts on the House floor, particularly from..."

Speaker Peters: "The Chair has indications that the Speaker has not given approval for that handout. Will the pages please..."

Catania: "Even if he did it would be against the rules. He doesn't have authority to do that..."

Speaker Peters: "Will the pages please re...desist from passing out that particular handout?..."

Catania: "Or any handout. It's against the rules. We have a rule that says you can't hand things out on the House floor."

Speaker Peters: "I don't know how much further I can go, Representative. Representative Robbins, please continue on the Amendment."

Robbins: "This is just a technical Amendment to the Bill which will put the Bill more in the form that it was needed in Committee. I move to adopt the Amendment."

Speaker Peters: "Any discussion on Amendment #3? There being none, the question is, 'Shall Amendment #3 to House Bill 731 be adopted?' All those in favor will signify by saying 'aye'; opposed? In the opinion of the Chair, the 'ayes' have it. Any further Amendments?"

Clerk Leone: "Floor Amendment #4, Donovan..."

Speaker Peters: "Representative Donovan, Amendment #4."

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Donovan: "Yes, Mr. Speaker. Amendment #4 is the unemployment tax reduction for small employers. It talks about the...The Amendment says that the first 60 thousand dollars of taxable wages by the employer in any calendar quarter is taxed at a one percent rate. As you know, they're taxed at 2.7 on the first 40 thousand per quarter. The one percent maximum applies only to employers who pay 60 thousand dollars or less and the employers who pay more than 60 thousand are taxed at five percent. This Bill...This Amendment, #4, in checking with Les Kosinski, with some of the questions we had the other day, does indeed add 14 to 15 million dollars to the unemployment security count and I move to adopt Amendment #4 to House Bill 731."

Speaker Peters: "Any discussion on Amendment #4? Representative Robbins."

Robbins: "Is the Amendment germane to my Bill?"

Speaker Peters: "Mr. Parliamentarian, the Gentleman asks if the Amendment is germane. Mr. Clerk? Representative Robbins, would you explain to the Chair why you feel it's not germane?"

Robbins: "The Bill deals with holidays and unemployment insurance concerning working holidays. And the Amendment does not deal with this at all."

Speaker Peters: "...Rules the Amendment is germane, dealing with the same Section. Proceed, Representative Donovan. The Gentleman...The Gentleman has offered Amendment #7 (sic). Is there any further discussion? Representative Mays."

Donovan: "Amendment #4."

Mays: "Yes, will the Gentleman yield, please?"

Speaker Peters: "He indicates he will."

Mays: "Representative Donovan, this Amendment looks very similar to one that was just put on to House Bill 627, Amendment #2 by Mr. Mautino. Is that correct?"

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Donovan: "This Bill (sic)...deals...It's close to it. I think the questions you people had the other day was..was the taxable wages. What...and the problem with Les Kosinski here the other day was that we didn't deal with the total ..... and that's what we've got in it. So it's just barely different. It's words, if you will."

Mays: "So this Bill..this Amendment is somewhat different from Mr. Mautino's?"

Donovan: "It's different in the definition of 'total wages' is all."

Mays: "Okay. And is it similar to Representative Hannig's, Sir, the one that was..."

Donovan: "Yes, it is somewhat similar. The difference again, is in the definition of the wages."

Mays: "I have a conceptual problem here. Maybe you can square it away for me. If we square this unemployment insurance away for the small guys is somebody else supposed to pick that up somewhere down the line?"

Donovan: "The employers of 60 thousand dollars or more will start from the five percent as opposed to 2.7. Yes, they will."

Mays: "Thank you very much."

Speaker Peters: "Any further discussion? Representative McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Amendment. This Amendment, as others offered similar to this, came out of the hearings we held last year throughout the state by the Small Business Task Force to see how we could help small businesses in the state deal with rising unemployment insurance rates. Under current law, everyone in the state is taxed on a maximum rate of 2.7 percent for the first 40 thousand dollars of taxable wages paid per quarter. That figure has not been raised in some years. We decided to raise the 40 thousand to 60 thousand. At the same time we

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decided to lower the maximum rate from 2.7 percent to one percent. That will help the small employer. This Section was intended originally to help the small employer but it has always applied to every employer in the state which really makes no sense. Employers in this state pay unemployment insurance based on their unemployment insurance problems, based on their history. How many people they actually have unemployed determines the variable rate they pay. This will allow them to pay the variable rate on all of their wages and not be capped at some artificial barrier of 2.7 percent. This then will apply only to those small employers whose total payroll is below 60 thousand dollars and we would estimate that it would help only those employers who have approximately 20 employees. The large employers of this state will in the future if this is law pay the variable rate on all of their wages and not just on those wages above 40 thousand dollars. It is definitely and obviously an Amendment that helps small businesses in the state. If you want to help the small businesses in your area, you should vote for it. If you don't want to, you should vote against it. It's a very simple straightforward Amendment dealing strictly with helping small business people handle the high cost of unemployment."

Speaker Peters: "Representative Tuerk on Amendment #4."

Tuerk: "Mr. Speaker, Members of the House, this Amendment today on House Bill 731 isn't any better than it was the other day on my Bill. Now, what the previous speaker said is true. It's going to help the small businessman. There's no question about that. Anytime you reduce his burden it's going to help him. However, it's not going to make him responsible to be in a position to where he's going to be controlling his employment ranks and what's more, what this

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really does is give the small businessman the break and penalizes the bigger man. Now, I say that's not fair. I think what's fair for one is fair for the other. I don't think it's a good Amendment. I didn't the other day. I still don't and I would think the Amendment ought to be defeated."

Speaker Peters: "Representative Wikoff."

Wikoff: "Thank you, Mr. Speaker. We presently have an Unemployment Trust Fund which is approximately two billion dollars in the hole. If you like that figure vote for this Bill because you're going to increase that deficit. One of the speakers had mentioned that we will be saving a considerable amount of money to some small employers. This is true in some cases. Some of those small employers are the very same ones who are contributing so much to the deficit because of the small amount of contributions that they are presently making and the tremendous amount of money that some of their employees are taking out of the Trust Fund and I'm speaking of my own occupation as far as that's concerned. Because the construction industry is one of the biggest abuses on the Unemployment Trust Fund. As I said earlier, if you like the two billion dollar deficit that we have now and want to see it grow bigger, support this Amendment."

Speaker Peters: "Representative Robbins."

Robbins: "Mr. Speaker, Ladies and Gentlemen of the House, I introduced a small insignificant Bill which just simply said that if you were ..had a contract in schools and that you....and in that contract was a vacation period such as your Christmas vacation and your Easter vacation, an hourly employee could not sign up for unemployment insurance. That's what this Bill does. Then this Amendment goes on the Bill and it changes the structure of it completely. It



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may be a good Amendment. It might make a very good Bill. But I feel like it should be in the Bill form. If this was so good it should have been done as a Bill earlier. So, I ask for a 'no' vote on this Amendment to my Bill because I don't think I could carry all of the Bill with the Amendment on it. It makes it too big a Bill. Thank you."

Speaker Peters: "Any further discussion? There being none, Representative Donovan to close."

Donovan: "Yes, Mr. Speaker. Clyde, you've got a good Bill and I've got a good Amendment. I move for the adoption of Amendment #4."

Speaker Peters: "You have heard the Gentleman's Motion. All those in favor of Amendment #4 will signify by saying 'aye'; those opposed? In the opinion of the Chair...The Amendment...Representative Donovan. The Gentleman requests a Roll Call vote. Mr. Clerk? The voting is open. All those in favor will signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Ladies and Gentlemen, this does appear that it will be close. I suggest if someone is in the chamber or is not in the chamber and the switch is voted, that you change it to 'present' so we don't go through an unnecessary verification. Representative Karpziel, for what purpose do you arise?"

Karpziel: "To explain my vote."

Speaker Peters: "Proceed."

Karpziel: "I just wanted to explain my 'no' vote on this for those of you that may be holding off voting 'no' on this because you think it's a good business measure. This is the exact same Amendment that was put on to House Bill 627, Amendment #2. And, since we already have that Amendment on another Bill, I don't know why we can't just leave Representative Robbins' Bill alone and at least let him call it on Third

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in the manner that he wants it since we already have this Amendment on another Bill."

Speaker Peters: "Have...Representative Schuneman to explain his vote."

Schuneman: "Mr. Speaker, this Amendment has been tried a number of times. It's just as bad now as it was the first time it was tried. The biggest problem with this Amendment, contrary to what one of the previous speakers said, this Amendment will have a negative impact on the Unemployment Compensation Trust Fund in this state and we're already going to be two billion dollars in debt. Now, if you want to run us into debt even more, then vote for this kind of an Amendment. It's the wrong thing to do at this time. And I would urge and plead with everyone of you, reject this Amendment. It's not what it appears to be."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 86 'no', 81...86 voting 'no', 81 voting 'yes'. Representative Donovan."

Donovan: "Would you poll the absentees, please?"

Speaker Peters: "The Gentleman requests a poll of the absentees. The Chair will suggest to the Leadership a Special Order of Business, all Bills having to do with workmen's or unemployment comp or other related matters."

Clerk O'Brien: "Poll of the Absentees..."

Speaker Peters: "Representative Robbins, for what purpose do you arise?"

Robbins: "Put the Bill on Postponed Consideration."

Speaker Peters: "Postponed Consideration. Do you want it out of the record? Representative Robbins, what is your pleasure? Proceed, Mr. Clerk, with the Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees: Flinn. Garmisa. Huff. Margalus. Redmond. And, Watson."

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Speaker Peters: "The Gentleman asks for a verification of the Negative Vote. Representative Donovan, you'll be verifying? Representative Donovan to verify the Negative. The House will please...Members will please be in their seats. Proceed, Mr. Clerk."

Clerk O'Brien: "Abramson. Ackerman. Alstat. Barkhausen. Barnes. Bartulis. Bell. Bianco. Birkinbine. Bluthardt. Boucek. Bower. Collins. Conti. Daniels. Davis. Deuchler. Deuster. Jack Dunn. Ralph Dunn..."

Speaker Peters: "Excuse me, Mr. Clerk. Representative Donovan, Representative Miller asks leave to be verified. Leave. Proceed, Mr. Clerk."

Clerk O'Brien: "Ebbesen. Epton. Ewing. Fawell. Findley. Virginia Frederick. Dwight Friedrich. Griffin. Grossi. Hallock. Hallstrom. Hastert. Hoffman. Hoxsey. Hudson. Huskey. Johnson. Karpiel. Jim Kelley. Klemm. Kociolko. Koehler. Kucharski. Kustra. Leinenweber. Macdonald. Martire. Mays. McAuliffe...."

Speaker Peters: "Excuse me, Mr. Clerk. Representative Donovan, leave to have Representatives Ryan, Telcser, Conti and Collins verified? Thank you. They're verified. Proceed, Mr. Clerk."

Clerk Leone: "McBroom. McCormick. McMaster. Ted Meyer. R.J.Meyer. Miller. Neff. Nelson. Oblinger. Peters. Piel. Polk. Pullen. Reed. Reilly. Rigney. Robbins. Ropp. Sandquist. Schuneman. Irv Smith. Stanley. Stearney. E.G.Steele. C.N.Stiehl. Swanstrom. Tate. Telcser. Topinka. Tuerk. Vinson. Wikoff. Winchester. J.J.Wolf. Woodyard. Zwick. And, Mr. Speaker."

Speaker Peters: "What is the count, Mr. Clerk? There are 81 'aye' and 86 'nos'. Representative Watson? Representative Watson wishes to be recorded as voting 'no'. The starting count, Representative Donovan, is 81 'yes', 87 'no'. Do

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you wish to proceed, Sir?"

Donovan: "Yes. Yes, please."

Speaker Peters: "Representative Donovan for the verification."

Donovan: "Barnes."

Speaker Peters: "Representative Barnes is in her seat."

Donovan: "Bower."

Speaker Peters: "Representative Bower? Is the Gentleman in the chamber? How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Peters: "He's in the rear. Representative Donovan? Representative Huskey seeks to be verified. Leave is granted. Proceed."

Donovan: "Davis."

Speaker Peters: "Representative Davis? Is the Gentleman...The Gentleman is in the rear."

Donovan: "Ebbesen."

Speaker Peters: "Representative Ebbesen? Is the Gentleman in the chamber? How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Peters: "Take him from the Roll."

Donovan: "Hoffman."

Speaker Peters: "Representative Hoffman? In the rear."

Donovan: "Johnson."

Speaker Peters: "Representative Johnson? Is the Gentleman in the chamber? How is he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Speaker Peters: "Take him from the Roll."

Donovan: "McBroom."

Speaker Peters: "I'm sorry."

Donovan: "McBroom."

Speaker Peters: "Representative McBroom? Is the Gentleman in the chamber? How is he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

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Speaker Peters: "Take him from the Roll."

Donovan: "Topinka."

Speaker Peters: "Representative Topinka is in her seat."

Donovan: "Stanley?"

Speaker Peters: "Representative Stanley is in his seat."

Donovan: "Meyer."

Speaker Peters: "Representative Ted Meyer? Is the Gentleman in the chamber? How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Peters: "Take him from the Roll."

Donovan: "What's the count, Mr. Chair...Mr. Speaker?"

Speaker Peters: "Mr. Clerk, what's the count? 81 'aye', 83 'no'."

Donovan: "Polk."

Speaker Peters: "Representative Polk is in his seat."

Donovan: "Steele?"

Speaker Peters: "Which...Both Steele's (Stiehl's) are here."

Donovan: "Okay. I see him. Ropp."

Speaker Peters: "Representative Ropp is in his seat."

Donovan: "No further questions."

Speaker Peters: "No further questions. Any changes, additions? Representative Leverenz, from 'present' to..."

Leverenz: "...'Aye'."

Speaker Peters: "To 'aye'. Representative Redmond, 'aye'. Representative Robbins, for what purpose do you arise?"

Robbins: "What is the count? If this does pass I want to verify the Affirmative."

Speaker Peters: "Representative Flinn? Representative Flinn wishes to be recorded as voting 'aye'. Any further changes? Additions? What's the count, Mr. Clerk? The count is 84 'ayes', 83 'nays'. The Gentleman from Wayne wishes a verification of the Affirmative Vote. Proceed, Mr. Clerk."

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Clerk O'Brien: "Alexander. Balanoff. Beatty. Bowman. Bradley. Braun. Breslin. Brunner. Bullock. Capparelli. Carey. Catania. Chapman. Christensen. Cullerton. Currie. Darrow. DiPrima. Domico. Donovan. Doyle. John Dunn. Ewell. Farley. Flinn. Getty. Giglio. Giorgi. Greiman.."

Speaker Peters: "Representative...Excuse me, Mr. Clerk. Representative Robbins, Representative Terzich wishes to be verified. And Representative Beatty. The Gentleman agrees."

Clerk O'Brien: "Continuing with a Poll of the Affirmative: Hanahan. Hannig. Henry. Jaffe. Jones...."

