

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

42nd Legislative Day

May 15, 1981

Speaker Ryan: "The House will come to order and the Members will be in their seats. Father Wright will lead us prayer this morning."

Father Wright: "Let us bow our heads and pray. O God, the Source of all wisdom Whose statutes are good and Whose law is truth always guide and direct our Legislators that by just and prudent laws they may promote the well-being of all the people of this great State of Illinois. This we ask through Christ our Lord."

Speaker Ryan: "Thank you, Father. Representative Oblinger will lead the Pledge."

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

Speaker Ryan: "Roll Call for attendance. Let the record show Representative Ronan is here this morning. Take the record, Mr. Clerk. Take the record, Mr. Clerk. 158 Members answering the Roll, a quorum of the House is present. Representative DiPrima in the House? Representative Reilly? Representative Oblinger? On page four, under House Bills, Second Reading appears House Bill 837, Representative Oblinger. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 837, a Bill for an Act relating to the abused, neglected and exploitation of aged and disabled adults, Second Reading of the Bill. No Committee Amendments."

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

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

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

Oblinger: "Mr. Speaker and Members of the House, Amendment #1 was to correct a mistake in the original Bill on physicians."

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We felt that depriving them of their license was sufficient rather than a small fine added to it and so that was deleted and it now reads that the physician will lose a license if he does not report."

Speaker Ryan: "The Lady moves...is there any discussion? The Lady moves for the adoption of Amendment #1 to House Bill 837. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Oblinger..."

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

Oblinger: "Amendment #2 is a usual Amendment that the Christian scientist asks to be put in any Bill that might deal with physical harm. I move the adoption of Amendment #2."

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

Getty: "I wonder if the Lady isn't confused either that or my Amendments are misnumbered. I think the one you just adopted was the one that you're describing now and you've reversed them."

Oblinger: "Amendment #1 was a Christian Science Amendment and Amendment #2 is the one to remove the fine from the physicians. Thank you, Representative Getty."

Speaker Ryan: "Now, do we have that straight? Is there any other discussion? Representative Getty, do you have anything? The Lady moves for the adoption of Amendment #2 to House Bill 837. 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 #3, Oblinger..."

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

Oblinger: "I would like to ask permission to have Amendment #3 tabled."

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

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Clerk Leone: "Amendment #4, J. J. Wolf, amends..."

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

J. J. Wolf: "Yes, I believe that's the Amendment that lets them use either private or public home health care services. Many times the private home health care agencies are able to deliver the services at a lesser rate and it just... let that be available to them. I would move the adoption of Amendment #4."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #4 to House Bill 837. All in favor will signify by saying 'aye', all opposed 'no'? The 'ayes' have it and the Amendment is adopted. Further Amendments?"

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

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

Oblinger: "Mr. Speaker, Members of the House, in Judiciary I there were a number of questions asked and I promised them that I would introduce an Amendment that would try to answer their questions. The original Bill would have cost between four and ten million dollars which I knew we couldn't afford at this time. This Amendment makes use of existing resources within local areas to which we have talked, plus the fact that it will use the advocacy and Guardianship Commission in those four areas to assume the guardianship and to do the trading of para-guardians and para-advocates. I've already talked to Green Thumb and the Senior Employment Agency, they will pick up the cost of the para-guardians and para-legals who will be trained for this purpose."

Speaker Ryan: "Is there any discussion? Lady moves for the adoption of Amendment #5. Representative Sandquist."

Sandquist: "Yes, will the Lady yield?"

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Speaker Ryan: "She indicates she will."

Sandquist: "Representative Oblinger, I'm sorry I don't have the Amendments in front of me but was Amendment #3 which you tabled, is that the one which was transferring part of this from the Guardianship Advocacy Commission?"

Oblinger: "Yes and number three had said that the Guardian Advocacy Commission would provide protective services. This is not one of their functions. That's why we tabled it and Amendment 5 just says that they will be responsible for doing the training."

Sandquist: "Alright, thank you very much."

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

Hoxsey: "Yes, Representative Oblinger, in this Amendment...you say they will do the training? The Advocacy Commission?"

Oblinger: "The Advocacy...they said they didn't have sufficient number of employees to do all their training. So what we have asked them to do is train the trainers and those trainers will then train the para-guardians and para-advocates if within the four areas that are chosen."

Hoxsey: "Do they have proper, you know, monies to do this with or what?"

Oblinger: "Well when they thought they were going to have to do the entire training they didn't have. If there is just to be training done for..in four areas of the State, they will only be doing a one day training session in each of the four areas to train the trainers and then we will work with them from then on to train the people within that community to fulfill that obligation."

Hoxsey: "And so they think they have the adequate facility...the adequate funding to..."

Oblinger: "They're not sure but I think this is the reason we created the Commission, in order to fill these sort of vacuums and when I told them that the Department on Aging



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already had done a program like this, had the manuals and the material so that it would only take a very short time, at least the people who are employees thought that they could do this."

Hoxsey: "Alright, thank you."

Speaker Ryan: "Is there any further discussion? The Lady moves for the adoption of Amendment #5. 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. Go back up to Calendar, House Bill 627, Representative Fawell."

Clerk Leone: "House Bill 127 (sic) 627, a Bill for an Act to amend the Unemployment Insurance Act, Second Reading of the Bill. Amendment #2 was adopted previously."

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

Clerk Leone: "There's no Motions filed."

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

Clerk Leone: "No floor Amendments."

Speaker Ryan: "Representative Fawell."

Fawell: "Mr. Speaker, I'd like to have it moved onto Third, please."

Speaker Ryan: "Okay. There are no further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Representative Peters in the Chair."

Speaker Peters: "Representative Topinka, for what purpose do you seek recognition?"

Topinka: "I did have a Motion filed on 627, I just wanted it for the record that I have withdrawn it."

Speaker Peters: "Thank you. Mr. Clerk, the Lady has withdrawn...Page 34, Motions, 637(sic) was withdrawn. Mr.

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Clerk, do you have that?"

Clerk Leone: "Motion on House Bill 627."

Speaker Peters: "Withdrawn. Representative Jaffe.

Representative Jaffe withdraws Motion 255 on page 35 of the Calendar. Mr. Clerk, okay?"

Clerk Leone: "Motion to House Resolution 255."

Speaker Peters: "Withdrawn. Representative Flinn?"

Flinn: "I would like to withdraw the Motion on House Bill 1148."

Speaker Peters: "The Gentleman withdraws Motion on House Bill 1148 on page 34. Anyone else? For the purpose of withdrawing Motions, only. Continuing House Bills on Second Reading. Representative Stanley, House Bill 1225. Out of the record. Representative Schneider on House Bill 1448. Out of the record. Representative Braun on House Bill 1661. Out of the record. Representative Yourell, I'm sorry that's an appropriation Bill. Is it on here? The Chair asks leave of the House on behalf of the Members to bring several Bills back from Third Reading to the Order of Second Reading for purposes of Amendments. Does the Chair have leave? There would be no objection, leave is granted. House Bill 326, Representative DiPrima. The Gentleman asks leave...Mr. Clerk, does...Mr. Clerk? Alright, for purposes of the record, again, the Bills that we are now considering are all Bills in which the sponsors have asked leave to bring back from the Order of Third Reading to Second Reading for purposes of adding Amendments. Leave has been granted. Representative DiPrima, House Bill 326."

Clerk Leone: "House Bill 326, a Bill for an Act to amend the Real Estate Brokers and Salesmen License Act. It has been read a second time previously."

Speaker Peters: "Alright, Representative..."

Clerk Leone: "House Bill 362 (sic), a Bill for an Act to amend the Real Estate Brokers and Salesmen License Act, Second

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Reading of the Bill. Amendment #1 was adopted previously."

Speaker Peters: "Any further Amendments?"

Clerk Leone: "Floor Amendment #2, DiPrima, amends House Bill  
326..."

Speaker Peters: "Representative DiPrima, Amendment #2."

DiPrima: "Yes Sir, Mr. Speaker, Ladies and Gentlemen of the  
House, Amendment #2 amends the Real Estate Brokers and  
Salesmen License Act. Allows real estate brokers and  
salesmen to conduct the real estate business transactions  
by public auction or private sale. This Amendment would  
exempt any person from adhering to the licensing  
requirements for real estate brokers by January 1, 1983 if  
they have ten years of experience as an auctioneer, can  
show evidence of such experience. I move for its  
adoption."

Speaker Peters: "Any discussion? There being none, the question  
is, 'Shall the Amendment....' Representative Hoxsey."

Hoxsey: "Yes, I have a question, Representative DiPrima. How is  
the ten years experience with the auctioneers going to be  
ascertained? What do you...."

DiPrima: "Well, you have to come with evidence that you. That's  
right, adequate proof."

Hoxsey: "Evidence? What kind of evidence I mean anybody can  
say, I've been in the business ten years. What are you  
asking for?"

DiPrima: "Proof of transactions. You must have made deals  
with..during..."

Hoxsey: "In my observation with auctioneers from my area, I doubt  
very much if they keep any proof of transactions any longer  
than is necessary for income tax records, and I just  
question how this is to be implemented, how do you...how  
you're going to implement this Amendment."

DiPrima: "Yes, tax records will prove it, would suffice."

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Hoxsey: "Income tax records?"

DiPrima: "This is a grandfathering, a man killer."

Hoxsey: "Well, I understand your grandfathering in those auction areas that have been in business but I question as to how you can implement this Amendment. I don't know any auctioneers that have kept a record on how long they've been in business."