Speaker Peters: "One moment, Mr. Clerk. Representative Robbins, Representative Preston and Leon request leave to be verified. Leave granted. Proceed."

Clerk O'Brien: "Kane. Katz. Keane. Dick Kelly. Kornowicz. Kosinski. Krska. Kulas. Laurino. Lechowicz. Leon. Leverenz. Levin. Madigan. Matijevich. Mautino. McClain. McGrew. MCPike. Mulcahey. Murphy. O'Brien. Ozella. Pechous. Pierce. Pouncey. Preston. Rea. Redmond. Rhem. Richmond. Bonan. Saltsman. Satterthwaite. Schneider. Schraeder. Slape. Margaret Smith. Steczo. Stewart. Stuffle. Terzich. Turner. Van Duyn. Vitek. White. Sam Wolf. Younge. Yourell. And Zito."

Speaker Peters: "What is the beginning count, Mr. Clerk? 84 voting 'aye', 83 voting 'no'. Representatives Johnson, Ebbesen and McBroom wish to be recorded as voting 'no'. With the addition of those three votes that obviates the need for the verification. On this question there are 87 voting 'aye', 83 voting...I'm sorry. Let me get the right count from the Clerk. There are 84 voting 'aye' and 86 voting 'no' and the Amendment is lost. Any further

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Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. House Bill 744, Representative Stearney. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 744, a Bill for an Act to amend Sections of the Regulatory Agency Sunset Act. Second Reading of the Bill. Amendments #1 and 2 were adopted previously."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #3, Stearney-McAuliffe, amends House Bill 744 as amended and so forth."

Speaker Peters: "Amendment #3, Representative Stearney."

Stearney: "Mr. Speaker and Ladies and Gentlemen of the House, the Bill that was passed out of Committee would totally exempt the athletic exhibition board from the Sunset Act. What the purpose of the Amendment is is to put the Athletic and Exhibition Act back into the Sunset Act so therefore in October 1st, 1991 the Athletic Act would self-expire unless the same legislation was enacted as we're attempting to do today."

Speaker Peters: "Any further discussion? There being none, the question is, 'Shall Amendment #3 to House Bill 744 be adopted?' All those in favor will signify by saying 'aye'; those opposed. The 'ayes' have it and the Amendment is adopted. Any further Amendments? Any further Amendments?"

Clerk O'Brien: "No further Amendments, but Amendment #2 was withdrawn. It was not adopted previously."

Speaker Peters: "For correction of the record, Amendment #2 was withdrawn to House Bill 744. Third Reading. House Bill 744, Third Reading. House Bill 797, Representative Stanley. Out of the record. House Bill 808, Representative Darrow? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 808, a Bill for an Act to amend the

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Illinois Vehicle Code, Second Reading of the Bill.  
Amendment #1 was adopted in Committee."

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

Clerk O'Brien: "No Motions filed."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #2, Darrow-Mautino,..."

Speaker Peters: "Representative Darrow, Amendment #2."

Darrow: "Thank you, Mr. Speaker. I move to table Amendment #2."

Speaker Peters: "The Gentleman moves to table Amendment #2...withdraw Amendment #2. Leave? Leave is granted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Darrow-Mautino, amends House..."

Speaker Peters: "Amendment #3, Representative Darrow."

Darrow: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, a few weeks ago I was ..had the opportunity to speak with Secretary of State Edgar concerning the driving of automobiles by individuals under the age of 18. As you know, a number of Bills have been introduced raising the driving age to 18 and the Secretary and I thought that perhaps it would be well to have legislation that would say that between the ages of 16 and 18 the driver's license of an individual would be suspended were they convicted of a moving violation. I'm offering this Amendment more or less to get the feeling of the House. If you feel this is a good concept we'll put it on. I'd like some discussion with this. What we're doing is we're saying, if you're between the ages of 16 and 18 and you're picked up for a moving violation, your license would be suspended for a period of 30 days. That's what Amendment #3 does. I'd be willing to answer any questions or solicit any discussion."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Amendment #3 to House Bill 808 be adopted?' All



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those in favor will signify by saying 'aye'; those opposed. The 'nos' would have it. Representative Darrow? The Gentleman asks for a Roll Call vote. Mr. Clerk? Voting is open. All those in favor of Amendment #3 will signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 50 voting 'aye', 29 voting 'nay', 2 voting 'present'. And the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. House Bill 797, Representative Stanley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 797, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Stanley..."

Speaker Peters: "Representative Stanley, Amendment #1."

Stanley: "Thank you, Mr. Speaker, Members of the House. Amendment #1 would allow community consolidated and community unit districts the options of electing board members at large or from seven School Board Districts which are compact, contiguous and equal in population. It's an attempt to meet the reservations the Farm Bureau had. And I respectfully would request to move Amendment #1 to House Bill 797."

Speaker Peters: "Any discussion? If not, the question is, 'Shall Amendment #1 to House Bill 797 be adopted?' All those in favor will signify by saying 'aye'; those opposed. In the opinion of the Chair the 'ayes' have it and Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. House Bill 829, Representative

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Stanley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 829, a Bill for an Act creating the suburban transportation authority. Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Stanley, amends House Bill..."

Speaker Peters: "Representative Stanley, Amendment #1."

Stanley: "Thank you, Mr. Speaker. This is a technical Amendment to put this Bill in order. What this Amendment does is it conforms the districts' fiscal year..."

Speaker Peters: "Excuse me, Representative Stanley. Representative Getty, for what purpose do you arise?"

Getty: "Mr. Speaker, has the Amendment been..."

Speaker Peters: "Mr. Clerk, has the Amendment been distributed? Representative Stanley, we'll have to take this out of the record. The Amendment has not been distributed. House Bill 834, Representative Dick Kelly. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 834, a Bill for an Act to amend the Illinois Administrative Procedure Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

Clerk O'Brien: "No Motions filed."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #2, Dick Kelly..."

Speaker Peters: "Representative Kelly, Amendment #2. Representative Dick Kelly, Amendment #2."

Kelly: "Thank you, Mr. Speaker, Members of the House. Amendment #2 to House Bill 834, there was a...in Committee there was a comment made that possibly line #4 was somewhat confusing. And since we are trying to make the language that agencies use to be clear and understandable, this Amendment replaces it with a new sense which says under

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item 4, '...it does not include unnecessary definitions..'.  
I think this is much more easy to understand and more  
explicit and I would ask for your support of this Amendment  
#2."

Speaker Peters: "Discussion on Amendment #2? Representative  
Getty."

Getty: "Representative Kelly, do I understand that Amendment #2  
to the clear and plain language Bill was because the  
original Bill wasn't in clear and plain enough language?"

Kelly: "It's somewhat embarrassing, but I suppose it would have  
to be said that it was unclear, even though it's the Bill  
that's trying to make the language clear that agencies use  
in presenting it."

Getty: "Well, we could then say that if we adopted this, this  
would be the clearest and plainest that we have so far."

Kelly: "This would make it perfect."

Getty: "That's great."

Speaker Peters: "Representative Leinenweber."

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

Speaker Peters: "Excuse me, Representative. Will the House  
please be in order and give the Gentleman their attention?  
Proceed, Representative."

Leinenweber: "Representative Kelly, what is...Did you say that  
they are to eliminate unnecessary definitions?"

Kelly: "That's right."

Leinenweber: "What is an unnecessary definition?"

Kelly: "Well, the agencies have been using definitions which are  
unnecessary and that have caused some confusion when the  
general public or the Legislators themselves or anyone else  
wishes to receive interpretations. So, this, in my  
opinion, is more of an explicit request than the earlier  
Bill in its former condition."

Leinenweber: "Are they going to have some kind of an explanatory

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note to explain what they mean by these sort of unnecessary definitions so that people can figure out what they mean?"

Kelly: "Well, I don't think you will, anymore than I would, want any agency or any other party to have unnecessary definitions, whether it be in legislation or agency requirements, rules and regulations. And this is a Bill that I'm sponsoring for the Joint Committee on Administrative Rules and they feel that there has been some encumbrances and we've had many hearings over the last several years with the agencies. And there have been instances where they have been unnecessary definitions. So, I think it's something you would be in support of, Representative."

Leinenweber: "Is there any more than this Amendment on the Bill? No. What is Amendment #1?"

Kelly: "Amendment #1, I don't have it right in front of me, but I'll tell you what it did. The Amendment ...Initially the Committee reviewed three separate pieces of legislation dealing with clear language and the initial Bill that I introduced was given to me by the staff of the Committee and it was not the Bill which was approved by the Joint Committee. It was the ...The initial Bill was one that had some very strong cumbersome language which would be very difficult for agencies possibly to comply with. The Amendment made it much more easy for the agencies to live with and that's why I was pleased to present Amendment #1 which is what the Committee wanted. But we're talking about Amendment #2."

Leinenweber: "Thank you."

Speaker Peters: "Representative Levin on this necessary Amendment."

Levin: "Mr. Speaker, in reading Amendment #2, and I'm very much in sympathy with the intent and what the Bill does up to

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this point...I read a lot of administrative regulations. I don't understand them and I'm an attorney. But it seems to me that the definition that's..what's in there now in Subsection 4, I understand. What you're trying to replace it with I don't understand. So I think it was...You know, I think your Amendment is unnecessary. I think the Bill with Amendment #1, without Amendment #2 is perfect."

Kelly: "Well, Representative, you're not the only one that thinks that. So does the staff that drew up the initial Bill. But there's some of us, myself included, that feel that a double negative doesn't make a positive. And I would rather have a language that is explicit and to the point and this short seven word sentence is much more easy for me to understand and I'm sure for the average common individual."

Speaker Peters: "Representative Friedrich."

Friedrich: "Mr. Speaker, I would like to make a small prediction. At the rate we're going there will be three hundred Bills down on the Calendar."

Speaker Peters: "Is there any further discussion? There being none, the question is, 'Shall this necessary Amendment to this unnecessary Bill be adopted?' All those in favor will signify by saying 'aye'; those opposed. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "No further Amendments? Third Reading. House Bill 837, Representative Oblinger. Representative Oblinger, 837. Out of the record. House Bill 845, Representative Grossi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 845, a Bill for an Act in relation to the computation of interest on judgments. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

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Clerk O'Brien: "No Motions filed."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #2, Grossi..."

Speaker Peters: "Representative Grossi, Amendment #2."

Grossi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 845 deals with what is called 'prejudgment interest'. What Amendment #2 does is simply limit the Bill to only those situations in which there is personal injury or wrongful death. This Amendment was requested by Members of the Judiciary Committee."

Speaker Peters: "On the Amendment, Representative Friedrich. Any further discussion? There being none, the question is, 'Shall Amendment #2 to House Bill 845 be adopted?' Those in favor will signify by saying 'aye'; those opposed, 'nay'. The 'ayes' have it. Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Leverenz, amends House Bill 845..."

Speaker Peters: "Representative Leverenz, Amendment #3. Is the Gentleman in the chamber? Representative Leverenz, Amendment #3."

Speaker Peters: "On the Amendment Representative Friedrich. Any further discussion? There being none, the question is 'shall Amendment #2 to House Bill 845 be adopted?' Those in favor will signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Leverenz, amends House Bill 845..."

Speaker Peters: "Representative Leverenz, Amendment #3. Is the Gentleman in the Chamber? Representative Leverenz, Amendment #3."

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

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House. The Amendment would simply provide that the interest would not be shared in by the attorney's in the case and I would move for the adoption of Amendment 3."

Speaker Peters: "Any discussion on Amendment 3? Representative Johnson."

Johnson: "I just didn't hear what the Amendment did, Representative Leverenz."

Leverenz: "We're talking about the interest accruing over perhaps a number of years. This Amendment would provide that the attorneys would not share in that portion of the payment. They would not derive any of the interest money and would really be serving on behalf of their clients or consumer."

Johnson: "What you're saying then is, the Bill allows for prejudgment interest, in another words, at the date of the injury the interest can begin to accrue if you get a judgement later on and if a client executes an agreement with a client on a contingent fee which the client wants to do and agrees with. What you're saying is, notwithstanding that agreement that the attorney can't recover anything on the recovery? On the interest portion of the recovery?"

Leverenz: "You, Sir, so eloquently spoke in behalf of the attorneys that might enter into some agreement. I did not say that."

Johnson: "Otherwise, it wouldn't be applicable. I'm asking you, my question is if an attorney enters into an agreement with a client to represent them in a personal injury case on a one-third contingency basis, they go to trial, get a judgement, and a portion of that judgement is for the interest accruing from the time of the accident to the time the trial begins. Are you saying that that, that this law would abrogate that agreement or would that agreement be upheld if your Amendment is adopted?"

Leverenz: "Yeah..."

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Johnson: "I want to know, Representative Leverenz, I'm not trying...I'm just trying to..."

Leverenz: "I said, yeah. This further encourages the attorneys for quick settlement of the case."

Johnson: "How does it do that?"

Leverenz: "Well, it doesn't benefit them anymore if this Amendment is adopted by the interest that accrues in the case."

Johnson: "Well, if part of the representation that an attorney undertakes in a case is to be able to get monetary compensation for his or her client for an injury that they sustained, why shouldn't the prejudgement interest that's applicable in this Bill, generally, also be applicable to their efforts in securing a judgement over all. I don't understand why one's any different than the other."

Leverenz: "If you don't, then vote 'aye'."

Johnson: "Well, I want to...I'm asking you why you're not allowed to recover on a contingency basis in one case and you are in the other? What's the difference?"

Leverenz: "I'm not talking, apparently, about the same thing you're talking about."

Johnson: "Well, apparently not. Maybe, tell me what the Amendment does again."

Leverenz: "Well, let me read the Amendment to you, Counselor. "All interest payable in accordance with this Section shall be payable only to the Judgement Creditor and not to the attorney of the Judgement Creditor. It eliminates, as I understand it, the attorney from benefiting in the settlement that portion which comes from the interest. In another words, it cuts you out of the picture."

Speaker Peters: "Representative Johnson, on Amendment 3."

Johnson: "What he's saying here is, and you know, I realize that all you have to do is say something is anti-lawyer and you



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get 100 votes but I think you ought to look and see what you're doing to the client. What a client's asking an attorney to do when he undertakes to represent him or her, is to represent the person in accordance with the facts of a particular case and sustain or obtain monetary compensation for an injury. And if the interest in this Bill is measured on what the individual, ultimately, recovers and it's justice to not only the attorney but to the client and if you want to have an attorney do a half-hearted job and not seek to obtain those things that the law allows, you ought to vote yes on this. But I would certainly think that passing this would eliminate the right of a client to make an agreement with the attorney and would put the client in the position of having to pay on an hourly basis prior to the aid of the judgement and really would provide a substantial disincentive to the client and to the lawyer and the whole purpose of this Bill is to allow judgement or interest to accrue from the time of the accident, which is a fair concept. But if a contract between an attorney and client is based on an agreement, a contingent basis or whatever, it would seem to me that it's just as applicable before judgement as after. For that reason, I would urge a 'no' vote."

Speaker Peters: "Representative Leverenz, for what purpose do you rise?"