DiPrima: "Well, Miss Hoxsey, look, anything you want to add to the Amendment, you know, that you want to amend, that would make it proof positive, we can add it on to the Bill. What ever you want, I don't care."

Hoxsey: "Ladies and Gentlemen of the House, I would just oppose this Amendment on the basis that it isn't even practical to implement."

Speaker Peters: "Further discussion? The Gentlemen to close."

DiPrima: "I move for the adoption of Amendment #2 to House Bill 326."

Speaker Peters: "The question is, 'Shall Amendment 2 to House Bill 326 be adopted?' The Lady asks for a Roll Call vote. Those in favor will vote 'aye', those opposed will vote 'nay'. Mr. Clerk. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 92 voting 'aye', 11 voting 'nay', 2 voting 'present'. Amendment #2 to House Bill 326 has been adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Third Reading. House Bill 529, Representative Grossi. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 592, it's been read a second time previously. Floor Amendment #4, Grossi, amends House Bill 592 as amended."

Speaker Peters: "Representative Grossi, Amendment 4."

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

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House, Amendment #4 is a technical Amendment to correct a problem that developed in Amendment #3."

Speaker Peters: "Representative Grossi. The Gentleman has moved the adoption of Amendment #4. Is there any discussion? There being none, the question is, 'Shall Amendment #4 be adopted?' Those in favor will signify by saying 'aye', those opposed? The opinion of the Chair, the 'ayes' have it. Amendment #4 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Third Reading. House Bill 900, Representative Vinson. Out of the record. 1254, Representative Keane. Out of the record. House Bill 1270, Representative Pullen. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1270, it's been read a second time previously. Floor Amendment #3, Pullen-Collins, amends House Bill 1270 as amended."

Speaker Peters: "Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3 is really a clean-up Amendment to a rather comprehensive Bill and it addresses the problems that were raised by staff on both sides of the aisle in the major Bill, itself. I move its adoption."

Speaker Peters: "Representative Levin on Amendment 3."

Levin: "Mr. Speaker, I have a series of questions but before I ask them I would just like to apprise the Chair that since this Amendment changes the title, if it is adopted I would like to be recognized for a Section 34D Motion."

Speaker Peters: "Section 8?"

Levin: "Section 34. I have some questions for the Sponsor, if she would yield?"

Speaker Peters: "She'll yield."

Levin: "Representative, your Amendment provides in part that the chief executive officers for your...the districts that you

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would create, the transportation districts would be, in one case, the Mayor of the City of Chicago and in other cases, presidents of various county boards, is that correct?"

Pullen: "Yes."

Levin: "Have you talked to the Mayor of the City of Chicago and have you talked to the presidents of the various suburban county boards that are involved to see whether or not they are interested in or willing to assume the responsibilities, the awesome responsibilities that you would foist upon them under this Amendment?"

Pullen: "No."

Levin: "So, accordingly, you're providing powers to them that they may not wish to assume, the various suburban county board presidents? Is that correct?"

Pullen: "Was that a question?"

Levin: "Mr. Speaker, this is a rather complicated Amendment and it's very hard to hear the Sponsor with some of the background noise."

Speaker Peters: "Proceed, Representative Levin."

Levin: "Thank you. Representative, is there any provision for interim financing under your Amendment, any bridge notes, any way that the systems, the suburban systems you're talking about, will be provided with the monies that they need until they're able to begin to generate additional revenues of their own?"

Pullen: "They have tax anticipation power."

Levin: "They have what?"

Pullen: "They have tax anticipation power, just like other governments."

Levin: "How much do the...how much can they obtain from the tax anticipation notes...authority?"

Pullen: "The limit is one year anticipated tax receipts."

Levin: "How much would that be, in dollars?"

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Pullen: "That depends on what tax the authorities decide to levy."

Levin: "If it's the sales tax, how much?"

Pullen: "At what rate, Sir?"

Levin: "The present rate."

Pullen: "Approximately 130 million. You're talking about the city?"

Levin: "130 million for the city. How much for suburban Cook and how much for the rest of the six county area?"

Pullen: "I'm sorry, I misspoke, the City of Chicago would be about 114 million, suburban Cook about 140, excuse me, 139."

Levin: "I'm sorry, I didn't hear the last sentence, Representative?"

Pullen: "Suburban Cook would be about 139. DuPage, 12. Kane, 3.6. Lake, 5 1/2. Will, 3 1/2. And McHenry, about 1.7."

Levin: "What is the total?"

Pullen: "The total is not...I just gave you the totals. There is no aggregating situation here. This is a matter of district by district."

Levin: "How does this compare with the 200 million dollars..."

Speaker Peters: "Representative, please bring your discussion to a close. A lot of this would be more properly be for Third Reading."

Levin: "Well, let me just finish up this line of inquiry. How does that compare to the 200 million dollars that the Governor estimated would be needed?"

Pullen: "It certainly does a more adequate job of providing transportation service."

Levin: "Mr. Speaker, if I may speak to this Amendment?"

Speaker Peters: "Proceed."

Levin: "I would urge a 'no' vote on this Amendment. This Amendment is not well thought out. This Amendment does not

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deal with all of the various transportation areas in the six county area. It is punitive for some of the jurisdiction. It is inconsistent with the proposal put forward by the Governor of many parts of which we believe were well thought out and need to be considered. It foists upon suburban county board presidents, as well as the Mayor of Chicago, responsibilities that they have not indicated any desire to assume. Accordingly, I would ask for a 'no' vote on this Amendment."

Speaker Peters: "Further discussion? The Lady to close."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, the Gentleman is quite correct that this Bill and the Amendment are departures from the Governor's program, that's one of the greatest things about it. I appreciate his support in this matter, regardless of the position that he is taking. It is an Amendment that is necessary to bring the Bill into the shape in which I desire to have it so that we can consider it on Third Reading. And I would appreciate the support of the Members on Amendment #3."

Speaker Peters: "Question is, 'Shall Amendment #3 to House Bill 1270 be adopted?' Those in favor will signify by saying 'aye', those opposed? It's the opinion of....Roll Call. All those in favor will vote 'aye', those opposed will vote 'nay'. Mr. Clerk. Representative Karpziel to explain her vote."

Karpziel: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. While the Sponsor of this Amendment perhaps has not spoken to some of the county board chairmen in the effected areas, I have, and especially in the counties that my district represents. My district represents parts of four counties. DuPage Chairman and the Kane County Chairman and I think all of the...with one exception, all of the collar counties Chairmen are interested in having this Amendment."



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So I would encourage more 'aye' votes up there."

Speaker Peters: "Have all voted who wish? On this question there are 81 voting 'aye', 69 voting 'no' and Amendment #3 is adopted. Further Amendments? Representative Bowman, for what purpose do you arise?"

Bowman: "Mr. Speaker, this particular Amendment amends the title and under the rules of the House, any Member has the right to request this to be returned to Second Reading, First Legislative Day. I am making that request."

Speaker Peters: "Representative Bowman, why don't you hold on to that until we get through with the Amendments."

Bowman: "Okay, but I would appreciate it if you would recognize me at that time."

Speaker Peters: "I could not help but do that."

Bowman: "You're a sport."

Speaker Peters: "Representative Levin, is that a...further Amendments?"

Clerk Leone: "Floor Amendment #4, Pullen, amends House Bill 1270 as amended."

Speaker Peters: "Who's Amendment 4? Representative Polk. Representative Levin."

Levin: "Yes, I would ask for a verification on Amendment #3."

Speaker Peters: "Well, that's too late now. Representative, you moved up and back, up and back four times. Alright, Amendment #4, Representative Polk. Representative Getty."

Getty: "Mr. Speaker, I know Representative Levin was trying to get the Chair's attention. I know he wanted to verify that. I think that was quite obvious, and I think that the Chair should go back and permit Representative Levin's right to verify that Roll Call. I think Representative Levin might be inclined to verify every Roll Call, Mr. Speaker, if you don't permit him his right. He was seeking recognition. There was no question about it before the

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Chair moved this."

Speaker Peters: "The Representative has a right to verify any Roll Call he wishes to verify. The Chair will recognize Representative Levin or any Member of this House for any verification Motion or other Motion provided that Motion is put timely. This Motion, however, was not. Amendment #4, Representative Polk. Is the Gentleman on the floor? Pullen, I'm sorry, Representative Pullen, Amendment #4."

Pullen: "Mr. Speaker, Amendment 4 corrects a technical error in the drafting of the Bill as amended, and it also changes the tax rate in the suburban Cook area to 1/2% sales tax rather than 1% which was what I desired but the Reference Bureau did not follow through on that so Amendment #4 is necessary to put the Bill in the shape in which I wish it to go to Third Reading. I move its adoption."

Speaker Peters: "Any discussion? Well, you've got to put your light on Representative Leverenz, or Representative Levin, that's part of it. You can't just yell and say I'm not recognizing you. Alright? Now, Representative Leverenz to be recognized."

Leverenz: "I'm sorry with the confusion with the Representative further over. But, Speaker, it's just impossible, something...you can't hear the explanation in the first place and I would just appreciate it if she would make the explanation again because I heard something about a tax rate change in the suburban area."

Speaker Peters: "Representative Pullen."

Pullen: "Yes, the Gentleman should like it. It reduces the suburban area tax from 1% to 1/2% because that was what my original intention was but the Reference Bureau did not carry that through in Amendment 3."