Leverenz: "Thank you, Mr. Speaker. Just on a small point, I think he should leave the questions..."

Speaker Peters: "Representative....Representative, you will have time in closing to make whatever comments you will. Continue, Representative Johnson."

Johnson: "To stay on the..."

Speaker Peters: "Representative Stearney."

Stearney: "Yes, Mr. Speaker, I do want to say, however, that

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Teddy, you certainly are a busy little guy today being a populist. First, you attack the insurance industry and now the attorneys. But I do want to expand on one point and I think all of you should listen because the Gentleman is somewhat mistaken in what he's attempting to do. He's confused himself, as a matter of fact, in attempting to hurt the lawyers. Mind you now, he says that all this judgement interest should be paid to the client and not to the attorney and did you hear the explanation he gave for that? And mind you, put yourself in the position of a litigant who has recovered a judgement. He is saying now, to encourage early settlements. Enact this Amendment, therefore, you are going to force the lawyer to settle the case immediately rather than going...following through on the appeal. Mind you now, what he's saying then, which would happen to any of you is that he's encouraging the lawyer to sell the client out just so they can settle the case immediately and get...divide the proceeds. What he's doing is defeating the purpose of having an attorney represent you adequately and that is if the defendant wishes to appeal, so be it. Let the attorney follow that matter up to the Appellate Court and the Supreme Court if necessary. Don't encourage the attorney to sell out his client just so he can divide the proceeds early. That's what Mr. Leverenz is asking you to do. He's got his thinking backwards. He should enacting...asking you to adopt an Amendment that would do otherwise than this. So, I say to you, if you're thinking that if the consumer, the individual should be represented fairly and adequately to the end, to the conclusion of that case, this Amendment should be defeated. You should not encourage an attorney to settle a case early just so can divide the proceeds of the settlement. No, you should defeat this Amendment so

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that we can have adequate representation and I think the populist should get on some other issue for which he knows what he's talking about because on this particular point he knows nothing. Vote 'no', please, on this Amendment."

Speaker Peters: "Representative Jake Wolf."

Wolf: "Mr. Speaker, Members of the House, I would move the previous question."

Speaker Peters: "You've heard the motion. All those in favor will signify by saying 'aye', those opposed? The 'ayes' have it. Representative Leverenz to close."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't know that all of the things that we've just heard from the two eloquent counselors for the defense on the other side are completely true. We're not asking for ambulance chasers to make early settlements. We're just asking for expediting the case rather than sitting on it for three or four years. We know there are half-hearted attorneys, no-hearted attorneys, and big-hearted attorneys. This provides simply that the interest benefit goes to the person that was injured and I move for the adoption of the Amendment."

Speaker Peters: "You've heard question. All those in favor of Amendment...the adoption of Amendment #3 will signify by saying 'aye', those opposed? The opinion of the Chair the 'nos' have it. The Amendment is lost. Further Amendments? Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. House Bill 857, Representative Redmond. Is the Gentleman in the chamber? Take it out of the record. 886, Representative O'Brien. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 886, a Bill for an Act to amend the Housing Authorities Act, Second Reading of the Bill, no

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Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, O'Brien."

Speaker Peters: "Representative O'Brien, Amendment #1."

O'Brien: "Yes, Mr. Speaker and Members, Amendment #1 is a technical Amendment that I should have put on in Committee to House Bill 886. It clarifies the number of units that should be available for Senior Citizens Housing and CHA projects."

Speaker Peters: "Any discussion? You've heard the motion. Shall Amendment #1 to House Bill 886 be adopted. All those in favor will signify by saying 'aye', those opposed? The 'ayes' have it and the Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. House Bill 898, Representative Piel. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 898, a Bill for an Act to amend the Election Code, Second Reading of the Bill, no committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Piel."

Speaker Peters: "Representative Piel, Amendment #1."

Piel: "Thank you, Mr. Speaker. Question of the Clerk, has Amendment #1 been distributed? I know it was filed earlier today and I'm not sure if it's been distributed yet?"

Speaker Peters: "No."

Piel: "Can we take it out of the record until it's been..?"

Speaker Peters: "Out of the record. House Bill 857, Representative Redmond. Read the Bill, Mr. Clerk?"

Clerk O'Brien: "House Bill 857, a Bill for an Act to amend the Election Code, Second Reading of the Bill, no Committee Amendments."

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Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Peters: "Third Reading. Representative Vinson. House Bill 900. Read the Bill, Mr. Clerk?"

Clerk O'Brien: "House Bill 900, a Bill for an Act to amend the Income Tax Act to provide an investment tax credit, Second Reading of the Bill, no Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, McPike, amends House Bill 900 on page four by deleting line 16 and inserting lieu thereof, 'tax imposed by sub-division A and B of this Section'."

Speaker Peters: "Amendment #1, Representative McPike."

McPike: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is probably one of five important Bills that..."

Speaker Peters: "Give the Gentleman your attention. This is an important Bill, both to the House, the State and your constituents. You'll be wondering how you're voting on these Amendments. Proceed, Representative McPike."

McPike: "Thank you, Mr. Speaker and I appreciate you pointing out the importance of this Bill. This along with four, five or six other Bills will affect revenues, not revenues to the State of Illinois but revenues to your local districts. House Bill 1506 applies an investment tax credit to the corporate replacement tax, the corporate personal property tax that was replaced a few years ago. The Amendment #1 changes that investment tax credit so that it's applied against the state income tax rather than against the corporate replacement tax. Let me explain to why I think that is necessary. In 1980, these figures are from the Department of Revenue, in 1980 the corporate personal property tax collections were 485 million dollars, 17

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million dollars above what would have been collected under the old personal property tax. That's an increase of 3.6%. The estimates by the Department of Revenue for 1981 collections are 477 million dollars, a decline of 3.6%. Mr. Speaker, could I have some order, please?"

Speaker Peters: "The Gentleman correctly asked for order. He is entitled to it. The Chair will ask the Staff members who are on the floor, who are not participating and advising any of the Members on this Bill, to leave the House floor. It's not the intent of the Chair to embarrass anyone. The Gentleman is entitled to order. The Chair will ask the pages if they are not involved in some duty to be in their seats. The Chair, again, will ask all Staff members who are not involved in the discussion of this Bill to leave the floor. Proceed, Mr. McPike."

McPike: "Thank you very much. There has been indications from the Members of the business community that local units of government have had a windfall from the corporate personal property replacement tax and they have indicated an 85 million dollar windfall. Let me explain where that 85 million came from. In 1980 we distributed 13 months of collections in a 12 month period. In 1981 we will distribute 14 months of collections in a 12 month period. We did this because the law went into effect in July of 1979, the first collections were in September and the first disbursements were in the following January. So it has been necessary for the first two years that this tax was in effect to distribute 13 months of collections in a 12 month period and now 14 months of collections in a 12 month period. After calendar 1981 we will be in sync and will thereafter distribute 12 months of collections in a 12 month period, from November of 1981 to December of 1982, from then on 12 months for 12 months. For the first 2

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years that has not been true and therefore it would appear that more money was available to local governments and it has been stated that 85 million the first year. But it is obvious to anyone that if you're distributing 13 months of collections and then 14 months of collections, obviously, it may appear that you have more monies than what you would have had. That is not true. The economic and fiscal commission estimates that calendar 1981, the 12 months of collections for the corporate personal property tax at 2.5% will be 14 million dollars below or 3% below what would have been collected under the old tax. Therefore, local units of government are receiving less monies under the new tax than they received under the old tax. There is no windfall to local school districts, local park districts, fire departments, police departments that operate under city or county government. There is no windfall, to then have the General Assembly say that in future years this replacement tax will be reduced further by an investment tax credit is simply robbing revenues from the local level. Now, I would say to you that if philosophically you believe that an investment tax credit does work, and we discussed this, Representative Ewing, Chairman of the Committee, discussed this in Committee and he and I might agree that it would be very difficult to find an economist in this country that would testify that an investment tax credit does work. But if given differences in philosophy, if you believe that it does help encourage business to expand in an area, I say if you believe that philosophy, then apply it to state income. The state income and the state budget has flexibility. We have the ability to move our resources to different areas and pick and choose. Local school districts or local units of government that are essentially set up to fund fire and police departments and local road

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maintenance don't have that flexibility and they don't have the revenue. We do. If you think an investment tax credit works, then apply it to the state income tax as it should be applied. I'm asking you to not apply it against a corporate replacement tax that is bringing in less money than the old tax which will rob your local school districts of the money they need. I would ask for a favorable vote on this Amendment."

Speaker Peters: "Any discussion? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Gentleman from Madison suggests that we ought to have...that we ought to have an investment tax credit but that the investment tax credit ought to be applied against the state income tax not the replacement tax. Now, I would submit to you that he is wrong in that for a number of reasons. Number 1, he suggests that the state income tax only finances the state. Well, that's patently untrue. As a matter of fact, somewhere in excess of 85% of the state income tax is passed through to recipients of welfare, recipients of mental health, local governmental units. So, you're not protecting local government if you vote for the replacement tax for the Amendment that he has here. Number 2, he suggests that the replacement ...that the income tax is a more appropriate victim of this mechanism than the replacement tax because of some problem in the replacement tax revenues. Well, if you look at the replacement tax disbursements, its collections and disbursements over the past two years, you're going to find that there has been an enormous windfall for local government. As a matter of fact, you're going to find that that windfall is somewhere in the range of 109 million dollars. Now, what you are going to find when you look at



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future projections, future projections according to independent groups like the Taxpayers Federation of Illinois, you're going to find that through time that windfall increases because it's a percentage tax and as business grows the percentage reaped increases. Now, it's not my desire to hurt local government, as a matter of fact, it's my desire to help local government. I'd like to have local government get more money, more revenue out of the replacement tax. The quickest and the best way to do that is to have an incentive per greater growth in replacement tax revenues and that is what the investment tax credit does. What the investment tax credit does is to provide an incentive for the creation of manufacturing jobs that will generate property tax revenues for local government, that will generate replacement tax revenues for local government and yes, it will increase additional state income tax revenues that will be returned back to local government. Now, the Gentleman knows, the Gentleman wants to try and kill the Bill, if you will look through the great number of Amendments that he's filed, you can't believe that he really believes in this mechanism. But what this mechanism does do and it does it irreputably in every State where it's been tried. It increases the number of jobs, it increases the number...the amount of investment, the amount of savings, it drives the economy forward. And I believe that it's time for a change. It's time when we ought to try and stimulate the growth of the economy and to try to get our revenues out of that rather than try to just redistribute wealth. So, I would urge opposition to the Gentleman's Amendment."

Speaker Peters: "Any further discussion? The Chair would appreciate being guided by the Membership's interest by everyone who wants to talk on this by putting on their

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lights. So, there is no problem later on when we ask for the question. Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I'm sure that the Sponsor of the Amendment is somewhat dubious as I am after the merit of the concept, itself. But what his Amendment is saying if the concept is good and we really represent State government then the only way that you can determine whether it is good or not is to put it on our backs. Let's not put the backs of the local governments. I would almost think that Representative Vinson is still..is employed for the Governor's Office by this Amendment because he is not really putting the monkey on State government. He's putting the monkey on the backs of local government. Now, if you'll look at much of what the Governor is doing with regards to so-called cuts. Much of what he is doing is really placing and shifting the burden on the local taxpayer, and I think that we here on the floor are going to rue that day because what it really means is we are shifting the burden to the property taxpayer. Now, I happen to believe that the whole concept isn't going to work but I'm going to say, as Representative McPike says, if you're going to give it a chance to work, let's make it work on State government. Let's place this credit on the state income tax and if it does work then let's help business by probably hurting the state income tax and I think the Municipal League has probably indicated to many of you how they feel about the Bill because the Municipal League has been protective of local governments of the school districts. They are very leery about much of what the Governor's tax cut program has been doing but if we pass this Bill in its present form, what we are doing through those tax cuts and this, this alone will mean a minimum of 40 million and a maximum of 55 million that's

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going to hurt your school district, your city, your county governments, your townships. So, I would urge the Members of the House, and there's no doubt about it, this Amendment will probably hurt the passage of the Bill. But I would urge the Membership to support Jim McPike. It is a dangerous concept but if you want the concept don't put it on the local governments backs, put it on the State because that's your responsibility."

Speaker Peters: "The Chair will recognize Representatives McClain, O'Connell, Currie, Stuffle, Schraeder and Tate and then McPike to close the discussion. Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I stand in support of this Amendment. I'd like to talk a minute about local governments. When we first passed the corporate personal property tax replacement, we had a tax rate of 2.85 and there were many screams throughout the State of Illinois that 2.85 was too much. So, we put in a 2.5 kicker, January 1st, 1981. That has happened for a local government like the Quincy Public School system, they went from a collection last year of a little over two million dollars to this year of a 1.8 million dollars because of that reduction. If you take the entire 48 million dollars from the corporate personal property tax, you will collapse many local governments throughout the State of Illinois. Many local school systems and many cities throughout the State of Illinois, if you add Representative Vinson's Bill, House Bill 900, Mr. Ewing's Bill, 1506, the freeze on income tax revenue sharing, the Governor's reduction for schools of 21 million dollars, and a property tax limit of Mr. Ewing's or Mr. Miller's, that's a reduction for local government's of 312 million to 327 million dollars. No political party in this

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State of Illinois can in good conscience support this kind of maneuver. What you're doing with 48 million dollars, solely, from the corporate personal property tax, which is one of a package of six Bills, is you could collapse some local governments. Just in terms of Quincy, Illinois, it will have a tremendous impact. No person and no person of split party lines, no person can look at this in good conscience and see local government totally face the brunt of this kind of Bill. You have to support this Amendment because the burden on tax relief should fall on our taxes. Even President Reagan has some philosophies that are right and this kind of concept of just putting all the burden on local governments so local property taxes and local effort which is local control 'fear' and face the entire burden is wrong. For Quincy's sake and for a lot of municipalities and local governments, I urge you to support Mr. McPike's Amendment."

Speaker Peters: "Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker, Members of the House. I think there are many...are a number of Members on this side of the aisle that support the concept of investment tax credit. However, I think we should address the question as to why the corporate personal property tax was enacted in the first place. One of the reasons why units of local government, including school districts, supported the concept of replacing the personal property tax with a sur-tax on the income tax was the inability to collect the personal property tax. Millions of dollars were lost to units of local government because of the inability to properly collect the personal property tax. Cook County, alone, lost 43 million dollars to its school systems because of unreported personal property tax. With the advent of the replacement tax or the sur-tax on the

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corporate income tax, school districts, for one are finally getting their fair share of the tax monies. If you encourage further erosion of their fair share of the property tax replacement by placing the investment tax credit on the replacement tax you are reverting to the problems that existed prior to the replacement tax. School revenues receive 10% of their revenues from the personal property taxes. That was indeed a diminished figure because of the unreported property taxes. I would encourage the support of this Amendment to shift the investment tax credit from the personal property tax replacement to the state income tax for the reasons expressed by Representative McClain and Representative McPike. I, however, would disagree with my colleague, Representative Matijevich, that this will hurt the concept of investment tax credit. I think it makes the concept much more acceptable and much more logical. I would support this Amendment."