Speaker Peters: "Any further discussion? Representative Levin."

Levin: "First, I have a parliamentary inquiry. Representative

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Bowman, noting that Amendment #3..." Speaker  
Peters: "Representative...."

Levin: "If I may make my parliamentary inquiry, Mr. Speaker.  
Representative Bowman, has moved to send this Bill back to  
Second Reading, First Legislative Day, pursuant to Section  
34 D. My inquiry is, since that Motion was put, with  
respect to Amendment #3, is Amendment #4 in order at this  
point? Or don't we have to go back to First Legislative  
Day, in which case we wouldn't be able to present this  
Amendment at this point?"

Speaker Peters: "Is that in regard to Amendment #4?"

Levin: "That's correct."

Speaker Peters: "Amendment 4 hasn't been adopted yet. That  
inquiry would be best...be made after Amendment #4 is acted  
on."

Levin: "Well, I would make the inquiry that Amendment #4 is out  
of order at this point. And there has been a Motion..."

Speaker Peters: "The Chair rules the Amendment is in Order."

Levin: "May I..."

Speaker Peters: "Proceed."

Levin: "...Have questions for...would the Sponsor yield?"

Speaker Peters: "She indicates she will."

Levin: "Amendment #4 would reduce the sales tax collections. How  
would that affect the amount of interim money that would be  
available, you know you gave us some figures earlier, in  
terms of what...bridge money, interim money, tax  
anticipation money would be available? What would  
Amendment #4 do to those figures?"

Pullen: "I must apologize to the Gentleman concerning my previous  
response on interim financing. It is not tax anticipation  
notes, it's interim financing notes. The figures that I  
gave you would be the same under either answer except that  
this figure if it had been tax anticipation notes would be

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reduced. In this situation it is maintained at the figure that I gave you. So it would be about 139 million for suburban Cook County and it is interim financing notes."

Levin: "That's how much less than would have been available under Amendment #3?"

Pullen: "It's twice as much as would have been available under Amendment 3."

Levin: "Okay. Mr. Speaker, if I may speak to the Amendment? I would oppose this Amendment. I believe that it would not provide anywhere near the kind of revenue that is needed to maintain transportation in northern Illinois. It would cut in half the sales tax collections. We already have a situation where the system is on the brink. This would push it even farther. It is, unfortunately, not a well thought out Amendment and I urge its defeat."

Speaker Peters: "The question is, 'Shall Amendment...' Representative Kociolko."

Kociolko: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I believe that we're overlooking the fact that the purpose of these Amendments is to inject some equity into the regional transportation authority as it affects the suburbs and I think that's a very worthy desire at this point. The question was raised a few moments ago on the prior Amendment as to whether the Sponsor of this Bill had consulted the presidents of the various counties boards for their support. I think we overlooked the fact that in 1974 the people of suburban Cook and the collar counties were consulted as to whether they wanted the Regional Transportation Authority and their answer was a resounding 'no'. And yet they got the RTA whether they wanted it or not because of the overwhelming vote cast in the City of Chicago. Now the purpose of this legislation is simply to introduce some equity into the way regional transportation

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is handled as it affects suburban Cook and the collar counties. I believe these are good Amendments and I would heartily encourage a 'yes' vote."

Speaker Peters: "Representative Pullen to close."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, the Gentleman on the other side of the aisle is not correct about this Amendment because he is still thinking with regional concept. This Amendment addresses only the tax that would be levied in the suburban Cook County area. Since the sales tax that is levied there now is more than twice as much as is needed for transportation in suburban Cook to reduce it by one-half still brings in more money than is needed to provide transportation in the area that we are talking about. I am sorry that he is in error but he is and I urge you for the sake of some equity in the suburban area, which is now more than double taxed what it ought to be for providing services in the suburban area, to adopt this Amendment to put House Bill 1270 in the shape in which I want it, to take it to Third Reading, and then we can talk about all of these extraneous issues that have nothing to do with Amendment #4."

Speaker Peters: "The question is, 'Shall Amendment #4 to House Bill 1270 be adopted?' Those in favor will signify by saying 'aye', those opposed? The Lady asks for a Roll Call, joined by four Members. All those in favor will signify by voting 'aye', those opposed by voting 'nay'. 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 74 voting 'aye', 53 voting 'nay'. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Representative Bowman. Representative Ebbesen, for what purpose do you seek recognition? Representative

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Bowman."

Bowman: "Thank you, Mr. Speaker. I now renew my request under 34 D that this Bill having been amended in its title be returned to Second Reading, First Legislative Day. That request may be made by any Member of the House."

Speaker Peters: "I'm sorry, Sir?"

Bowman: "I'm making a request under rule 34D, this Bill having been amended in its title that the Bill now be returned to the order of Second Reading, First Legislative Day. That shall be done upon the request of any Member. It does not require leave of the House or any other Roll Call. Well, Mr. Speaker?"

Speaker Peters: "Yes, Representative Bowman?"

Bowman: "Well, I'm asking that the Bill be returned to the Order of Second Reading."

Speaker Peters: "And the Chair is cogitating on that request."

Bowman: "Oh, I see. Thank you, I wouldn't want to interrupt that."

Speaker Peters: "Thou shalt not interrupt cogitation. Representative Pullen."

Pullen: "If I may interrupt your cogitation for one moment, Sir, I have something appropriate..."

Speaker Peters: "Representative, you can interrupt my cogitation any time."

Pullen: "Thank you very much. I would like to point out to the Chair that this...Amendment #3 did not amend the title."

Speaker Peters: "Representative Van Duynes, do you wish to address the Chair."

Van Duynes: "Yes, a parliamentary inquiry, Mr. Speaker. What would be the net effect of the Gentleman's request on the Bill?"

Speaker Peters: "It would return the Bill to Second Reading, First Legislative Day."

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Van Duyne: "Meaning then, that it's..."

Speaker Peters: "It's an extra day."

Van Duyne: "...It's available more Amendments, or what?"

Speaker Peters: "I would assume so. It would take a little more time. Representative Bower, do you have some thing to say?"

Bower: "Yes, Mr. Speaker, where in the rules does it give the Chair the authority to cogitate?"

Speaker Peters: "That's what we have the Parliamentarian for, you're correct. Representative Bowman, the Chair after much thought rules that your request is not well founded in that the title is not amended and that 34 Section D provides that this Section specifically does not apply to Amendments which amend the title of the Bill by adding or deleting Section numbers and that is all that the Amendments did. Third Reading. House Bill 1841, Representative Karpel. 1841, Representative Karpel, did you want that brought back to Second Reading? Representative Karpel? Read the Bill, Mr. Clerk."

Karpel: "No. Mr. Speaker, I think I indicated yesterday I'd like to have leave to place this in Interim Study."

Speaker Peters: "1841 by request of the Sponsor, Interim Study. The Chair now will go to the Priority of Call, Third Reading, Short Debate. Representative Bowman."

Bowman: "Parliamentary inquiry, Mr. Speaker. The Priority of Call, Short Debate that you refer to...to which you refer, I presume is the blue sheet that's been put on our desk."

Speaker Peters: "Yes, Sir."

Bowman: "Okay, my understanding is that the Bills that were put on this list were worked out by the...or agreed to by the Leadership on both sides of the aisle. My inquiry of you, Mr. Speaker, is do we not need to suspend the rules or to have some Motion to accept this as part of the Calendar."

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What is the procedure for adding Bills to the Short Debate list if they were not reported out of Committee and by a vote of Committee placed on Short Debate Calendar?"

Speaker Peters: "'Levitikas three nien', 'Thy leader shall lead'."

Bowman: "Mr. Speaker..."

Speaker Peters: "We will find the rule for you though."

Bowman: "Mr. Speaker, I am a great respector of the good book but I now move to suspend 'levitakas three nien'."

Speaker Peters: "Page six and the reading for the day, Sections 9.1 D. Representative."

Bowman: "Right you are, Mr. Speaker. As your Parliamentarian was rounding that one up, I was getting some good advice over here from ours. Okay, let me then ask, is the Chair's intention to go through the entire Priority of Call?"

Speaker Peters: "It is the direction of the Chair and the intention to start with 145 and continue on."

Bowman: "Okay, the reason I..."

Speaker Peters: "...Until some other order of business may intervene."

Bowman: "Well, the reason I raised the question, Mr. Speaker, is that some of the Bills are controversial, not many of them. I've looked through them and I think the Leadership did a very good job. The problem is this, that the normal procedure for knocking a Bill off of Priority of Call requires that ten Members get up and ask to have that done. When it is done, it is removed from the Short Debate..."

Speaker Peters: "No, Representative, what happens, if ten Members make the request at the time the Bill is debated, at that same moment as in transubstantiation it is...the Bill stays on Third Reading but the order of discussion goes from Short Debate to Long Debate."

Bowman: "That is precisely my point, Mr. Speaker. My feeling is



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that some Bills on this list, which are controversial in nature should not be given the priority in the sense of being heard before other Bills which were left behind on the Order of Long Debate."

Speaker Peters: "Representative, the Chair is just following rule 91.D and what the Leadership, according to rules has agreed to if a Bill is under debate then ten Members determine that it should then be on Long Debate. That's what we will do."

Bowman: "Okay then, Mr. Speaker, I now move that at the point a Bill is taken off of Short Debate and placed on Long Debate, that it be placed on the regular order...regular Priority of Call and that the Chair then proceed to the next Bill on the Short Debate Calendar."