Speaker Peters: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. Will the Sponsor yield to a question? I'm sorry, I'm sorry, I'm sorry. I wanted Vinson...he's not the Sponsor. Alright. Sorry."

McPike: "Yes, I will yield."

Currie: "As I understand it, the Bill that we're amending or that we have an Amendment offered today does not make a distinction as to who gets reductions in corporate personal property taxes on the basis of increased economic investments in the areas of local municipalities or county governments. If that is true, then it seems to me the rosy picture that the Sponsor of the Bill painted when he urged us to vote against this Amendment doesn't make any sense at all. What he's suggesting is that local governments will

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be accruing new revenues because this investment tax credit will work to bring in new business, bring in new employment, in fact increase their local tax basis. But I see no evidence that it's true. If Peoria finds itself with an increase in investment, it's Chicago that will lose revenues under the corporate personal property replacement tax. That seems to me to suggest that the approach under House Bill 900 unamended does not make any sense at all from the point of view either of the Sponsors intentions in House Bill 900 or ours as we try to assume our responsibilities to local governments in this state. Representative Vinson suggests with a kind of slight of hand that in fact since we fund some things that the local level, it'll be just as problematic to take this investment tax against the state income tax. I think he's dead wrong. There's no question that when it comes to school funding and those kind of issues and if it turns out, the untested assumption, that the investment tax credit, in fact, will increase the number of jobs, an unemployment, an the tax base, an all the rest of it.... (cut off)..we will have an opportunity at the state level to see to it that the impact in those areas where there has not been an increase will, in fact, be softened and cushioned. The only responsible way for us to go is to make sure that when we're willing to gamble with the people's dollars, and that's just what this proposal is, an untested gamble, we gamble it against our own responsibilities, not against somebody elses. Representative Vinson wants to be free to continue supporting new jobs at the state...downstate mental institutions. He might have a hard time doing it, if in fact, our state revenue chest were depleted to the tune of 48 or 55 million dollars a year. I think it's time for him to suggest that we accept this Amendment which will only

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improve his Bill. Make sure that he puts his money where his mouth is. Make sure that he enacts his responsibilities the way a good State Legislator ought. We were under a Constitutional mandate to replace the revenues lost to local governments when the prior corporate personal property tax was abolished. To have accomplished that replacement, I think sensibly and responsibly and then to turn around and begin depleting those very revenues the Constitution required us to provide, seems to me, to be a slap in the face at the 1970 Illinois Constitution. Vote 'yes' on the Amendment."

Speaker Peters: "Representative Schraeder."

Schraeder: "Mr. Speaker, Members of the House, I suppose I ought to direct more of my remarks to this side of the aisle because apparently the opposition is being generated by the Leadership on this side of the aisle and appears to me that the reason for that is that they are against any kind of a investment tax credit. So, let's face up to what the issue really is. Is it a question of where the taxes are going to be removed or is it a question of the tax is going to be removed at all? And it's quite obvious that this side of aisle doesn't want that investment tax credit but let me suggest to you, as I have in the past, that when we passed a corporate personal property tax replacement tax it was done with a mandated Constitution. Now, as a result of that 2.8 and then, finally, the 2.5 percentage we are now producing more tax than the replacement tax was required to do. And so, in the last few years, since this tax was in effect, we've collected roughly a 120 million over and above the tax as a replacement. So, I think we have the obligation to cut back to the tax as a replacement tax. Now, we talk about county government and local government and school boards, they ought to pay the burden because

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they got that excess tax and I don't see very many of them rebating the tax that they got. The didn't give a rebate, they certainly didn't cut their assessments back..or their levies rather. They increased their tax base because of new home construction an inflation by tremendous millions of dollars, and so, what we are talking about is what is equity for the taxpayer and that means, in this case, the corporate enterprises and I think the proper place for the reduction to be made is from the Corporate Personal Property Tax Fund and I would urge, whoever's on my side, if they are interested in an investment tax credit, and I doubt that from some of them, but if they are put this reduction where it belongs and that's on the corporate personal property tax."

Speaker Peters: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, I find myself, once again, this year in the untenable position of being in opposition to the Leadership and probably the majority of people on my side of the aisle. I happen to think Representative Vinson is right but possibly for different reasons than he's articulated. It seems to me that this Amendment if put on this Bill will be a certain red flag on the Governor's desk and the Governor will veto this Bill if we shift this to the state income tax. It seems to me, too, that that's even more so the case as I recall last time we tried to split this down the middle between the two taxes and it was still vetoed. I think it's important too, that when people rise and talk about revenue this year, keep in mind, that this in not affect this year or the coming year. It takes effect down the road but I think you have to consider in looking at this Amendment what Representative Schraeder said, more than that you have to consider the potential for a veto if this Amendment goes on



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the Bill. If you believe in the investment tax credit approach, and I happen to believe in contradiction to what Representative Currie said, that there are facts and figures to show the need for this Bill as its posture today by Representative Vinson in its original form. I also happen to believe that there is one other crucial, important point. You have to be someone like me who comes from a district where you have two major facilities with hundreds, yes, over a thousand employees who are going to close their doors without this Bill. Without this Bill being signed into law for the future because simply stated, if those people close their doors in the absence of this Bill that means an end to the receipt of property tax money from those people, from those sources that are taxable still. That means an end to what they put into income taxes. That means an end to several hundred if not over a thousand jobs in my district alone. That means an end to revenue at the state level and revenue at the local level. If you don't provide a potential vehicle for this tax credit that can be signed into law then it means absolutely nothing at all and I say that as someone who's supported consistently, I think, an equitable distribution of dollars to local taxing districts, particularly school districts, and I think if there's anyone who can stand here and make that argument, I can. And I do so in all due respect... (cut off)... do so in all good respect to Representative McPike. I happen to disagree on this particular issue with him and I would have to urge the colleagues of mine on our side of the aisle though we may disagree on some things to stand together in defeating this particular Amendment because I think it will mean a death nail for this Bill."

Speaker Peters: "Representative Tate."

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Tate: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I think it's been very apparent that several Members have already conceded that these Amendments have been introduced to kill this Bill. Coming from a district that has one of the highest unemployment rates in Illinois, coming from a district that is a manufacturing community, we concede for the last five years in this State, we've put up several red flags. If we're going to be practical about this, this is an opportunity that we have to pass a Bill and give a green light to the business climate. The net effect from 1979 through 1981, business will pay a projected 120 million more because of the replacement tax. We're concerned and there's been several expressions that have been concerned with the impact... (cut off)...concerned about local government. I served on the Decatur City Council when the income tax...replacement tax became in effect and we received more money. So, I encourage an opposition to this Roll Call, please."

Speaker Peters: "Representative Brunner."

Brunner: "Yes, I move the previous question."

Speaker Peters: "Representative Brunner moves the previous question. You've heard the motion, all those in favor will signify by saying 'aye', those opposed? Representative McPike to close, briefly. Representative McPike, the timer, here, is set and it goes off...it is not an attempt to cut you off, it's just that I got a little mixed up here. So, we'll put it right back on."

McPike: "Thank you very much. Ladies and Gentlemen of the House, many of you read the Chicago papers. This morning the headlines read, 'The City's Need Grow While Tax Sources Dwindle', and they go on to explain how the tax base in Chicago is shrinking while the need for revenues grow. I think this applies to all our urban centers throughout

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Illinois. We are faced with increasing costs, in Peoria and Granite City, and Springfield, and Decatur and yet our revenue base is declining. We are going to get less money from the Federal Government. The State is supplying a lower percentage growth to the local governments again for school districts than it did last year. The only sources left then to local governments, specifically the school districts, are the replacement tax that we enacted three years ago and property taxes. The Department of Revenue, the Economic and Fiscal Commission, both have indicated that there has been relatively little to any growth in corporate personal property tax replacement. Three percent increase in 1980 and a 3% decline in 1981, that leaves one alternative and that's the property tax. Now, you can pretend why you are voting on this that you are doing a big favor to big business and helping investment in the State and not hurting anyone and not making anyone pay. But that's all you can do, is pretend. There is no such thing as a free lunch and everyone knows that and someone is going to have to pay the Bill. Someone is going to have to pay the cost of schools, park districts, police salaries, and firemen, and everything else that takes place at the local level. And corporations are going to have to pay their fair share. If they don't, the homeowner pays, and that's what this really comes down to. If you refuse to take it out of state incomes, if you refuse to take it out of this philosophy, that giving more and more and more and more to big business somehow is going to assimilate growth in this State after we've already given away in the last three years 300 million dollars to big business. You think we can simply hand them more now and put the burden more and more on the local property tax payer, that's what you're going to do by voting against this. This is simply

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a request to you to face economic reality. The Bills are there and someone has to pay them. If you deprive local governments of the revenues they now have they only have one choice and that is to take it out of the individual homeowner's pocketbook in the form of property tax increases. I would ask for an 'aye' vote on this Amendment."

Speaker Peters: "You've heard the Gentleman's motion. Roll Call, Representative McPike? Do you want a voice vote? You've heard the Gentleman's motion. All those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. All those in favor signify by voting 'aye', those opposed by voting 'nay'. Representative Pierce to explain his vote for one minute."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, we lowered the rate of the personal property income tax January 1st, of this year from 2.85% to 2.50%. Now, I favor that approval the Governor's Amendatory Veto that did that. Let's give it a chance to see what it will produce. I think that you'll find that local governments will be getting less money, not more money than they got under the personal property tax. If this theory works, if the investment tax credit works, and it may work, it should be against the state income tax and I supported that last year. Not against replacement tax that goes to our schools, our county government, our local government, our townships, our cities and villages. This is a good Amendment. We should adopt it. We just lower the income tax rate on the personal property tax and let's vote for this Amendment and apply it to the state income tax where it should be applied. I vote 'aye'."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the

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record. On this question there are 74 'aye', 87 voting 'no'. Amendment #1 is lost. Any further Amendments?"

Clerk O'Brien: "Amendment #2, McPike, amends House Bill 900 on page four by deleting line 15 and 16 and inserting in lieu thereof, 'the following and so forth'."

Speaker Peters: "Representative McPike, Amendment #2."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'll try to keep this brief. There's no since in repeating all the arguments that we had from the first Amendment. This does the same thing as the first Amendment except it places the investment tax credit equally, one-half against the corporate replacement tax and one-half against the state income tax. It's simply a division. The current Bill places it all against the corporate replacement. The Amendment #1 that was just defeated would have replaced it all on the state income. This divides it half and half. I would ask for a favorable Roll Call."

Speaker Peters: "Any further discussion? Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose this Amendment for the same reason as the last one. The replacement tax has generated a windfall in revenue and I believe that if you've read the Tribune in the last week you'll even discover that they disincentive for investment in Illinois extends to the city of Chicago. All together in the 1970's, Chicago lost one-fourth of its factories and that's the argument for defeating this Amendment."

Speaker Peters: "Representative John Dunn."

Dunn: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I disagree with the previous speaker. To take all the money from the state income tax would certainly make the Bill one that would be vetoed. It is true that the Governor did veto the Bill in this form last year but this is a

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different year. This is a year in which the brunt of all the tax cuts coming down from Washington through Springfield to home are going to be borne by local governments. So, if we have at least half of the burden of this investment tax placed on a school income tax and only half on the local governments then we have an equitable distribution of this tax burden, one that the people of the State of Illinois can live with, both in Springfield and back home. I don't believe Governor Thompson dares to veto this Bill in this form this time. He's got to provide some relief for the local people if we put the entire burden of this investment credit upon the backs of local government. It will break their backs and any new industry thinking about coming to this State will find that there are no local services to be provided for their workers. We need the Bill this form, half and half. This is the way it went to the Governor last time and I bet he won't veto it again."

Speaker Peters: "Any further discussion? If not, you've heard the question? 'Shall Amendment #2 be adopted?' Representative McPike, to close."

McPike: "Well, I think this is a good compromise and the only thing that I find slightly irritable in this debate, is to say that the corporate replacement tax has produced a windfall when every analysis we've had and these analysis are available both to the Republican side and to the Democratic side and the Department of Revenue, and from Economic and Fiscal, showed that there was a 3.6% growth in calendar 1980 and there will be a 3% decline in 1981. Now, I think that it's assinine to stand up on the House floor and say that's a windfall. It's ridiculous to say that and I think it's a little irritating and insulting to the intelligence of people on this floor to say that a 3%

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growth one year and 3% decline the next year is suddenly a windfall. It's ridiculous, there's been no windfall, there's been no growth. This is a good compromise. It puts the burden half on one back and half on the other. I'd ask for an 'aye' vote."

Speaker Peters: "You've heard the motion. Shall Amendment #2 to House Bill 900 be adopted? Representative McPike. Voice vote? Gentleman ask for a Roll Call Vote. All those in favor will signify by voting 'aye', those opposed by voting 'no'. Mr. Clerk, the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative McPike, for what purpose do you rise?"

McPike: "Well, this is close enough to ask for a verification."

Speaker Peters: "Representative McPike, now we've got about four or five people with hands on this side, say about three on yours. If it's alright with you, I'll dump this and take another one, otherwise..."

McPike: "Fine, that's fine with me. That's fine with me. Do it then."

Speaker Peters: "Alright, we have to wait until the machine clears. Dump this Roll Call, Mr. Clerk. The question is 'shall Amendment #2 be adopted?' Now, everyone that intends to, please vote. The voting is open. Mr. Clerk. Have all voted who wished? Have all voted who wished? Have all voted who wish? For the fourth time, have all voted who wish? Mr. Clerk, take the record. On this question there are 85 'no', 77 voting 'aye', the Amendment is hereby declared lost. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, McPike, amends House Bill 900..."

Speaker Peters: "Representative McPike, Amendment #3."

McPike: "I withdraw Amendment #3."

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Speaker Peters: "The Gentleman asks to withdraw Amendment #3.

Leave? Leave is granted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, McPike."

Speaker Peters: "Amendment #4, Representative McPike."

McPike: "I withdraw Amendment #4."

Speaker Peters: "Gentleman asks leave to withdraw Amendment #4.

Is there leave? Leave is granted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, McPike."

Speaker Peters: "Representative McPike, Amendment #5."

McPike: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #5 adds retailers and wholesalers to the Bill so that the retail industry and the wholesale industry will have available to them the same investment tax credits that would apply to manufacturing and mining and we're going to offer it to one segment of our business world in the State and we might as well offer it to everyone engaged in business. And this expands the Bill so that those involved in retailing and wholesaling can take advantage of this great Bill. That's what it does. I ask for an 'aye' vote."

Speaker Peters: "Any discussion? Representative Vinson."

Vinson: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. What this Amendment seeks to do is to weight the Bill down so that it dies. This is a Christmas tree Amendment. It seeks to increase the modest 48 million dollar cost of the underlying Bill to something in the range of 2, 300 million dollars and thereby to defeat the Bill. Now, I think what you have to do when you talk about investment tax credits, when you talk about incentives, is you have to look at what the nature of the real problem is and when you look at the nature of the real problem in the Illinois economy it's manufacturing jobs. We've lost some



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200,000 manufacturing jobs from the State of Illinois in the past decade. At the same time the retailing sector, the service sector has been growing. The retailing, the service sector are going to grow because of the number of people they serve. The problem with this Amendment is that it gives a credit to somebody that doesn't really need the credit and at the same time kills the Bill. Now, what I propose to do with the underlying Bill is to grant a credit, grant a credit that stimulates manufacturing jobs. That keeps the basic guts of the economy in Illinois and in this sense that's the reason why Representative McPike is trying to kill the Bill. I think he has admitted openly that he doesn't like the Bill. I wish he would just vote it straight up and down on Third Reading rather than trying to weight the Bill down with this kind of an Amendment. I would urge a 'no' vote for that reason."

Speaker Peters: "Any further discussion? Representative McPike, to close."

McPike: "Well, I think it's real nice of Sam Vinson to say that a 48 million dollar loss to local government is modest. I'm sure he's glad that he is not a mayor or in charge of local school district trying to balance a budget and only have a modest loss of 48 million dollars. I think a few people in his district may laugh at his use of the word, moderate. I would grant that this expands the Bill. If you think it's good for the goose, it should be good for the gander. If it's good for those that are in the manufacturing sector then it should be good for those that are in the retailing and wholesaling sector. I'd ask for an 'aye' vote."

Speaker Peters: "You've heard the motion. All those in favor will signify by voting 'aye', those opposed by voting 'nay'. Roll Call vote. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Mr. Clerk, take the record. On this question there are 87 voting 'aye', 76 voting 'no' and Amendment #5 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, McPike."

Speaker Peters: "Representative McPike, Amendment #6."

McPike: "Well, McClain has suggested one on Catholic Churches but this doesn't go quite that far but if you liked Amendment you should really love this one. This says that it is good for the goose, it's good for the gander and everybody else in the State too. It applies to the investment tax credit, to those that are engaged in processing, assembling, refining, extracting, farming, agriculture, horticulture, floriculture, and commercial fishing. So, I think it really brings everybody into the Bill. It says that we're not going to limit this investment tax credit just to those that happen to be producing but also to those who happen to be fishing and farming and everyone else that is working in this State. We think you deserve an investment tax credit too. I ask for an 'aye' vote."

Speaker Peters: "Any discussion? Representative Johnson."

Johnson: "Can you explain how this tax credit would be applicable, the form it would take to some of the occupations, some of the businesses that you named, fishing and so forth? I don't really understand the application."

McPike: "Yes, the investment tax credit applies to how much you invest in your business. If it's manufacturing and you buy a crane and the cost of that is \$100.00, 1% of that is a dollar and that's applied as a credit against your corporate personal property tax and the same would apply if you're a commercial fisherman and you happen to buy a new fishing boat or if you are a farmer and you buy some farm machinery and it costs \$100.00, you'd get the same credit as you would if you were in manufacturing. All the various

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fields I just read off would apply the same to everyone. It depends upon how much they invest. The more they invest the more credit they get."

Speaker Peters: "Representative Johnson on the Amendment. Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm really rather amazed that Representative McPike would offer an Amendment that protects the big oil interest. But apparently he's done that in this particular case and I would urge for the defeat of that Amendment."

Speaker Peters: "Any further discussion? If not, Representative McPike to close. Briefly."

McPike: "I'm surprised that Sam would talk against the big oil interests."

Speaker Peters: "That's brief. You've heard the motion. Shall Amendment #6 be adopted? Representative McPike, voice vote?"

McPike: "No, no."

Speaker Peters: "Roll call vote. All those in favor will vote 'aye', those opposed vote 'no'. Mr. Clerk, the voting is open. Mr. Daniels, do you wish to communicate anything to the Chair? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 88 voting 'no', 71 voting 'yes', and the Amendment is lost. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, Vinson."

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

Vinson: "I withdraw Amendment #7, Mr. Speaker."

Speaker Peters: "Gentleman asks leave to withdraw Amendment #7, leave granted? Leave is granted. Further Amendments?"

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

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Speaker Peters: "Representative Vinson, Amendment #8."

Vinson: "I withdraw Amendment #8, Mr. Speaker."

Speaker Peters: "Gentleman asks leave to withdraw Amendment #8, is leave granted? It's granted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #9, Daniels-Henry."

Speaker Peters: "Representative Daniels on Amendment #9."

Daniels: "Mr. Speaker, I would withdraw Amendment #9."

Speaker Peters: "Gentleman asks leave to withdraw Amendment #9, is there leave? Leave is granted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #10, McPike."

Speaker Peters: "Representative McPike, Amendment #10."

McPike: "I would withdraw Amendment #10."

Speaker Peters: "Gentleman asks leave to withdraw Amendment #10, is leave granted? Leave. Any further Amendments?"

McPike: "And Amendment #11, I would withdraw that also."

Speaker Peters: "Further Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #11 is withdrawn."

Speaker Peters: "Representative McPike on Amendment #11, Gentleman asks leave to withdraw Amendment #11. Is leave granted? Leave is granted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #12, Vinson."

Speaker Peters: "Representative Vinson, Amendment #12."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #12 clarifies a number of vague and problem issues in the underlying Bill. Number 1, under Amendment #12 it would provide that there would be no carry forward of the tax credit, to a future tax year. Number 2, it would indicate that you cannot get a refund on your tax bill, you cannot reduce your liability below zero. Number three, the second stage of the tax credit, the 2% credit would not kick in under this Amendment unless the taxpayer had increased his employment by 1%. Number 4, there would be a penalty, a recovery in essence of the tax credit if

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the employer moved the machinery out of the State. We believe that the function of this Amendment is to make sure that the machinery, the equipment being benefited, is for the use of creating jobs in Illinois. That's the purpose of the Amendment. I would strongly urge the adoption of this Amendment. It clarifies a number of provisions that would otherwise create enormous criticism of the Bill. I would urge a 'yes' vote on the Amendment."

Speaker Peters: "Any discussion? Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Peters: "He indicates, yes he will."

Brummer: "Representative Vinson, why should we not have a 'carry forward' with regard to the investment credit. Frequently, that is a business maybe expanding, maybe a new business may not have profit at that point simply because the business does not have profit to against which to apply the credit. There would be no benefit to this and no encouragement to that business to expand and those may be the businesses we want to assist, to expand in Illinois."

Vinson: "Well, Representative, I would respond to you in two fashions, as a matter of fact. Number 1, you could have that situation but you also can have the situation where a taxpayer fully credits against the replacement tax and pays no tax in your one, and then carries forward a further credit into your two. And you can have a situation where a taxpayer pays no, for a period of time, pays no tax, whatsoever, under the Bill. We don't believe that's appropriate and number 2, in order to tightly draft this, in order to try to restrict the criticism of it, in order to try and make it as palatable as possible and to ensure and at the same time to ensure the benefits of growth of new jobs and of new revenues we have tried to draw it tightly and that is the results in Amendment #12."

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Brummer: "Well, would the results of the prohibition against carry forward not be a situation where we are only assisting the profitable companies and not assist the struggling companies who may have no current credit which to apply this?"

Vinson: "Well, that might be exactly a result of the Amendment and I would argue to that that's a very..a very salutary effect of the Amendment. One of the things that we're trying to encourage are profitable companies. Only profitable companies expand, Representative, and we're trying to encourage the companies that have the thrust, have the modernization, have the ability to move forward in this economy."

Brummer: "Well, Chrysler may not be able to utilize this then, huh?"

Vinson: "That's correct. This is not a Chrysler give-away. This is a benefit to companies that are growing, expanding and fighting for new markets."

Brummer: "How does the...you said there's a penalty if the machinery is moved out of the State, how does that differ from Representative Balanoff's hostage business Bill that she has had here several years?"

Vinson: "Well, it differs quite substantially from that. I think you could see that on the surface. Representative Balanoff, in her Bill, attempts to really make companies hostage. All we're doing is trying to convey a tax benefit to a taxpayer who is growing in Illinois."

Brummer: "This would only keep the machinery hostage, but not the company?"

Vinson: "No, it wouldn't do that at all. It would just ensure that the benefit is for the purpose of creating jobs in Illinois, not jobs in Texas, or California or Florida."

Brummer: "No, but I...the penalty would kick in if the machinery

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for which a credit was granted was moved out of the State of Illinois."

Vinson: "Yes, in much the same way that many of the same kinds of penalties kick in, in the Federal Income Tax where if you use the property for some other purpose other than the credit is granted for, you no longer receive the credit."

Brummer: "Well, I think it's fair to call it a machinery hostage Bill, that portion of it anyway. Thank you."

Speaker Peters: "Representative McPike."

McPike: "Sponsor yield?"

Speaker Peters: "He indicates, hesitantly, that he will."

McPike: "Sam, you have on the first page, here, that an additional 1% credit is given if they increase their employment by 1% over the previous year, is that the intent here?"

Vinson: "Yes, Sir. We're trying to match employment increases, job creativity with the credit."

McPike: "So, I mean...what does that mean? It means that instead of being a 1% investment tax credit, they get 2% or does it mean they get their 1% all over again for no further investment?"

Vinson: "No, it means that they can only be benefited by the 2% tax credit, in the event that the 1% credit has generated an increase in jobs. We're basically saying that at the premise of the legislation is false. We won't grant the further benefit."

McPike: "But you would still say at 1%, then if the legislation didn't work?"

Vinson: "Well, there's a sunset clause in the Bill. We are most definitely doing this on an experimental basis. And there's a sunset clause in the Bill so that they won't continue to get that unless it's evaluated to be a job creator in Illinois."

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McPike: "Alright, now to the Amendment, Mr. Speaker. You see what this does, it says that this is an experiment and it...if it works, if you increase your employment by 1%, that is if you have a 100 people working for you and getting investment tax credit and that increases your employment to 101 people, you know, if you hire an extra person that year. I mean, that really shows that this thing works. You go from 100 people to 101 people, or you go from 1000 people to 1010 people and that it is really what you call a government program that works, increasing investment by one, I mean increasing employment by 1%. What...then the government will double, not increase your investment tax credit by 1% but the government will double your investment tax credit from 1% to 2%. But if we're wrong and this Bill does not increase employment you still get the 1% investment tax credit. You can have your cake and eat it too. If you increase employment by one lousy percent and you double your investment tax credit and if you don't increase employment, that doesn't make any difference, you still get your investment tax credit. What a lousy Bill and a lousy Amendment."

Speaker Peters: "Representative Vinson to close."

Vinson: "Thank you, Mr. Speaker. In closing, I'll simply say that Representative McPike is saying that a 1% increase in employment is bad. Well, all we're doing is trying...is granting a benefit of 1% on the tax. Well, 1% increase in employment would do some salutary things in this State. It would rejuvenate a number of retailers. It would move this State forward. It would cut down on the Welfare rolls and the unemployment rolls. Now, I'm appalled that he could say that it would be bad to increase employment in this State by 1%. I would urge an 'aye' vote on the Amendment."

Speaker Peters: "Voice vote, Representative? You've heard the



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motion. Shall Amendment #12 be adopted? All those in favor will signify by saying 'aye', those opposed? The Gentleman from DeWitt, asks for a Roll Call vote. All those in favor will signify by voting 'aye', those opposed by voting 'no'. Mr. Clerk, the voting is open. Have all voted who wished? Representative Wolf. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 92 voting 'aye', 65 voting 'no', and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #13, McPike."

Speaker Peters: "Amendment #13, Representative McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I tried to point out in the last Amendment that this Bill increases your investment tax credit 100%. That is it doubles your investment tax credit from 1% to 2%, if you only increase your employment by 1%. This Amendment requires that you increase your employment by at least 10% before you are given the bonus, before your investment tax credit doubles from 1% to 2%. I think it's only reasonable to say to an employer that if this government program does work and if it helps you increase your employment, we're not going to give you double your investment. If you just happen to hire one additional employee we are going to have to see an honest effort at you to increase your employment in our State and an honest effort, I say, would at least be 10%. It's...at least it's a lot better than 1% called for in the Bill. So, I'd ask for the adoption of this Amendment."

Speaker Peters: "Any discussion? Representative Vinson."

Vinson: "We're simply asking for a 1% tax credit in exchange for a 1% increase in employment and I would urge a 'no' vote."

Speaker Peters: "Representative McPike to close."

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McPike: "Well, he ask for a 1% increase in their growth and for that he gets 100% increase in the credit. Now, I simply ask for a little bit more equity and say a 10% increase in employment would seem to be a little more equitable and ask for an 'aye' vote."

Speaker Peters: "Roll Call vote. You've heard the question, 'shall Amendment #13 be adopted?' All those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, the voting is open. Have all voted who wished? Have all voted who wished? Will somebody vote Representative Hallstrom, please? Have all voted who wished? And Representative Karpziel. Anyone else? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 61 voting 'aye', 97 voting 'no' and the Amendment is lost. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #14, MCPike."

Speaker Peters: "Representative MCPike, Amendment #14."

McPike: "I would ask to withdraw 14."

Speaker Peters: "Gentleman asks leave to withdraw Amendment #14. Leave granted? Leave is granted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #15, Bowman."

Speaker Peters: "Representative Bowman, Amendment #15. Gentleman asks leave to withdraw..."

Bowman: "No, not yet. I think this is a good Amendment."

Speaker Peters: "Representative Bowman on Amendment #15."

Bowman: "Thank you, Mr. Speaker. This is the same Amendment that we adopted to Representative's Pierces 1624 and on the theory that you can't get too much of a good thing. I move its adoption to House Bill 900."

Speaker Peters: "Gentleman moves adoption to Amendment #15. Any discussion? Representative Vinson."

Vinson: "Mr. Speaker, I would question the germaness of this Amendment. It goes in a completely different path."

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Speaker Peters: "Mr. Parliamentarian. Mr. Clerk. Do you have the Bill and the Amendment? Representative Bowman."

Bowman: "Well, Representative Vinson's Bill deals with tax breaks for business and this deals with tax breaks for business. I think they're in the same subject."

Speaker Peters: "You're not quite all serious about that, are you Representative Bowman? It could save a lot of time."

Bowman: "Well, I invite the Parliamentarian to look it over but it seems to me, a tax break is a tax break and we're talking about giving a lot of money away and how is the...why should the Parliamentarian care how we do it?"

Speaker Peters: "The Chair rules that the Amendment is not germane. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #16, Vinson. Amends House Bill 900."

Speaker Peters: "Amendment #16, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This could be the last Amendment and I would hope that we would...can quickly dispatch of the problem. What this Amendment does, is to clarify very specifically that the Amendment is not allowable for a simple warehouse. Storage does not qualify. You have to be integrally engaged in manufacturing to qualify and I would urge adoption of the Amendment."

Speaker Peters: "Any discussion? The Gentleman moves adoption of Amendment #16, all those in favor will signify by saying 'aye', those opposed? The opinion of the Chair, the 'ayes' have it. Amendment #16 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #17, Daniels."

Speaker Peters: "Who?"