Speaker Peters: "No. Representative, that is not the procedure, Representative."

Bowman: "Well, I'm making a Motion to adopt that as the procedure."

Speaker Peters: "That Motion is not in order. You'll...House Bill 145, Representative Terzich. Representative...Representative Terzich, House Bill 145. Read the Bill, Mr. Clerk. Representative Piel, what...?"

Piel: "Could we have a definition from the Chair, Mr. Speaker, exactly how are we going to be going through the order...wait a minute...let me finish. I know why you're working there, I'm looking at your white sheet also that we're going to be working on later today. Now the ones that have been taken off yesterday are put back and they're sitting up at the top of Priority of Call. I'm just wondering how we're going to be working this out. Are we going to be...if somebody takes it out, are they going back up to the top of the Priority of Call where they were initially for tomorrow?"

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Speaker Peters: "Representative, we are on the blue sheet. The procedure is that if ten Members when we are on any item of business on the order of Short Debate determine that that..."

Piel: "That's not my question, Mr. Speaker."

Speaker Peters: "Well, why don't we go through this. We are going to be on this probably all day."

Piel: "Oh, your very first Bill on your blue sheet..."

Speaker Peters: "Is 145."

Piel: "Was passed over yesterday."

Speaker Peters: "Representative, perhaps what we ought to do is to adjourn for a conference of both sides and everybody could determine whose Bill goes first. I mean how in the hell do you settle this?"

Piel: "All I'm asking for is for the Chair, it was dropped on our desks, Mr. Speaker, all I'm asking for is the Chair to explain."

Speaker Peters: "The Chair is going to...I'm going to explain to you right now. We are starting at the top of page one, Third Reading, Short Debate, Priority of Call. House Bill 145, Terzich. That list has been agreed to pursuant to the rules by the leadership on both sides of the aisle. If any of the Members have objections to what is on that list, why it got on that list, I suggest take those to your leaders. I had...did not produce the list. We're starting at the top of the list. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 145, a Bill for an Act to codify Civil Procedure, Third Reading of the Bill."

Speaker Peters: "Representative Terzich."

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, the Bill consolidates all laws relating to civil procedures into a single Act. The Sections are rearranged in chronological order in which the respective steps occur in the

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judicial proceedings. This Bill originated in the Law Revision Commission. It's been working on for the last two years. It has the approval of the Illinois Bar, the Chicago Bar Association and I want to thank all of the staff members, and the Judiciary Committee on the fine work that they did on the Bill and I would appreciate your support."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 145 be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, take the record, or open the voting. Representative Wolf. Peters 'aye'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 152 voting 'aye', none voting 'nay', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 643, Grossi. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 643, a Bill for an Act to amend the Election Code, Third Reading of the Bill."

Speaker Peters: "Representative Grossi."

Grossi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, House Bil 643 is very simple. It simply requires the election authorities to make available precinct sheets within ten day after the last day of registration. The County Clerk's Association has withdrawn their opposition to this Bill."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 643 pass?' Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, voting is open. Have all voted who wish? Peters 'aye'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 141 voting 'aye', 1 voting 'nay', 2 voting 'present'. This Bill having

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received the Constitutional Majority is hereby declared passed. House Bill 649, Representative Deuster. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 649, a Bill for an Act to amend Sections of the Illinois Public Library District Act, Third Reading of the Bill."

Speaker Peters: "Representative Deuster."

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 469 is a companion to the library Bill that we passed last night. It came out of the Counties and Townships Committee by vote of 14 to nothing. It's supported by the Illinois Library Association and what it does do, it provides that if territory is disconnected from a library district that the residents of the disconnected area continue to be liable for any of the districts outstanding obligations. The present law makes them responsible for bonds but they should also be responsible for loans or installment agreements or any other debts. I would urge your favorable vote for this Bill."

Speaker Peters: "Any discussion? There being none, the question is 'Shall House Bill 469 pass?' Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, the voting is open. Have all voted who wish? Wolf 'aye', Peters 'aye'. Mr. Robbins would you get that please? Thank you. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 156 voting 'aye', 4 voting 'nay', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 694, Representative Levin."

Clerk Leone: "House Bill 694, a Bill for an Act to amend the School Code, Third Reading of the Bill."

Speaker Peters: "Representative Levin, 694."

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

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House. House Bill 694 makes certain modifications in the special education due process appeal procedure. This is the procedures available to parents with respect to the kind of service their emotionally and handicapped children are receiving. It clarifies the hearing officer's authority. It clarifies the procedures with respect to subpoenas, appeal time table rehearing and provides for certain rules and regulations for current procedures. It was passed out of Elementary and Secondary on 19 to nothing vote and Amendment #4 was added which was requested by the State Board of Education and makes it acceptable to them. I ask for a favorable Roll Call."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 694 be adopted?' Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. Representative Van Dwyne to explain his vote. He changed his mind. Have all voted who wished? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 141 voting 'aye', 2 voting 'nay', 4 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The Chair skipped House Bill 669. Let's go do that. House Bill 669, Representative Huskey. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 669, a Bill for an Act to amend the Illinois Municipal Code, Third Reading of the Bill."

Speaker Peters: "Representative Huskey."

Huskey: "Well, thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is a Bill that is requested by the smaller cities and villages that are nonhomerule. It doesn't exempt homerule power. It's a permissive Bill. It is to allow village board to...there's a limit now of \$20.00 on the amount of a vehicle sticker for more than 35 horse

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power and that was since 1961 and it's a Bill to remove that limit, permissive Bill to allow the village board to set their own rates on motor vehicle stickers, their license."

Speaker Peters: "Any discussion? Representative Yourell."

Yourell: "Yes, would the Gentleman yield?"

Huskey: "I'll yield."

Yourell: "Will the Gentleman yield?"

Speaker Peters: "He indicates he will."

Yourell: "Thank you, Representative Huskey. I think this is an excellent Bill, the only problem I have with it. I think you said in your explanation that this only applies to small municipalities. As I read the Bill it applies to all municipalities in the State of Illinois and simply removes any maximum or minimum fees that can be charged for a wheel tax. Is that correct?"

Huskey: "That's correct. Wait...No. The homerules have that power now. It doesn't do anything with the homerule community. It's a nonhomerule communities...do not have this power. That power is exempt from...this is only to let the homerule communities do the same thing that the homerule communities do and it's permissive not a mandatory Bill. There's nothing mandatory in this Bill. It's permissive only where the village boards or whatever."

Yourell: "I understand that but the Bill reads, 'the municipalities with more than 500 population' and then 'the municipalities with less than 550 population' and I'm all in favor of that because you and others know that I've always been in favor of taking regulation off of units of local governments school districts and if we do put regulations or mandates on them, then it's the obligation of the State to provide the monies to make that work and that's why we have, now, the State Mandates program but I

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want to caution all of you that this is just the beginning because there is another Bill coming along. The number of that Bill is 670, that does exactly the opposite this Bill does, and they're both sponsored by Representative Huskey. What the other Bill does, 670, is increase those vehicle stickers, that wheel tax, by up to 400%. Now, I just want to caution you that you should vote for this Bill, perhaps, but please when we get to 670 don't vote for that because that's a tax increase for every citizen of every municipality in the State of Illinois."

Huskey: "Representative Yourell, so you can sleep good tonight, 669 was put in to take the place of 670 and 670 will be asked to be tabled when this Bill is passed. You can sleep real good on that one, Representative Yourell."

Yourell: "Thank you, that's good sense."

Speaker Peters: "Any further discussion? Representative Huskey to close, if he wishes."

Huskey: "I just move for your favorable Roll Call, Ladies and Gentlemen of the House."

Speaker Peters: "The question is, 'Shall House Bill 669 pass?' Those in favor will vote 'aye', those opposed by...will vote 'no'. Mr. Clerk, the voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 140 voting 'aye', 4 voting 'nay', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 695, Representative Matijeovich."

Matijeovich: "Mr. Speaker, if we're not on another Bill now, I'm rising on personal privilege on what I deem to be a very serious matter."

Speaker Peters: "Proceed."

Matijeovich: "Mr. Speaker and Members of the House, if any of you were here last night when we adjourned and there weren't

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too many of you on the floor but there were some of us, could I have the attention of the Body, please? Mr. Speaker and Members of the House, there were a few of us here on the floor of the House when we adjourned last night and there was a rube barb about a change of vote and Jill Zwick was given authority to change her vote even though it was a verified Roll Call and Representative Giorgi objected to all Roll Call change of vote requests. Today I got a copy of the request for a change of Roll Calls and there are five requests for a Roll Call change on House Bill 1071. I was kind of determined if those requests would bring the vote total under 89 or not to determine whether there should be objections when that...those requests come along. Those requests were asked on May 14, which was yesterday. I have before me the Roll Call on May 13, 1981. Two of the Gentlemen that have requested a Roll Call change of vote on May 13, have already been recorded as changed. I don't know how that's done. I, once before, with Representative Griesheimer thought there ought to be an investigation about Roll Call changes and I think this is a serious matter that goes to the sanctity of our recorded Roll Calls. Maybe the Clerk's Office ought to have the weekend off like we ought to deliberate in a responsible and deliberative matter. But I think that maybe we ought to recess right now and get down to the bottom of why James Kelley and Gordon Ropp's request of a change call vote was honored even before any of us gave authority because I have it right here that on May 13, their vote was changed, on the 14th they requested it to be changed. How can that be done? I want somebody to answer me that and we should not conduct any business until that's done and maybe we ought to adjourn right now until next week and extend our deadline because, what the hell is the use of voting if



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it's not recorded in the proper manner? And, Mr. Speaker, I demand right now that that be answered and no business be conducted until it is answered."

Speaker Peters: "House Bill 695, Representative Levin. Representative Madigan."

Madigan: "Mr. Speaker, there is a very serious allegation laid upon the Chair by a Member of this House and the Gentleman has asked for an immediate response and that there be no further business conducted. Now, I don't think that it's proper for you, Mr. Speaker, simply to ignore the Gentleman's request and to move onto another Bill. I'm as familiar as you are with the operation of this House and I know from my own experience that many times the best way to sweep something under the rug is to move on to another order of business or to call another Bill and I certainly suggest to you, Sir, that given the nature and the gravity of the allegation made by the Member, I suggest to you, Sir, that we should not conduct any further business until there is some response."

Speaker Peters: "The Chair is in a sense reluctant to say more than he knows about the procedure. The procedure that has been followed this year, last year, the year before, the year before that, and the year before that through the Clerkships of Clerk Selcke, O'Brien and Leone was that Motions to change were routinely approved by the House without objection. Those Motions in order to facilitate the operations of the Clerk's Office when received were routinely sent to the people in the Clerk's Office who made those notations on the Roll Calls. If objections were then made at the conclusion of the day those objections then were noted in the Clerk's Office and were changed. It is the opinion of myself, not as someone who is sitting in the Chair, but as a Member of the House, that no Member, no

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Member should be allowed to change his vote any time after the Roll Call is adopted. We run into problems when this happens very routinely. The Clerk understands the problem and since it was raised yesterday and today, no changes of any kind will be made on any Roll Calls until there is action by the House to either approve or disapprove the individual Motions that are made by the Members. It is, Representative Matijevich, an effort by the Ladies and Men who are working in the Clerk's Office to facilitate their work and I understand as you do that there have been some problems in the past. Hopefully, this Assembly will rectify them or they will be rectified in one sense in that the Clerk has directed the people upstairs to no longer make any changes until there is action on those Motions by the House and the House may want to consider at some point a change in the rule which would prohibit any change of rules once a vote is taken. Representative Matijevich."

Matijevich: "Well, Mr. Speaker, that's not what I call stopping all deliberations and looking into something. When you just have the Clerk turn around to you and tell you something and then you tell us what the case is, that to me is the same as a quote cover up. We had that problem before and when people used to go down to the well and we thought that we solved that problem when we put this rule in effect, when we put Rule 50 in effect and that's why at the end of the day we give...you have to have consent to change your vote and one objection...and you can't change your vote. Now, do you mean to tell me that this Session, right up until this day, that that Clerk has been changing votes? Changing votes, when we on the floor still didn't give the authority? I don't believe that's happening. I hope not. If that was what was happening, the Clerk has violated our rules and you are telling me that it's right."

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Now, don't tell me what we routinely did years ago because I know we did it. I happen to be for a rule change like the Senate. I've never changed a vote in 15 years, but that isn't the point. The point is that our Roll Call vote should be a Roll Call vote, and I still say, have an investigation, don't turn to the Clerk. I want to find out who and why changed the votes of James Kelley and Gordon Ropp without authority and I don't want any business conducted until that is given me because no vote is good here until we find out that our own laws are being followed. What the hell good is it for us to be passing laws when we don't even follow our own laws?"

Speaker Peters: "Representative Matijevec, I understand your situation. I think you also know that no vote is official until it is printed in the Journal. I think, Representative Matijevec, that to single out this Clerk for a procedure is not in keeping with the general fairness that we can expect of you cause the Chair will now ask Assistant Clerk O'Brien if that in fact was not the procedure that was followed in the past and that is to the answer to the cover up. I'm not saying that you didn't. Representative Schraeder."

Schraeder: "Well, Mr. Speaker, I'm not going to differ with the Gentleman from this side of the aisle but I think we've spent hours and hours late until the night, 12:30 last night, going to spend a lot tonight, Saturday, work some Sundays and this matter isn't going to be resolved by a discussion on this floor, and I would suggest to you that the Leadership, my Leadership and the Speakers sit down and resolve this problem and report it back to us so we proceed in a sensible manner and not waste our time. And that's exactly what we're doing here and I would ask that you move on the next order of business."

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Speaker Peters: "The Chair is quite willing to do that, Representative Schraeder except the Chair will not allow itself to be characterized as obscene ever again. Continue, Representative."

Matijevich: "Why weren't the other three added on then that had a request? Why weren't they add on if that's done routinely? Why were two picked out of the five, answer that? If it's routinely done, why didn't you add the their three on their too?"

Speaker Peters: "The Chair is willing to entertain any kind of Motion if everybody wants to go home, it's alright with me. But I'm telling you one thing, the deadline is midnight, May 12, there is no extension, period, end of report on that. Representative Yourell."

Yourell: "Thank you, Mr. Speaker. I move now to object to any rule changes for this Calendar day...any vote changes for this Calendar day, and I'm going to make that Motion every single day we're in Session."

Speaker Peters: "Representative, I'm happy to hear that Motion to be made and when we come to that at the end of the day, the Clerk will note that Representative Yourell makes that objection and ensures that I or whoever else is in the Chair calls on him or Representative Wolf or myself, in fact, who are of like mind to do the same thing. Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I think if we can proceed with an assurance that no changes will be made until they have been approved on this House floor, that we could proceed in the method that we thought we were operating under in the past."

Speaker Peters: "Representative Satterthwaite, the Lady can be assured that Representative Yourell, Wolf or myself, every day will make a Motion that there be no vote changes on any

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Bills, period, end of report."

Satterthwaite: "Well, may I say, Mr. Speaker, that one of the problems when changes are made in the Clerk's Office, particularly since we now have at least two toll free numbers where people call in to check on various Legislator's voting record, that it is extremely misleading, if in fact we have not approved a vote change and it is recorded in the Clerk's Office as having been changed."

Speaker Peters: "Representative, the solution is to be in the chamber and vote and not change your votes after anyone sees how their running mates have voted. That is the problem and we all know it. I don't think we'll have this problem again. Nobody changes their votes. You're here, vote, you're not here, don't vote. Representative Madigan."

Madigan: "Mr. Speaker, there was a request that Speaker Ryan come to the podium and I think that either the Speaker should come to the podium or you should assure the Body that the Speaker has begun an inquiry to explain exactly what happened. If there's some innocent clerical error, fine, say it. But there is a serious question and allegation raised and I think that we should be assured that Speaker Ryan is coming to the podium or that he's working on this matter."

Speaker Peters: "The Chair will assure the distinguished Minority Leader that the Speaker will look into the matter along with the distinguished Minority Leader and will in fact resolve this particular matter. The Clerk no longer, no longer will send up any Motions during the course of the day but will wait until the end of the day and at the end of the day, those Motions will be objected to and I think that will end up solving the problem. All Members should

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know and do know that there is no vote that is official until it is journalized, and that in fact is the official vote of the House. The Speaker will be very happy to sit down with the distinguished Minority Leader, with Representatives, anyone who is interested, with Clerk Leone and Assistant Clerk O'Brien. Any other discussion on this question? Representative Giorgi."

Giorgi: "Mr. Speaker, I come from the second largest city of Illinois and the second largest trading center in Illinois and the Rockford paper has been notorious in running Roll Calls. In fact..."

Speaker Peters: "Representative, the Chair doesn't want to hear all that. Start over again, please."

Giorgi: "I come from the second largest city in Illinois and the second largest trading center in Illinois and the Rockford Gazette newspaper runs Roll Calls constantly, in fact, they ran the payroll Roll Call for 18 straight months, for 18 straight months so these Roll Calls are kind of sacred. They feel that it is and I don't want to hurt their credibility of the Rockford newspapers with us feeding them fake Roll Calls."

Speaker Peters: "Further discussion? Representative Friedrich, do we have pursue this?"

Friedrich: "Well, I think in fairness to the Clerk, I would like to make this statement. I don't think any of you realize the burden on the Clerk's Office in times like this. The paper work and trying to keep things straight, is a miracle to me how they do it at all. Now these requests come in at..all during the day and if they don't send them up as they have been in the past, the load at the end of the day is unbelievable. Now, this is the fault of this Body, not of the Clerk. If you really want to have no changes in votes or no additions in votes, if you'll submit a proposal

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to the Rules Committee, I'll co-sponsor it and we'll call a meeting of the Rules Committee and I'll attempt to get it passed. But in the meantime, don't put all the burden on the Clerk of this House."

Speaker Peters: "House Bill 695, Representative Levin."

Clerk Leone: "House Bill 695..."

Speaker Peters: "I'm sorry, Representative Collins."

Collins: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I don't want to belabor this point but I resent people getting up on the floor of this House and shouting insinuation an innuendo before they check the facts of the circumstances surrounding any such serious allegation. The way to do it is to find out whether something untoward had been done or whether a simple mistake had been made in bookkeeping or in transportation, would have been to drop into the Clerk's Office or to drop into the Speaker's Office and say, Speaker, it looks like there might be something going on here that isn't right and we'd better look into it. But to rise on the floor of the House and to waive papers in the air and to make insinuations and to make innuendo is the height of recklessness and I just think that it's inforgivable, it is reckless. It shouldn't be done. I don't know why you're trying to embarrass people, why you're trying to delay the workings of this House but that's all you've done. Now if you want to get to the bottom of this, Representative Matijevich, it is very easy to sit down with Leadership on both sides and resolve this thing in the quiet of somebody's office. There's no reason to be..to be recklessly throwing charges around the floor of this House. Let's sit down and talk about it but there is absolutely no reason to waste time of this House the way you have."