Clerk O'Brien: "Daniels."

Speaker Peters: "Amendment #17, Representative Daniels."

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Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I would like leave to add, as Co-Sponsor to this Amendment, Representative Henry and Representative McPike, for adjoining..."

Speaker Peters: "Gentleman have leave? Leave is granted."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 900 with Amendment #17 would add the retailer's Amendment that we previously acted on as Amendment #5. Retailer's Amendment adds the retail community to the provisions included in House Bill 900. The thrust of this proposal to encourage business investment including new operations, improved equipment and remodeling to create new jobs. This Amendment if adopted will afford retailers an investment tax credit. Retailing should be included in investment tax credit for the following reasons. Retailing is employee intent incentive, expansion and revitalization in retailing always, always creates new jobs. Expansion of retailing means more jobs for the groups needing them most. That's the young, the unskilled and first time wage earners. Encouraging revitalization, restoration and retail expansion is vital to the health and life of all neighborhoods, centers and downtowns in urban areas as well as the small, medium sized communities throughout Illinois. Mr. Speaker and Ladies and Gentlemen of the House, if there is an investment tax credit legislation in the State of Illinois, it should and must have the retailer's Amendment added to it. I solicit your favorable vote in adding Amendment #17 to House Bill 900 and Representative McPike, Henry and myself would be happy to answer any questions you have."

Speaker Peters: "Any discussion? Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, some people seem to think that some of us are trying to put everything possible on

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this Bill as a tax credit. I would rise in opposition to this Amendment. Simply because I think the magnitude of this Amendment, dollar wise, by including directly the retailers is such that this Bill will cost so much and will be no longer a tax credit but merely a tax break that it will kill the value of the Bill. I think it's necessary and Representative Vinson and the other Sponsors put this Bill together in such a way as to promote it as a limited tax credit in those areas where specific manufacturing and mining jobs would be created. To put the retailers directly in the Bill makes the Bill cost entirely too much and, I reiterate, I think it kills the tax credit idea and makes it simply a tax break. I would agree, we don't simply need a tax break. We need to keep it a tax credit and I think the experience with limited tax credits in other states is by keeping them limited as the Bill does without the Amendment. You still have the spin-off of helping suppliers and helping retailers to put them directly in the Bill defeats the concept of a tax credit and definitely will get this Bill vetoed by the Governor. So, I would urge, respectfully, despite the good intentions of Representative Daniels, a 'no' vote on this Amendment."

Speaker Peters: "Representative Pullen."

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

Speaker Peters: "He indicates he'll respond."

Pullen: "Since Amendment #5 was already, unfortunately, adopted and did the same thing, why are you offering this?"

Daniels: "Representative Pullen, Amendment #5 was adopted by a very resounding vote in the House and I was happy to see it adopted but a subsequent Amendment eliminated Amendment #5 making the adoption of Amendment #17 by at least the same majority necessary and I hope that you'll join us in adding this Amendment."

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Pullen: "Thank you very much."

Speaker Peters: "Representative McPike."

McPike: "Well, Representative Stuffle indicated that this would really expand it but I think the Body would agree that it doesn't. The Body killed Amendment #6 which I explained expanded it to processing, assembling, farming, fishing, everything else, and the Body here today decided that Amendment #6 was too all encompassing and would indeed make this a Christmas tree. Amendment #5 doesn't do that, it limits it strictly to retailing. Retailing has created the growth of about 70% of new jobs in the last decade in Illinois. Retail establishments in our urban centers today could use a shot in the arm as we see our downtowns deteriorate and new shopping centers expand on the outskirts. I think retailing is just as important to this State as manufacturing is and this puts them in the same boat as it does the manufacturer. It says that both of you are...it says that investment tax credits are available to both and I would ask for an 'aye' vote."

Speaker Peters: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I said before on an earlier Amendment, this grants about a 200 million dollars in tax breaks. Now, if people are concerned about local government then how can you vote for this Amendment? If people are concerned about the collections and disbursements under the replacement tax how can you vote for this Amendment? But more importantly, if people care about retailers then they are going to vote against this Amendment because this Amendment is going to kill the Bill. It will absolutely kill the Bill and I think that the most important thing that you can do for retailers is to grant a manufacturing tax credit. It multiplies through the economy. It multiplies through

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construction efforts. It multiplies through payroll and that's what creates a vital economy for retailers. I would urge you to think long and hard on this Amendment. This is the Amendment, if you kill this one, you could put this thing on Third Reading and you could have a legitimate chance for growth, for new revenues, for splitting up a bigger pie but if this Amendment is put on the Bill it's going to kill it. I would strongly urge you to vote 'no' on this Amendment."

Speaker Peters: "Further discussion? Representative Henry."

Henry: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm concerned about those who have stayed in the areas, such as my district, where there are very, very few manufacturers left. There are very, very few factories left but there are retailers and I'd like to remind you, our Ladies and Gentlemen of the House, that there are a number of small businessmen that could use a tax credit this way, in this manner, to expand and once they do that they can continue to employ those that are employed. If we start...if we remind you of the cutbacks...of Federal cutbacks and local cutbacks, then who will provide the employment for those who are unemployed or on the employed now? I support Amendment #17 and I would hope that everybody on both sides of the aisle would take into consideration of the great unemployment on the West side of the city of Chicago and other municipalities that have low...high unemployment."

Speaker Peters: "Representative Daniels, to close."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, we've heard a great deal of reference to the amount of money that this retailer's Amendment will cost and why it shouldn't be placed on the investment tax credit. The revenue loss resulting from, including retailers, in the investment tax

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credit proposed by House Bill 900 would be less than 1/7th the revenue loss from allowing the credit to manufacturers. This conclusion is based on studies undertaken by the Illinois State Chamber of Commerce to show the relative amounts of replacement taxes that would be born by different industry groups after repeal of the personal property tax. Now, Ladies and Gentlemen of the House, the figure was 1/7th of the amount extended to manufacturers and Ladies and Gentlemen, I suggest to you that if you are going to have an investment tax credit program in Illinois, that that tax credit program should include retailers in this State. Retailers that add jobs, real jobs, for people that need them the most to the State of Illinois. I ask you to support this Amendment, and adopt it as House Amendment 17 to House Bill 900."

Speaker Peters: "You've heard the motion, 'shall Amendment #17 be adopted?' All those in favor will signify by voting 'aye', those opposed by voting 'no'. Mr. Clerk. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'aye', 42 voting 'no' and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "No further Amendments. Can the Assembly say 'Amen'? Third Reading. Speaker Ryan in the Chair."

Speaker Ryan: "House Bill 898, Representative Piel. Read the Bill."

Clerk O'Brien: "House Bill 898, a Bill for an Act to amend the Election Code, Second Reading of the Bill, no Committee Amendments."

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

Clerk O'Brien: "Floor Amendment #1, Piel, amends House Bill 898..."



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

Piel: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 to House Bill 898 was agreed to in Committee and basically what it does, it clarifies ambiguous language in the Election Code and it prohibits election hearings within 50 feet of the exterior door or within 50 feet in a multi-rise residential building within 50 feet of the door in which the election is being held. And, I would ask for a favorable Roll Call on House Bill... Amendment 1 to House Bill 898."

Speaker Ryan: "Representative Dunn."

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

Speaker Ryan: "Indicates he will."

Dunn: "Isn't the current law 100 feet?"

Piel: "Yes, it is."

Dunn: "Does this make any other change except to reduce from 100 to 50 feet?"

Piel: "Yes, it does, Representative. The current law is ambiguous as far as when you get to a highrise apartment building where you might have the whole precinct in one building and so what this basically does, it clarifies that it can be on the same floor as long as it's 50 feet away from the doorway entering into the polling place."

Dunn: "Does this Amendment then apply only to highrises?"

Piel: "No."

Dunn: "Does it apply to all polling places?"

Piel: "Yes."

Dunn: "Yes what? It applies to all polling places?"

Piel: "Yes."

Dunn: "Well, where we come from, Mr. Speaker, there aren't very many highrises and there's no need to get within 50 feet of a polling place and I would urge the Members to reject this Amendment. We have too many problems with elections at the

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present time. I'm sure the problem that the Sponsor discusses and talks about can be worked out in a different fashion. There is no need to foul up the election laws all over the State of Illinois just to accommodate one particular instance. This would create abuses that are not taking place downstate now, and I would certainly urge the defeat of this Amendment."

Speaker Ryan: "Any further discussion? The Gentleman moves the adoption of Amendment #1 to House Bill 898. All in favor will signify by saying 'aye', all opposed by saying 'no'. The Gentleman moves for the adoption of Amendment #1. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Representative Deuster, do you seek recognition?"

Deuster: "Well, yes, in explaining my 'no' vote, I think this is a terrible Amendment. 100 feet is bad enough. We have lots of complaints about people hanging around the polling place and 100 feet is enough latitude, but to move it into 50 feet. I know the average citizen is going to be outraged by this change in the election law and I would urge more thoughtful 'no' votes."

Speaker Ryan: "Have all voted who wish? Representative Hoffman."

Hoffman: "If this is the Amendment I think it is. It reduces the distance from the polling place from 100 feet to 50 feet in multi-unit buildings. I think 100 feet probably isn't far enough. It probably ought to be 1000. To reduce it under any circumstances I think does a disservice to the ordinary and average citizen who would like to just come vote and not be harrassed by people who think they have some special interest in what's happening in there. If they can't get it done by that time, they ought to stay home."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. Representative O'Brien, to explain his vote."

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O'Brien: "I was just going to explain my vote, Mr. Speaker, and indicate that I don't think it's a good idea to have people campaigning 50 feet from the polling place. Most of us, if we've done our job appropriately, have already reached our voters by the time they're on their way to the polling place and they've already made up their mind as to how they're going to vote. This will do nothing but add more chaos at election time around those polling places, and it's hard enough to find qualified judges right now that are not being harrassed. I think this is a bad Amendment and is not for good government."

Speaker Ryan: "On this question... Representative Ebbesen, do you seek recognition?"

Ebbesen: "Yes, Mr. Speaker, I ... This is the... the polling or I mean the voting is not open, is that correct? You've already shut it off. Well, I just want to explain my vote. If they've got a problem in the highrises, let them develop an Amendment to this Bill that addresses itself to the problem, not change the whole system as a result. I think that there ought to be people up there who are voting green to change over to red and let them take this back to the drawing board and come up with something that addresses itself to the problem rather than changing and penalizing the entire state over this."

Speaker Ryan: "On this question there are 79 voting 'aye', 76 voting 'no' and 5 voting 'present'. Representative Deuster, do you seek recognition?"

Deuster: "Mr. Speaker, it might be better to just dump the Roll Call and try it again but I would request a verification and a poll of the absentees."

Speaker Ryan: "Poll the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the absentees. Alstat."

Speaker Ryan: "Alstat 'aye'."

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Clerk O'Brien: "Bluthardt. Epton. Garmisa. Huff. Kucharski. Margulas. McCormick. McMaster. Pierce. Sandquist. Schneider. E. G. Steele. Stewart. Stuffle. Turner. No further."

Speaker Ryan: "Any changes? We now have 80 'ayes' and 76 'no' and the Gentleman's requested a verification. Read a list of the affirmative votes."

Clerk O'Brien: "Abramson. Alexander. Alstat. Barnes. Bartulis. Beatty. Capparelli. Carey. Collins. Cullerton. Daniels. Davis. DiPrima. Domico. Doyle. Ralph Dunn. Ewing. Farley. Dwight Friedrich. Getty. Giglio. Giorgi. Griffin. Grossi. Hannig. Hastert. Henry. Hoxsey. Huskey. Jackson. Jones. Keane. Dick Kelly. Kornowicz. Kosinski. Krska. Kulas. Laurino. Lechowicz. Leinenweber. Leon. Macdonald. Madigan. Martire. Matijevich. McAuliffe. McBroom. McPike. Ted Meyer. Neff. Oblinger. Peters. Piel. Pouncey. Preston. Reed. Reilly. Rhem. Rigney. Robbins. Ronan. Saltsman. Slape. Irv Smith. Margaret Smith. Stanley. Stearney. Tate. Telcser. Terzich. Van Duyne. Vinson. Vitek. White. Wikoff. Winchester. J. J. Wolf. Younge. Yourell. Mr. Speaker."

Speaker Ryan: "Representative Deuster, you start at 80 'aye', 76 'no'. Do you have any questions?"

Deuster: "Yes, Mr. Speaker. Representative Oblinger."

Speaker Ryan: "She's in her chair, Representative."

Deuster: "I'm sorry. I was looking in the wrong row. Representative Pouncey."

Speaker Ryan: "He's in his chair, too."

Deuster: "Alright. Representative Reed."

Speaker Ryan: "Representative Reed in the chamber? Representative Reed. How is the Lady voted?"

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

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Speaker Ryan: "Remove her."

Deuster: "Representative Davis."

Speaker Ryan: "Representative Davis in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him."

Deuster: "Representative Stearney."

Speaker Ryan: "Representative Stearney's in his chair. Representative Stiehl, do you seek recognition?"

Stiehl: "Yes, Mr. Speaker. Would you please record me as 'aye'."

Speaker Ryan: "Record Representative Celeste Stiehl as 'aye'. Proceed, Representative."

Deuster: "If I call some names of people that are here, it would... The Clerk went a little fast and I'm sorry. Winchester."

Speaker Ryan: "In his seat."

Deuster: "Yourell."

Speaker Ryan: "How is the Gentleman recorded?"

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

Speaker Ryan: "Representative Yourell in the chamber? Representative Yourell. Remove the Gentleman from the Roll Call."

Deuster: "Representative Meyers."

Speaker Ryan: "Representative Meyer in the chamber? Representative Ted Meyer. Is that who you had in mind? Representative Meyer. How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call. Representative Greiman, do you seek recognition? Record Representative Greiman as 'aye'."

Deuster: "Representative Vinson."

Speaker Ryan: "Representative Vinson. Right here in the well."

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Deuster: "Representative Wikoff."

Speaker Ryan: "Representative Wikoff. Representative Wikoff in the chamber? Representative Wikoff. How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Deuster: "Representative Hastert."

Speaker Ryan: "Representative Hastert is in the aisle."

Deuster: "He's here. Representative Jackson. Okay. Representative..."

Speaker Ryan: "Representative Jackson is in his seat."

Deuster: "Representative Farley."

Speaker Ryan: "Representative Farley. Representative Farley in the chamber? how is the Gentleman recorded?"

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

Speaker Ryan: "Remove him."

Deuster: "Representative Schneider."

Speaker Ryan: "Representative Schneider in the chamber? How is the Gentleman recorded?"

Clerk O'Brien: "Gentleman's recorded as not voting."

Speaker Ryan: "Gentleman is recorded as not voting."

Deuster: "Representative Wolf."

Speaker Ryan: "Representative Wolf. Representative J. J. Wolf. The Gentleman in the chamber? How is he recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Deuster: "Representative Giorgi."

Speaker Ryan: "Representative..."

Deuster: "Oh. I see him."

Speaker Ryan: "... Preston, do you seek recognition?"