Speaker Peters: "On a point of personal privilege, Representative

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Matijevich."

Matijevich: "I didn't hear that speech from Representative Collins when Representative Griesheimer raised the issue a couple years ago. You were very silent at the time, very silent and actually I felt strongly that we should get to the bottom of it at that time. I didn't do this right away, Phil. I thought about it but I had it right before me and I mean I was grieving right here in my Chair wondering if anything should be done about it and I thought to myself, if I go and talk to somebody like you suggest, all we do is aggravate the problem. But if you make an issue out of it, that's when you get to the bottom of it and if you make an issue out of it, maybe we'll even get rid of change of votes like they do in the Senate. But you don't do it unless you make the issue and even before I sat by myself and thought about it, I talked to my leaders. What else can I do? And they felt it was very serious. They thought it was a matter that ought to be looked into. Now, Phil, the facts are there. If it were a matter that I thought was nothing I wouldn't have done a damn thing about it because I like everybody here like you do, everybody. And I don't like this to happen but when I feel that if by saying something, it'll never happen again but we ought to first look into it and it won't happen again then I ought to get up here. It might take some guts, but I think it's the right to go."

Speaker Peters: "Any other discussion on this question? Representative Robbins. The church...the Chair will have anyone speak on any subject. I will be here until midnight Monday, period. After that the lights go down, God goes to sleep and we go home. We come back Tuesday morning for per diem and leave. Representative Robbins."

Robbins: "Thank you. I have been on this House floor, now this



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is my third year. I have not filed for my first change of vote."

Speaker Peters: "God bless you."

Robbins: "And I want to state for a fact and for the record if Matijevich will remember, the Bill that he is talking about, Gordon Ropp, stood from his seat and asked to have that change of vote recorded and he was told to come up and fill out the slip. So there was no secret about that change of vote. It happens as a courtesy to everyone of you and if you can't grant a Member courtesy, do away with the change of vote altogether because this was done from the floor of the House. It was not done behind anybody's back and if you'll think, you will remember and there's no use for delaying us forever on foolishness."

Speaker Peters: "There's absolutely nothing here that we need, I'm telling you. Representative...who else? Representative Stearney."

Stearney: "Mr. Speaker, I suggest you do what you're being paid to do and that is to make a decision and let's go on to other business because five of us, maybe ten of us are going to be deprived of having our Bills being heard. Make a decision, move ahead, one way or the other."

Speaker Peters: "You are entirely...."

Stearney: "We've heard sufficient debate on this issue."

Speaker Peters: "You are entirely correct, Representative Stearney. As the Minority Leader indicated, I am a captive of the new politics. Representative Dunn."

John Dunn: "Mr. Speaker..."

Speaker Peters: "Representative Levin is in charge. Representative Dunn."

John Dunn: "Mr. Speaker, for a point of clarification, at least for my purposes. I was off the floor briefly. After a recorded Roll Call is taken from this moment forward, what

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will be done to that Roll Call to make any changes of Member's votes and when?"

Speaker Peters: "Members who wish to change their vote will file a Motion with the Clerk. At the end of the day or the next day the Clerk will read those Motions for permission to change the vote, at which point, Representatives Yourell or Wolf will rise to object to all changes of votes. So, I suggest nobody fill out any Motions."

John Dunn: "Am I to understand then that after a recorded Roll Call comes out of the machine, down here in the front, there will be no changes on the Roll Call, whatsoever, unless a Motion...unless and until and after a Motion for change of vote has been approved by this Body?"

Speaker Peters: "Excuse me. Representative Wolf. The rule provides, Representative, that you can file a Motion to request approval of the House to change your vote."

Dunn: "I understand what the rule is."

Speaker Peters: "The rule also provides that any Member can object. Members have indicated that they will object to any and all changes."

Dunn: "That is not the point of my inquiry, Mr. Speaker. When I last left the Chamber there was discussion about changing the Roll Calls as a convenience prior to the time a Motion for change of vote was approved. I want to know if that practice will continue or that practice will discontinue?"

Speaker Peters: "It will not. It will not. That practice will not continue. There will be no Motions sent to accommodate the clerical staff until there is action taken on them by the House."

Dunn: "Thank you very much."

Speaker Peters: "Representative Giorgi."

Giorgi: "Mr. Speaker, we don't want to carry this too far. You know, none of us are here at the invitation of the Speaker."

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Now, when there's a Bill up and you've got a Roll Call and he's got the Roll Call rolling off the machine and the fellow says I want to be recorded on that Roll Call, you're going to have to tamper with the Roll Call to put the fellow on because he wants to be voted. You can't deprive a Member from voting on any Bill when he's in this Chamber, I don't care what the hell the machine is doing. We're not here at your invitation. We're here because we're elected to represent our district, and I want to be recorded whenever I'm in this Chamber no matter what that machine is doing."

Speaker Peters: "Representative Giorgi, I suggest that when you have your Democratic caucus, I will ask Dwight Friedrich in our Republican caucus to discuss this and then the Members can get together and have a consensus and a task force to study this question and we come up with some resolution."

Giorgi: "Let's have this out here and now with the whole House."

Speaker Peters: "God bless you. Go ahead."

Giorgi: "Well a Bill...if 695 is up and I go to the restroom and your running the machine and I want to be recorded and I'm not recorded. I demand to be recorded because I was elected to be voting on that Bill. I don't want any Speaker to say, you're going to have to get unanimous consent because you were absent three seconds. When I'm in the...in this Chamber, I want my vote recorded."

Speaker Peters: "Representative Giorgi, the rules provide that once the Roll is taken the only way you can get on the Roll is by filing a Motion. That is in the rule. If you object to the rule, change the rule. I will follow the rule whether you're in the bathroom or not. Any other discussion? Representative Polk."

Polk: "Well, I just assumed that...assumes then that Zeke seatmate would not vote him on any instance even if he was

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in the bathroom or not so for...he probably does have a problem."

Speaker Peters: "House Bill 695, Representative Levin."

Clerk Leone: "House Bill 695, a Bill for an Act to amend the School Code, Third Reading of the Bill."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 695 is a companion to House Bill 694 which we just passed, which deals with special education due process appeals procedures. House Bill 695 simply provides that the State Board of Education shall promulgate rules and regulation for determining when placements and private special education placements are appropriate. This is done to provide additional guidance to the hearing officers in connection with the due process appeals procedures who have frequently rendered nonuniform decisions. I ask for your favorable Roll Call. The Bill was reported out of Committee 19 to nothing."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 695 pass?' Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, the voting is open. Have all voted who wish? Does anyone wish to explain their votes? Is everyone sure they do not wish to explain their votes? Representative Hoxsey to explain her vote."

Hoxsey: "Yes, as you can see, I have a 'no' vote up there. I've got a little problem with more rules and regulations coming down from the State Board of Education, whether it deals with special ed or whatever it deals with. I can't see this Bill. I just can't. I vote 'no' on it."

Speaker Peters: "Any further discussion? There being..there being none, Mr. Clerk, take the record. The vote on House Bill 695 is 150 voting 'aye', 9 voting 'nay', 4 voting 'present'. The Clerk will take the record. There will be

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a short pause while the Members look over the next Bill. Tony? On this Bill, there are 150 voting 'aye', 9 voting 'no', 4 voting 'present'. This Bill, having reached a Constitutional Majority, is hereby declared passed. House Bill 715, Representative Leverenz. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 715, a Bill for an Act to amend the Illinois Vehicle Code..."

Speaker Peters: "...Excuse me..."

Clerk Leone: "Third Reading of the Bill..."

Speaker Peters: "Excuse me, Representative Leverenz. House Bill 705, Representative Henry."

Clerk Leone: "House Bill..."

Speaker Peters: "Representative...Read the Bill, Mr. Clerk."

Clerk Leone: "...705, a Bill for an Act in relationship to the beautifying vacant and abandoned property. Third Reading of the Bill."

Speaker Peters: "Representative Henry on House Bill 705."

Henry: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 705 amends the Criminal Code Injunction Act to exempt from prosecution for trespass and civil liability of any person who beautifies vacant and abandoned property located within a municipality. This requires that the property be unoccupied and abandoned for at least one year where there has been no taxes paid for two years. It exempts owners from money damages and also exempts farm land. And it will cost the state and the city not one dime. I urge your support."

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

Leinenweber: "Thank you, Mr. Speaker. Reluctantly, I would rise in opposition to House Bill 705. The intent of course to beautify vacant and abandoned property within a

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municipality is very laudable. However, there are a number of problems with the Bill. The Bill could be...There are problems with definitions. This Bill would allow someone to go on someone else's property and make some relatively major changes which could cause a lot of various problems. Permanent changes, one person considers vacant or abandoned and another person might disagree. It alleviates any possible liability to the person doing the changes regardless of how negligent or improper their changes might involve. I think this Bill needed a lot more study. It really shouldn't have come out of Committee at the time that it did without further study so reluctantly I will not support the Bill and would urge others not to do so either."

Speaker Peters: "Any further discussion? Representative Huff."

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

Speaker Peters: "Representative Henry to close."