Deuster: "Representative..."

Speaker Ryan: "Just a minute, Representative Deuster. Preston."

Preston: "Verified, Mr. Speaker."

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Speaker Ryan: "Pardon?"

Preston: "Leave to be verified, Mr. Speaker."

Speaker Ryan: "Gentleman asks leave to be verified, Mr. Deuster.

The last name you gave me was Giorgi. He's in his seat."

Deuster: "Representative McAuliffe."

Speaker Ryan: "Representative McAuliffe. Representative  
McAuliffe in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him."

Deuster: "Representative Dwight Friedrich."

Speaker Ryan: "Representative Friedrich. Representative Dwight  
Friedrich in the chamber? Yes, in his chair."

Deuster: "Representative Levin."

Speaker Ryan: "Representative Levin in the chamber?"

Deuster: "He's right here. I see. Representative Krska."

Speaker Ryan: "Representative Krska is in his seat."

Deuster: "Representative Bartulis."

Speaker Ryan: "Representative Bartulis. Representative Bartulis  
in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him."

Deuster: "Representative Grossi."

Speaker Ryan: "Representative Grossi. Representative Grossi.  
He's in his chair."

Deuster: "Representative Farley."

Speaker Ryan: "You called him once, Representative and he was  
removed."

Deuster: "I'd like to take him off again. Representative  
Hannig."

Speaker Ryan: "Representative Hannig in the chamber? In his  
chair."

Deuster: "Representative Lechowicz."

Speaker Ryan: "Representative Lechowicz in the chamber? How is

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the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Deuster: "'Representative Madigan."

Speaker Ryan: "Representative Madigan in the chamber? How is the Gentleman recorded? Where is Mike? Put Lechowicz back on the Roll Call. Representative Madigan. Representative Schneider has returned. He's not recorded. Record Representative Schneider as 'no'. Now, I put Lechowicz back on. Representative Madigan. How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Deuster: "Representative Cullerton."

Speaker Ryan: "Representative Cullerton. Representative Cullerton in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Deuster: "Representative Daniels."

Speaker Ryan: "Representative Daniels. He's over here in the Press Box putting his release out. Have any further questions?"

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

Speaker Ryan: "Count, Mr. Clerk. Return Representative Cullerton to the Roll Call. Representative Braun."

Braun: "Mr. Speaker, how am I recorded?"

Speaker Ryan: "How is the Lady recorded?"

Clerk O'Brien: "Lady's recorded as voting 'no'."

Braun: "Vote me 'aye', please."

Speaker Ryan: "Record the Lady as 'aye'. Representative Levin."

Levin: "Mr. Speaker, how am I recorded?"

Speaker Ryan: "How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."



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Levin: "Vote me 'aye'."

Speaker Ryan: "Record him as 'aye'. Representative Bowman."

Bowman: "For the highrises in my district, I vote 'aye'."

Speaker Ryan: "I didn't hear you. Bowman."

Bowman: "On behalf of the highrises in my district, I'd like to change to 'aye'."

Speaker Ryan: "Record Representative Bowman as 'aye'. Representative Sandquist."

Sandquist: "'Aye'."

Speaker Ryan: "Record Representative Sandquist as 'aye'. Representative Currie, 'aye'. Representative Hastert, 'no'. Representative Balanoff."

Balanoff: "Please vote me 'aye'."

Speaker Ryan: "'Aye'. Return Representative McAuliffe to the Roll Call. Now what's the count? On this question there are 78 voting 'aye', 73 voting 'no' and the Gentleman's Motion prevails and Amendment #1 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 913, Representative Giorgi. Read the Bill."

Clerk O'Brien: "House Bill 913, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Just a minute, Mr. Clerk. I have been informed by the Doorkeeper that there's a dog in an automobile in the parking lot with license number ZEN 7. The windows are all up and the dog looks like he's in bad shape. ZEN 7. Proceed with House Bill 913."

Clerk O'Brien: "Amendment #1 was adopted in Committee."

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

Clerk O'Brien: "No Motions filed."

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

Clerk O'Brien: "None."

Speaker Ryan: "Third Reading. House Bill 918, Representative DiPrima. Read the Bill."

Clerk O'Brien: "House Bill 918..."

Speaker Ryan: "Out of the record. House Bill 970, Representative Nelson. Read the Bill."

Clerk O'Brien: "House Bill 970, a Bill for an Act to revise the law in relation to Clerk of Courts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

Clerk O'Brien: "No Motions filed."

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

Clerk O'Brien: "Floor Amendment #2, Johnson, amends House Bill 970..."

Speaker Ryan: "Representative Johnson on Amendment #2. Representative Johnson, Amendment #2 to House Bill 970."

Johnson: "Representative Nelson."

Speaker Ryan: "Pardon?"

Johnson: "It's Representative Nelson's Bill. I thought she'd want to."

Speaker Ryan: "It's your Amendment."

Johnson: "Yes. This... Two years ago or three years ago by accident the Legislature enacted a downstate jury demand fee in the amount of 50 dollars. In debate the Sponsor was asked whether this was applicable to downstate as it was in Cook County and the Sponsor said no. Well, it was mistake and there's a been a terrific burden in terms of litigants getting into court. Doesn't cost the lawyers anything. This is not a pro-lawyer vote. It simply requires another 50 dollars to get into court. We took out all the counties over 200,000 to meet the objections of DuPage and a couple

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of others who objected and this simply meets and corrects an inequity mistake that was made two years ago."

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

Leinenweber: "Thank you, Mr. Speaker. Will the Gentleman yield to a question?"

Speaker Ryan: "Indicates he will."

Leinenweber: "As I understand, the Bill itself is limited to DuPage County to wit; I think counties between 600 and a million. Is your Amendment part of that Bill or is it separate?"

Johnson: "It's just an appropriate vehicle. It doesn't affect that substance of that at all. It just says in counties of 200 thousand and less that there's a not a 50 dollar jury demand fee."

Leinenweber: "Alright. That's under 200,000? Thank you."

Speaker Ryan: "Further discussion? Gentleman moves for the adoption of Amendment #2 to House Bill 970. Representative Giorgi."

Giorgi: "Mr. Speaker, last week when this came up, he promised to take Winnebago out of it. Was that done or wasn't it done? I understand it wasn't done yet. You promised to take counties of 200,000 or over out of this Bill. Did you take them out? Did... I thought... Thank you, Mr. Speaker."

Speaker Ryan: "Is there any further discussion? Representative Johnson, do you care to close?"

Johnson: "I think it's self-explanatory. I appreciate an 'aye' vote."

Speaker Ryan: "Gentleman moves for the adoption of Amendment #2. 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 #3, Johnson, amends House Bill 970

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as amended."

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

Johnson: "What order are we in here? This..."

Speaker Ryan: "We're on the Order of Second Reading, House Bill 970. You just put Amendment #2 on the Bill and you've filed Amendment #3 and that's where we are now."

Johnson: "I don't have the Amendments. Has somebody got the Amendment so I can see it in front of me. What I said the last one was, I assume that's it. Let me see it. Just a second. Can I have leave to withdraw Amendment #2. Amendment #3 does what I said #2 did. I'm sorry."

Speaker Ryan: "#2 has been adopted. Want to withdraw #3?"

Johnson: "No. I want to move to table #2. Move to reconsider the vote by which #2 was adopted."

Speaker Ryan: "Gentleman moves to table Amendment #2. All in favor signify by saying 'aye', all opposed 'no'. The 'ayes' have it and Amendment #2 is adopted (sic, tabled). Further Amendments. Amendment #3, Representative Johnson."

Johnson: "Amendment #3 and I apologize, Representative Giorgi. Amendment #3 does exactly what I said #2 did and that is take out the fee for counties of under 200,000. I don't think there's any objection to it, and I would move for the adoption of the Amendment."

Speaker Ryan: "Gentleman moves for the adoption of Amendment #3. All in favor will signify by saying 'aye'. Representative Darrow."

Darrow: "Thank you, Mr. Speaker. Was that Amendment adopted yet?"

Speaker Ryan: "Number 3 was adopted."

Darrow: "I just wanted to point out that it would be costing the counties some money. Some people had some concern over it but that's alright."

Speaker Ryan: "The Amendment is not... #3 has not been adopted at

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this point, Representative Darrow."

Darrow: "Thank you, Mr. Speaker. Briefly to... address that Amendment, at the present time in the downstate counties when you demand a jury trial, you're going to have to pay a 50 dollar fee. It's becoming quite costly to call the jury members in for the jury trials. I just want to alert the Members who represent downstate counties that this will be a loss of revenue to the counties and if they would take that in to consideration."

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

Hallock: "Yes, Mr. Speaker, Members of the House, Representative Johnson, a question. Would you yield for a question?"

Speaker Ryan: "Yes. Indicates he will."

Hallock: "Representative Johnson, as I look at the Amendment, it appears that it deletes some lines but it doesn't, in fact, do what you said it does. It seems maybe technically incorrect. It still appears to me to take away the fee in every case in every county downstate."

Johnson: "Well, I don't want to mislead you, Representative Hallock. Let me move to withdraw this one and then we'll move it on to Third Reading. We'll clear it up because I had indicated to you and Representative Giorgi that it would do what I said it would do and I don't want to mislead you. So, let me withdraw it and we'll cure it in the Senate or somewhere."

Hallock: "Well, I just want..."

Johnson: "If you say that's what it does..."

Hallock: "... to know that in terms of your intention I feel that that's laudible. But I think the Bill, as amended, as you're trying to amend it doesn't, in fact, do what you want to do. I think Representative Nelson should know that as well so she can discuss this in terms of what she wants

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to do as the Sponsor of the Bill."

Johnson: "I move to withdraw #3, then, and let..."

Speaker Ryan: "Gentleman withdraws Amendment #3. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 987, Representative McClain. Read the Bill. Representative McClain put that in Interim Study earlier today. House Bill 998, Representative Bartulis. Read the Bill."

Clerk Leone: "House Bill 998, a Bill for an Act to amend the Environmental Protection Act. 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, Bartulis, amends House Bill 998..."

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

Bartulis: "Thank you, Mr. Speaker. Amendment #2 is a clean up Amendment on ... We amended the Bill in Committee and then we've done an Amendment on its face and we put the words in the wrong line and this is just a clean up Amendment for Amendment #1."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #2. 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 1152, Representative Rhem. Read the Bill."

Clerk Leone: "House Bill 1152, a Bill for an Act to amend the State Comptroller's Act. Second Reading of the Bill. No

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Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Rhem, amends House Bill  
1152..."

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

Rhem: "Yes, Mr. Speaker and Members of the House, Amendment 1. is  
to just clean up House Bill 1152 to address the circuit  
breaker checks specifically."

Speaker Ryan: "Is there any discussion? Gentleman moves for the  
adoption of Amendment #1 to House Bill 1152. 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, Rhem, amends House Bill 1152 as  
amended."

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

Rhem: "This Amendment deletes that portion of the Bill relating  
to fractional pay of state employees."

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

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1155, Representative  
Vinson."

Clerk Leone: "House Bill 1155, a Bill for an Act to amend the  
Civil Practice Act. 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, Vinson, amends House Bill  
1155..."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment #2 basically enacts two changes in the Bill. It cleans up technical language in the Bill as to when a countersuit is allowable against the plaintiff, and it says that the plaintiff can only be sued in the countersuit if the plaintiff was responsible in willful and wanton manner for manner for misrepresenting the truth of the facts alledged in the underlying suit. The second thing that it does is that you can't have a countersuit in the event that ... You can't have a countersuit in the event that the original suit terminated in settlement. I would move for adoption of Amendment #2."

Speaker Ryan: "Is there any discussion? Representative Bullock. Is there any discussion? The Gentleman moves the adoption of Amendment #2 to House Bill 1155. 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 #3, Vinson, amends House Bill 115..."

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

Vinson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3 clarifies the intent of the Act so that it will only apply to suits filed ... to suits filed on or after its effective date. I would move for adoption of the Amendment."

Speaker Ryan: "Is there any discussion? Gentleman... Representative Leinenweber, on Amendment #2."

Leinenweber: "Not on that. I got the next Amendment."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #3. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."



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Clerk Loene: "Floor Amendment #4, Leinenweber, amends House Bill 1155..."

Speaker Ryan: "Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. Amendment #4 is a simple Amendment. The Bill itself seeks to create a new cause of action under the nomenclature counterclaim in the event of a frivolous law suit and it provides in paragraph one for damages against the party or parties who brought the civil action for damages. And paragraph two, seeks to provide a rather extraordinary remedy, in my view, be able to file a counterclaim against the party's lawyers. Now this would create complete havoc so Amendment #4 merely seeks to strike that second part. I urge its adoption."

Speaker Ryan: "Any discussion? Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In Amendment #4 what Mr. Leinenweber is attempting to do is to protect lawyers who have willfully and wantonly mis-sued defendants. I would suggest that if it's appropriate to sue the plaintiff, it's also appropriate to sue the lawyer. The lawyer bears some basic responsibility to the society that he's involved in, and I don't think it's appropriate for us to immunize lawyers by way of this Amendment. Now let me just give you one example of how this kind of Amendment becomes operative, of what the affect would be. In some cases the wrote discription of what you're suppose to do from law school, you're suppose to sue every party you can sue. Sue everybody in sight. Now, in many cases, everybody in sight includes people who weren't even involved in the case. There are cases where lawyers in malpractice suits have actually gone out and sued people who weren't in the hospital at the time of the operation, who were actually not even involved on the hospital staff at the time of the operation. I don't

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believe that we have to justify that kind of behavior by lawyers. I think lawyers ought to be subject to the same restraints everybody else in this society is and I would, I would urge defeat of the Amendment. I would urge a 'no' vote on the Amendment, a 'no' vote against the concept that lawyers are a privileged class."

Speaker Ryan: "Representative Bullock."

Bullock: "Mr. Speaker, I was wondering if the Sponsor would yield to a question?"

Speaker Ryan: "He indicates he will."

Bullock: "Representative Leinenweber, in this Amendment, are you saying, in effect, that a person who's licensed to practice law and in fact has complied with all of the necessary provisions in the State of Illinois that if that person goes out and engages in a trade and is reckless in his conduct that he should be immuned from some type of recourse to the agrieved party?"

Leinenweber: "Course not. A lawyer is certainly not immune if he's reckless, if he, for example, he brought liability on his client. He would certainly be guilty of malpractice. If he does take the course of action you're talking about, he could subject himself to disbarment or some kind of punishment through the Supreme Court."

Bullock: "Then why are you proposing this Amendment?"

Leinenweber: "Because it doesn't make any sense at all to provide for civil liability of a lawyer for this goes beyond malpractice suits. This includes every kind of a suit a lawyer can file and you can bet that every time a lawyer is going to file a suit which may have some questionable, although not certainly willful and wantonly improper, he could be subjected to a law suit which would require his malpractice carrier, in all probability, to take over defense. Now, if you want to make it very difficult for

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people to get lawyers to take difficult civil cases, they go ahead and defeat this Amendment. But if you want to have lawyers responsive to their clients and not in fear of professional retribution by spiteful people who may have won a lawsuit, then I would suggest you vote for the Amendment."