Henry: "Thank you, Mr. Speaker. I just heard what the previous speaker stated. But I wish he would go to the south side of the city of Chicago and see the abandoned properties in block clubs. They cannot do a dog gone thing about it. I wish he would visit the west side of the city of Chicago where there are abandoned and dangerous properties where owners have walked away and left them. We have young kids being raped, Mr. Speaker, in those apartments that have open doors, that have not been cared for. We have criminals that are selling dope, sticking up our senior citizens in those areas of abandoned property. All this Bill is saying is that we will be able to board up a building that the block club leaders ...that..without one penny from the federal or state or local governments, we'll be able to try to protect themselves in their own community or their own block club. And I urge your support."

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Speaker Peters: "We are on Short Debate, Representative Dunn.

The question is, ...unless the House gives you leave to speak...I'll be happy to give you that. House Bill 705. The question is, 'Shall this Bill pass?'. Those in favor will vote 'aye'; those opposed will vote 'no'. Mr. Clerk? The voting is open. Is there any discussion? Is there any discussion? Take the record, Mr. Clerk. This Bill...The vote on this Bill is 140 voting 'aye', 16 voting 'no', 4 voting 'present'. This Bill, having reached a Constitutional Majority, is hereby declared passed. House Bill 715, Representative Leverenz. On that, Representative Conti, for what purpose do you arise?"

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, I realize we're trying to expedite this. But this next Bill is going to be a tremendous hardship and probably a tremendous fiscal impact on some small communities. I wonder if five people would join me in taking this off of Short Debate? Ten? I don't multiply too good.."

Speaker Peters: "Are there ten? One, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen. We are now on Long Debate on this question. House Bill 715, Representative Leverenz. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 715, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Peters: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 715 would provide that fire trucks would be excluded from the exemptions on the vehicle inspections and bring them into the normal inspection process. You will find in Amendment #1, sponsored by Representative Stiehl (Steele), deals with the ..what I term the downstate single fire engine fire department and

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that it would provide for on sight inspection if that was available or that they would not have to go more than five miles from the community or the geographic area and that should eliminate any question for the downstate single fire engine operation. The Bill was further amended to provide that the Department of Transportation would receive a one dollar fee per sticker instead of the 60 cents that they currently get. That is to provide that the Department of Transportation would be fully reimbursed for the actual costs of the inspection stickers. Further, the Bill was amended with Amendment #5 that brings the recreational vehicles into the inspection process. Further, the Bill was amended to have the cities over a million population, basically the city of Chicago, would not have their fire trucks inspected. The rationale there is that the city of Chicago has one engineer per fire house to handle these inspections on a daily basis so the need is not there. I'd answer any questions that you may have on the Bill. I do not think that there would be any great financial impact to any community or certainly we would have seen a local mandates Act note on the Bill to begin with. Answer any questions, Mr. Speaker, and certainly then I would ask for your favorable vote on House Bill 715."

Speaker Peters: "Any discussion? Representative Conti."

Conti: "Well, Mr. Speaker, Ladies and Gentlemen of the House, that's what's concerned me most of all is that Cook County, as I said yesterday on several other Bills, has some 253 other municipalities and almost every one of us has engineers on almost every station, on almost every shift, whether it's a 'Kelly Day Shift' or whether it's a regular shift, whatever they have. They have the engineers. They are paying for that and to me this seems to be a dream Bill for the insurance companies, especially when they keep



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changing the insurance rate classifications and increase the insurance rates for the municipalities. Our fire trucks are inspected. That's the job of the engineer. And one good part of this Bill, which I have mixed emotions about, is school buses where people's lives are involved, that's fine. I don't mind that. But we have some sophisticated equipment. We have some highly technical equipment and for some reason other than the insurance company probably would like to increase their rates in a municipality, could find a structural, a structural stress. For example, had a truck that had less than 10,000 miles on it, but it was 17 years old. And the fact that it was 17 years old, I dropped twice in my rating in my insurance rating only because the truck was 17 years old. But it's inspected periodically. It's inspected every day by the engineer. And this is going to create quite a hardship for all the municipalities in Cook County with two, three, four, five, six, seven pieces of equipment in it. And I can't see the need for this legislation. The Sponsor of this legislation has always been for good local legislation that would help local communities and I don't know what prompted him to introduce this piece of legislation and what need is there for a piece of legislation like this especially when he excludes the city of Chicago and some 300 municipalities in suburban Cook County that has the same equipment, if not better equipment, than some of the fire stations in the city of Chicago. And I think that this is a very bad Bill. It will help the insurance companies in their classification and I think it should go down in defeat."

Speaker Peters: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. I arise in opposition to this Bill. Unlike Cook County, my part of the state is

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represented by volunteer fire departments. In many cases we have only one fire truck. Under this legislation we would be forced to put that fire truck in a safety lane periodically and there would be no fire truck available to fight fires. This would twice a year that we would have to put that vehicle in the safety lane. In addition to that, our volunteer fire departments meet periodically either once a week or twice a month and at that time they take their vehicle out, give it a trial run. They inspect it. They make sure everything is working on it and I see no reason for them to then go to a safety lane and lay it up for a period of time, perhaps half a day while somebody runs this through the safety lane. I think it's a very ill-advised Bill and I would urge a 'no' vote on this piece of legislation."

Speaker Peters: "Representative Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I hope that everybody from the rural areas as Representative McMaster has brought out take a good look at this. Now, I object. With several safety lanes testing out this and they tell me that they cannot ..on account of the weight, if these are loaded, cannot drive over the..their testing lanes unless the water is all taken out. Also some others have told me that the ladders are too wide to go through their testing lanes and they would to be removed. So let's stop and think what we would do here if we have to go five to ten miles to get this truck tested and then we turn around and have to have this weighted. Many of these here rural areas have only one ..one fire truck. And that truck may be out of service for half a day to a day. These are volunteer fire departments that draw no pay and take an interest in this. And we find out that these...most of these fire..volunteer firemen will

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check these trucks and anywhere from a week to two weeks. They check them out and they go out and spend two or three hours, many times once a week, checking the trucks out and I do think they keep them in good shape. And I think this would make an undue hardship on these volunteer people trying to protect us on fires, having to go through this rig-a-m-row and maybe have a fire and lose a building because they had no control over it. I hope we'll soundly defeat this legislation."

Speaker Peters: "Representative Hoxsey."

Hoxsey: "Yes, a question for the Sponsor, Mr. Speaker."

Speaker Peters: "He indicates he'll respond."

Hoxsey: "Representative Leverenz? In your Bill does it require recreation vehicles to be inspected?"

Leverenz: "That's correct."

Hoxsey: "And how often, Sir?"

Leverenz: "Annually."

Hoxsey: "Annually. Well, I have a coachman motor home which I'd have to drive 50 miles to find a testing station that could handle it because of the size. You don't use it that often. Why would you require these vehicles to be safety checked?"

Leverenz: "Well, more times than not you're carrying multiple people in a vehicle of that nature and an annual inspection would provide for the safety. Now, if you want to talk about personal inconvenience versus safety, I think safety should win out. I disagree that you would have to go more than 50 miles inasmuch as the Department of Transportation did bring in a map and show that that problem does not exist to the best of my knowledge."

Hoxsey: "Well, I think I've been testing pickup trucks on the farm for a considerable number of years and I've gone through the safety lanes myself with that pickup and I

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happen to know that my motor home won't go in those safety lanes that I'm in the habit of using. I'm suggesting to you that this Bill is a bad Bill and it's just one more shot at the consumer out there. It's one more shot at the people that are trying to make a living out there in face of a poor economy. I'm suggesting a 'no' vote on this Bill."

Speaker Peters: "Representative Leinenweber, for what purpose do you arise, Sir?"

Leinenweber: "Point of order. I thought we were on Short Debate..."

Speaker Peters: "No, Sir. We're on Long Debate. Representative Conti asked and he was joined by ten Members..."

Leinenweber: "All right."

Speaker Peters: "Representative Bluthardt."

Bluthardt: "I wonder if the Gentleman will yield for a question? Was your Bill amended to change the requirement from semi-annual to annual?"

Leverenz: "Could you further define the question?"

Bluthardt: "Well, you just responded to a question from Betty Hoxsey that your Bill would require annual inspections of the vehicles. My analysis indicates your Bill requires semi-annual inspections. Which is correct?"

Leverenz: "Let me go through it again as I did with the explanation at the outset, go through it Amendment by Amendment. And it is, as a matter of fact, both ways. Fire trucks..."

Bluthardt: "Well, to save time, what about fire trucks?..."

Leverenz: "...Well, can I answer..."

Bluthardt: "...Are they ..are they...are you requiring semi-annual or annual? It's only trucks that I'm interested in."

Leverenz: "I'm going to answer your question..."

Bluthardt: "Well, I'm trying to speed up the process here. It

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seems the temporary Speaker is in no hurry to move things along and if he keeps it up, I think he's going to lose a half a dozen of us. We're going to go home so I'm trying to speed this process up. And all I want to know is whether your Bill requires semi-annual inspections or annual inspections of fire trucks."

Leverenz: "Semi-annual."