Bullock: "Mr. Speaker, briefly to the Amendment."

Speaker Ryan: "Proceed."

Bullock: "I think Representative Leinenweber is probably proper in proposing this Amendment from his vantage point; however, I think that the Amendment would be a negative affect on House Bill 1155. I think, based on the comments that Representative Vinson made earlier, that perhaps Representative Leinenweber might be better served if he found another vehicle for his Amendment to address his constituents. And for that reason, I would think that we should enable the Sponsor to keep the Bill in the form that it's presently in and I respectfully urge a 'no' vote on Amendment #4 to House Bill 1115."

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

Topinka: "Mr. Speaker and Members of the House, I think, you know, comes a time when, you know, that which is fair has to be addressed, and I think for a long time now in malpractice claims that the idea of being able to sue everything in sight has just been the common practice. And this, as far as I'm concerned, this Amendment would continue that practice. I would urge a 'no' vote and leave the Bill in its original form which really addresses this problem and provide the ability to countersue and finally give these people a chance to fight back without hands tied behind their backs. Thank you."

Speaker Ryan: "Is there any further discussion? Representative Mulcahey, do you seek recognition?"

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

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

Leinenweber: "Thank you, Mr. Speaker. It's easy for a lot of these people to get up here and say that this Amendment... I did not understand what Representative Bullock was talking about, I mean this Bill does provide for counterclaims against lawyers. I know no more effective vehicle to get rid of that idea which is not in the law than the Bill that proposes it. So that's exactly what the Amendment does. Now, if you want to encourage spite suits which is going to have a chilling affect on people being able to obtain a lawyer to handle civil litigation. Now, this civil litigation goes a lot farther than mere malpractice suits. If it was limited, if it could be, which it can't of course because of the Constitution to malpractice suits, then perhaps it would not be such a devistating type of Bill. But I can tell you, this goes far beyond that. This includes every type of civil litigation that you can think of including civil rights violations for some of the Members of this General Assembly. And if you want to have... every time you lose a suit to be threatened with a spite counterclaim which is going to have a devistating affect on attorneys malpractice insurance which they do, which they also have to carry, then go ahead. But as long as you don't have to seek the services of a lawyer, then you can be happy to know that some doctors somewhere, some other litigant can threaten the lawyer and his client under the provisions of House Bill 1155. I think it's a bad idea. It's a chilling idea

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and I urge the adoption of Amendment #4."

Speaker Ryan: "The Gentleman moves the adoption of Amendment #4. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Preston, to explain his vote."

Preston: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise in support of this Amendment to permit a disgruntled litigant to sue the attorney of his opponent in a law suit would absolutely have the chilling affect that Representative Leinenweber has spoken about. This Bill... This Amendment will put the Bill in some decent shape to permit a needed reform to be passed by this House. Without this Amendment on there, this Bill should not and cannot in good conscience pass. So I would urge an 'aye' vote on this Amendment."

Speaker Ryan: "Representative Stearney, one minute to explain your vote. Representative Stearney. Representative Ewell, did you want to explain your vote?"

Ewell: "Very briefly, Mr. Speaker. I think that this Amendment deserves to be rejected. I think the lawyers are adequately protected. I don't think that we can ask for all things for ourselves and nothing for the people. Somewhere along the line, there has to be a balancing of equities. I think this does balance the equities, and I think that all people ought to practice their trades with a little care and consideration."

Speaker Ryan: "Representative Getty, to explain his vote."

Getty: "Mr. Speaker, this is a point or order. I have been looking through my file. I can't find this Amendment. Has it been printed?"

Speaker Ryan: "Has the Amendment been printed, Mr. Clerk? The Amendment has not been printed or distributed. Representative Vinson."

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Vinson: "Can we reverse the Roll Call and move it out of here on Third Reading tonight?"

Speaker Ryan: "Representative Leinenweber."

Leinenweber: "I want a chance to present the Amendment, so I would certainly object to that."

Speaker Ryan: "Dump the Roll Call. Dump the Roll Call. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "What's your pleasure, Representative Vinson? Third Reading. Representative Leinenweber?"

Leinenweber: "I thought I had a right to present an Amendment. It's been filed."

Speaker Ryan: "I had an agreement with Representative Vinson."

Leinenweber: "On what?"

Speaker Ryan: "To take it back. That... Didn't you request that of Representative Vinson?"

Leinenweber: "No, I just said I want to make sure I can present the Amendment. If he will agree when it's called on Third Reading to take it back to consider this Amendment."

Speaker Ryan: "Representative Vinson."

Vinson: "Mr. Speaker, it's my understanding that the Gentleman just presented the Amendment. What's the nature of his request?"

Leinenweber: "It was taken out of the record by... at the request of Representative Getty because it's not been printed and distributed."

Vinson: "Mr. Speaker, this Bill has been on... This Bill has been on Second Reading for 11 days. The Gentleman has had ample opportunity to amend the Bill and I would request that it go to Third Reading."

Speaker Ryan: "Representative Vinson, we have an Amendment before this Body that has to be disposed of in some manner. We either have to leave the Bill on Second Reading or dispose

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of the Amendment in some manner."

Vinson: "I would move to table the Amendment."

Speaker Ryan: "Gentleman has moved to table Amendment #4. All in favor signify by saying 'aye', all opposed 'no'. Representative Leinenweber."

Leinenweber: "I would ask the Parliamentarian, is it in order to table an Amendment that's not been printed or distributed? It's been taken out of the record. He dumped the Roll Call, took it out of the record, I thought and I object to that. If I recall correctly, the Sponsor of the Bill has had a Bill at his request because Amendments that he placed were not printed and distributed."

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

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, it seems like the debate we're having right now can just merely be avoided by recognizing the fact the Motion to table carry. We certainly had a great deal of discussion on the Motion. The Bill should be moved to Third Reading. Motion to table has carried and I think we've got a lot of other business to tend to."

Speaker Ryan: "Your point is well taken, Representative Daniels. The Motion to table did carry and that will dispose of the Amendment. Now are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Representative Leinenweber."

Leinenweber: "I would repeat my request and I will abide by your ruling. How can you table an Amendment that hasn't been printed or distributed when you can't even consider it?"

Speaker Ryan: "The printing and distributing only go to the merits of that Amendment and we are... the Gentleman is in all of his rights to move to table the Amendment. He's made that Motion. That Motion's carried and Amendment #4 is tabled. Are there further Amendments?"

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Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1158, Representative McPike. I plan on doing 1158, 1190 and departing the chambers till eight a.m. in the morning. Representative McPike. Read the Bill."

Clerk Leone: "House Bill 1158, a Bill for an Act to create the Illinois Small Business Developmental Authority. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, McPike, amends House Bill 1158..."

Speaker Ryan: "Representative McPike, on Amendment #1."

McPike: "I withdraw Amendment #1."

Speaker Ryan: "Withdraw Amendment #1. Further Amendments?"

Clerk Leone: "Floor Amendment #2, McPike, amends House Bill 1158..."

Speaker Ryan: "Representative McPike, on Amendment #2."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I agreed, when this Bill came out of Committee, to keep it on Second Reading until such time as the Republican Leadership and the Governor could look over the Bill and find if there was anything that they objected to. Amendment #2 takes care of those objections. It eliminates a paragraph on page 16 and 17 which would allow the State of Illinois if it so choose to appropriate funds to this agency and would have a moral obligation to do so. The Bureau of Budget found it objectionable. This Amendment eliminates any implication of any moral obligation of the state on any debt assessed by the authority. I would move for its adoption."

Speaker Ryan: "Gentleman moves for the adoption of Amendment #2. Is there any discussion? Representative Ewell, do you seek recognition on this Amendment? Representative Ewell, do



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you seek recognition on this? Representative Deuster, do you seek recognition on this? The Gentleman moves the adoption of Amendment #2. 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 Amedments."

Speaker Ryan: "Third Reading. House Bill 1190; Representative Stanley. Read the Bill."

Clerk Leone: "House Bill 1190, a Bill for an Act to amend an Act in regard to limitations. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. On the Calendar on page 37, we're going to go to the Order of Motions, Senate Appropriation Bills only. Representative Terzich."

Terzich: "Mr. Speaker, since I am low man on the totum pole, will we be going back to Second Readings tomorrow?"

Speaker Ryan: "Tomorrow morning at 8:00."

Terzich: "Thank you, Mr. Speaker."

Speaker Ryan: "On the page... On the Calendar on page 37 under the Order of Motions, Senate Bill appropriation...Seante Appropriation Bills. Representative Wolf, for the purpose of a Motion."

Wolf (J.J.): "Mr. Speaker, I wonder if I could have leave of the House to consider Senate Bill 871, 872, 873, and 874 on one Roll Call?"

Speaker Ryan: "Gentleman asks leave to have Senate Bills ... a Motion on Senate Bills 871, 872, 873, and 874 heard on one Roll Call. Are there objections? Hearing none, leave is granted."

Wolf: "Thank you, Mr. Speaker. I'll explain each one pursuant to Rule 31. Of course, I would like to them move to advance

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these Bills to the Order of Second Reading without reference to a Committee. This has been agreed by both sides of the aisle. I've discussed it with leadership and with the Minority Spokesman of the Appropriations Committee. Senate Bill 871 passed the Senate 48 to nothing. It provides a supplemental appropriation of 400,000 dollars to the Department of Public Health and the Federal Maternal Child's Health Service Fund to offset a transfer from the General Revenue Fund for prenatal services. The Bill also transfers 1,241,100 in GRF and 40,000 in Maternal and Child Health Funds from the Operations line items to various grant accounts and paranatal services to laboratories for personal services and medical services. Total transfer is 1,681,000. Senate Bill 872 likewise is a transfer from the FY '81 appropriations to the Department of Corrections for their ordinary and contingent expenses. It transfers 83,300 dollars from the personal services line of the Centralia Correctional Center to the travel and allowance for committed payroll to discharge prisoners lines. The institutions that will receive, will be the following: Joliet Correction Center 29,000, Menard Phsychiatic Center 11, Pontiac Correctional Center 3.0, Vandalia Correctional Center 31.5, Dwight Correction Center 6.0, and the Sheritan Correctional Center 2.8 which totals 83.3. Senate Bill 873, transfers 132,200 dollars in General Revenue Funds from grants and operations to the Dangerous Drug Commissions FY '81 ordinary and contingent expenses, effective immediately. Senate Bill 874 transfers 15,000 in GRF between grant lines in the Department of Veteran's Affairs FY '81 budget effective immediately and it transfers bonus payments to war veterans and veterans headstones. This Bill also was passed by the Senate by a

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vote of 48 to nothing and I would again renew that Motion, Mr. Speaker, to advance these Bills to the Order of Second Reading, without reference to Committee. There is an emergency involved in making the payments."

Speaker Ryan: "Is there any discussion? You've heard the Gentleman's Motion. All in favor will signify by .... All in favor will signify by voting 'aye', all opposed by voting 'no'. Requires 107 votes. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 121 voting 'aye' 1 voting 'no' and 2 voting 'present' and the Gentleman's Motion prevails. Representative Mautino, do you seek recognition? Representative Wolf."

Wolf: "I just wonder if you could have the Clerk then read these Bills a second time today?"

Speaker Ryan: "... in Perfunct. How's that? Representative Mautino."

Mautino: "Thank you, Mr. Speaker. The purposes of an announcement. The Subcommittee on Motor Vehicles will meet in room 118 immediately following this Session and we'll be there for about 15 minutes if the Members could be there, please."

Speaker Ryan: "Representative Wolf, this can't be done in Perfunct. Read the Bills, Mr. Clerk. Senate Bill 871, 872, 873, and 874. Read them."

Clerk Leone: "Senate Bill 871, a Bill for an Act... a Bill for an Act to appropriate funds to the Department of Public Health. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading."

Clerk Leone: "House Bill.... Senate Bill 872, a Bill for an Act to appropriate funds to the Department of Corrections."

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Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading."

Clerk Leone: "Senate Bill 873, a Bill for an Act to appropriate funds to the Dangerous Drugs Commission. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading."

Clerk Leone: "Senate Bill 874, a Bill for a Act to appropriate funds to the Department of Veteran's Affairs. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Representative Hallock, do you seek recognition?"

Hallock: "Yes, Mr. Speaker, Members of the House, for a short announcement. The State Government Organization Committee will meet after Session for about 10 minutes in room 122 B. Thank you."

Speaker Ryan: "Change of vote."

Clerk Leone: "Representative Stanley requests to vote 'aye' on House Bill 162. Representative Stuffle requests to vote 'aye' on Amendments 1 and 2 to House Bill 581. Representative Cullerton requests to vote 'aye' on Amendment #2 to 581. Representative Koehler requests to vote 'aye' on Amendment #2 to 607. Representative Zwick requests to vote 'aye' on Amendment #2 to 607. Representative Koehler requests to vote 'no' on Amendment #2 to 627. Representative Koehler requests to vote 'aye' on Amendment #3 to 808. Representative Mays requests to vote 'aye' on Amendment #17 to 900. Representative Boucek

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requests to vote 'aye' on Amendment #2 to House Bill 1398. Representative Watson requests to vote 'no' on Amendment #1 to House Bill 1398. Representative Polk requests to vote 'aye' on Amendment #17 to House Bill 900. Representative Bowman requests to vote 'aye' on Amendment #2 to House Bill 1398. Representative Fawell requests to vote 'aye' on Amendment #2 to House Bill 1642. Representative Zwick requests to vote 'aye' on Amendment #2 to House Bill 1624. Representative Piel requests to vote 'aye' on Amendment #2 to House Bill 1624. Representative Dunn requests to vote 'aye' on Amendment #1 to House Bill 1719."

Speaker Ryan: "You heard the Gentleman's requests for change of vote. Are there any objections? Ask leave. Leave is granted. No objections. Representative Brummer, do you seek recognition? Representative Brummer at Representative Barnes' desk."

Brummer: "Yes, simply a parliamentary inquiry I suppose with regard to the appropriation Bills 871, 872, 873, 874. I'm not certain if the Motion was to discharge Committee or to bypass Committee was to place those Bills on the Order of Second Reading, Second Legislative Day. If not, I don't think they should have been moved to Third."

Speaker Ryan: "Your inquiry is not timely, Representative. Those Bills are now on the Order of Third Reading. Clerk needs five minutes, Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, allowing the Clerk five minutes I now move the House stand adjourned until Wednesday, May 13 at 8:00 a.m."

Speaker Ryan: ""Gentleman moves the House stand adjourned till Wednesday, May the 13th, the hour of 8:00 a.m. All in favor signify by saying 'aye', all opposed say 'no'. The 'ayes' have it and the House now stands adjourned."

Clerk Leone: "Introduction and First Reading. House Bill 1894,

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Friedrich et al, a Bill for an Act to reinstate the Common Law Doctrine of Contributory Negligence. First Reading of the Bill: No further business, the House now stands adjourned till 8:00 a.m. May 13th."

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