Bluthardt: "Thank you. I'd like to speak against the Bill. I don't know of any truck that is inspected more frequently than a fire truck. Just about every full time fire department, I would say every full time fire department, has an engineer, an engineer on every shift. He and the rest of the personnel are forever inspecting the truck, ever shining it up because they don't have a heck of a lot more to do when they're not on fire call. The matter...the thing I find rather ridiculous about this proposal is that there's no provision for replacing that truck when it's out of the barn and being inspected somewhere else for an unnecessary inspection. It does cost money. That truck is gone for at least half a day if not longer. Personnel goes with it so there is an additional expense to the municipality. I don't know of any reason in the world and I am not aware of any major tragedy involving fire trucks where there has been a malfunction of the truck, of the break or something else that caused an injury in the State of Illinois, not in recent years. Most of our fire trucks, many of our fire trucks are ten, fifteen and even twenty years of age. Why? Because they're so well taken care of. Because they're constantly inspected. This is a Bill that is not needed. I would ask you to vote against it."

Speaker Peters: "Representative McAuliffe."

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

Speaker Peters: "The Members, please take note of the Motion."

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The Motion is, 'Shall the main question be put?'. Should that Motion pass, debate will cease. Now if that is the intent of the Members, they will vote 'aye'. If they wish to continue speaking, they will vote 'no'. The question is, 'Shall the previous question be put?'. 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, let me try to deal with the two or three main objections that have come up. I submit to you we've seen legislation come through. We've seen the Secretary of State come forward with regard to ambulance testing and everybody jumped on the band wagon. An ambulance that carries one passenger and a couple of employees, probably some from some of the same fire departments we're talking about. If you're going to vote 'aye' for ambulances, I think you would vote 'aye' for a fire truck that might have two employees or one or two employees hanging off the back of it that is traveling at a high rate of speed in response to a fire. To say that the firemen stand around the fire house and shine the truck up all day has nothing to do with the ability of that fire truck to stop, with the lights that should be inspected and certainly the distinguished mayor and State Representative from the 5th District should know that fire departments, as the equipment gets older, and he did point out that some of the equipment might be 16 or 20 or 25 years old, nothing could be better than to have a third party removed from the village inspect that vehicle every six months for the safety of the person that has to drive or ride it. That should take care of that. To the distinguished downstate individual that had a problem with the local fire department where they have one fire truck, certainly Representative Stiehl's (Steele's) Amendment

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should clarify that problem. The question is, what's more important, safety? Yes, I would suggest that. To the distinguished Lady that has a 50 foot motor home, if she can foot the bill for the motor home she ought to be able to foot the bill for the inspection to know that her family is safe while transversing the roads of the state, because the roads aren't too well maintained. At least the vehicle should be. There's only three or four things that actually get checked. They don't take a half a day. I would think that the safety lane would put the fire truck right up front and let it go through so it can get back in service. For the distinguished mayor that said it would take the fire truck out of service for an extended period of time, that's what they have mutual aid packs for. In his case, it's batallion 7 or the box alarm system that they have. That's not the problem at all. I would ask for your 'aye' vote on House Bill 715."

Speaker Peters: "The question is, 'Shall House Bill 1...'..Excuse me. 'Shall House Bill 715 pass?'. Those in favor will signify by voting 'aye', those opposed, opposed will signify by voting 'nay'. Mr. Clerk? The voting is open. To explain his vote, the Gentleman from Madison, Representative Steele."

Steele: "Well, thank you, Mr. Speaker. This Bill originally with a few clean up Amendments had some merit I thought, but this recreational vehicle, I'll tell you. You're going to hear from thousands of your people in your constituency who perceive this to be a new tax. The fisherman who has a camper is all of a sudden going to have to pay \$15 to \$20 more a year twice a year to have that camper inspected. The hunters are going to perceive this as a new tax. The families that go out of town on small picnics or a weekend vacation all of sudden, twice a year, going to have to pay

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\$15- \$20 more for a twice a year tax or inspection I should say. No other state nearby such as Indiana doesn't have this. They don't inspect recreational vehicles and until that Amendment was put on, the Bill had some merit. But I'll tell you, this Bill will raise a lot of interest back home if it should pass. And I urge for that reason a 'no' vote as I'm casting."

Speaker Peters: "Any further discussion? Representative Saltsman to explain his vote."

Saltsman: "Mr. Speaker, Members of the House, I think Representative Bluthardt brought up a good idea about the engineers that do test these vehicles every day. They definitely do and in volunteer departments they test them very often. But sometimes we have irresponsible administrators in these cities. They're very irresponsible and they do not accept these engineer reports and they do not..do get this equipment fixed. There's more neglect by administration people than there are from the engineers because of the cost factor in repairing these fire trucks. They're very expensive. They're a specialized item and there's a lot of times when they put off repairs for eight and ten and twelve months that it should be done. The administration people in these cities and villages are the ones that are most responsible for fire fighters asking for this. Not all of them, but the ones that do and the people who keep their equipment up, there's not much of a cost factor on it. The fire fighters in my area, we have no problem with this Bill. This is why I didn't sponsor it. I'm a fire fighter. But I can see areas that need this Bill and they need it bad because they're not keeping up with the cost factor of keeping this equipment in rank conditions. And it's happening in a lot of different sectors of the State of Illinois. Fortunately we have very



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efficient mechanics in our city. I think Chicago also has very efficient mechanics. There's no problem in my area. But I do know of areas in this city where there are..in this state where there are problems. The men need protection and..(cut off)"

Speaker Peters: "Representative Wolf to explain his vote."

J.J. Wolf: "Thank you. Mr. Speaker, Members of the House, especially for those who were not here late last night when we adjourned, I had placed a written Motion up there calling for a new order of business entitled 'Explanation of Vote', which I suggested would be held immediately following Session at which time anybody who wanted to explain their vote could do it to each other. Now, there's over a Constitutional Majority of red lights on that Board. Mr. Speaker, I would suggest that if any Member thinks he's good enough to swing 50 or 60 votes for or against, you ought to recognize him to explain their (sic, his/her) vote. And until such time, I think it's downright foolish to stand here and explain our votes with a Calendar like we've got in front of us."

Speaker Peters: "Representative Leon to explain his vote."

Leon: "Mr. Speaker, Ladies and Gentlemen of the House, the only reason I'm stepping up and trying to explain my vote is to correct a few other statements that were made on this Bill and in explanation of votes. Number one, RV plates inspection are to be only once a year. Driving down from Chicago the other day I was passed up by a vehicle that was a converted Grey Hound bus that had an RV plate on it. I have noticed in the city of Chicago many vehicles have RV plates on that are being used commercially. The Secretary of State cannot have all of those vehicles apprehended and have the right license fee put on them. For that reason, I am voting 'yes' on this Bill."

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Speaker Peters: "Representative Mulcahey, to explain his vote."

Mulcahey: "Well, Mr. Speaker, just to respond to Representative Wolf about explanation of vote, prior to Representative Saltsman's explaining his vote, I think there were about 20 votes up there. He happens to be a 25 year veteran and a fire fighter of the State of Illinois and I think he knows what he's talking about..."

Speaker Peters: "Proceed. Proceed."

Mulcahey: "And I think it makes a difference. And this shows the validity of explanation of vote. There are a lot of people who just want to hear themselves talk. There's a lot of people on this floor who know what they're talking about."

Speaker Peters: "Representative Ebbesen to explain his vote."

Ebbesen: "No, Mr. Speaker. I rise to just remind the Chair that I have filed a Motion on page...Listed on page 33 relative to explanation of votes and at any time today that we might go to that order of business I certainly would place that Motion."

Speaker Peters: "The Chair will bear that in mind. To explain his vote, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. Take the record."

Speaker Peters: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 60 voting 'aye', 92 voting 'nay', 3 voting 'present'. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. For what purpose does the Gentleman from Cook, Representative Madigan, arise?"

Madigan: "Mr. Speaker, could you explain your plan for the day as far as the order of call of Bills?"

Speaker Peters: "You want me to do that right now?"

Madigan: "Please."

Speaker Peters: "Will everyone be in their seats? Everyone will be recognized. Calmly and deliberately pursuant

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now..pursuant to Rule 37-A2, it is now the intention of the Speaker at his discretion to call those Bills or Resolutions which pertain to a similar subject matter for consideration at the same time or in consecutive order so that the House may consider and resolve the subject matter at one time. The subject matter to be considered now is those Bills dealing with statewide grand juries. The first Bill is House Bill 554 on the Order of Third Reading. Representative Daniels. Out of the record. House Bill 677, Representative Telcser. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 677, a Bill for an Act.."

Speaker Peters: "Representative Lechowicz, state your point."

Lechowicz: "Mr. Speaker, did you receive leave of this Body in order to go to that Order of business?"

Speaker Peters: "Representative Lechowicz, I refer the Gentleman to Rule 37-A2, which says that the Speaker at his discretion shall upon the commencing of a given Order of business do one or two, call Bills or Resolutions pertaining to a similar subject matter for consideration by the House."

Lechowicz: "I think you've got to go through the first Bill on that subject matter first."

Speaker Peters: "We have, House Bill 554 and the Gentleman asked not to have it heard."

Lechowicz: "How did you get to 554?"

Speaker Peters: "That's the first Bill in order on that subject matter."

Lechowicz: "Sorry, Sir. I think you've got to get there first so that we have normal procedures."

Speaker Peters: "We did call House Bill 554. The Gentleman asked that the Bill not be called. Representative Madigan."

Madigan: "Mr. Speaker, it's my understanding of the rules that it is not within the prerogative of the Chair to simply define

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the subject matters for consideration and then move numerically to those Bills. It's my understanding that the Chair in following the Order of Call as prescribed by the rules must arrive at a Bill number. Once that Bill number and subject matter has been reached in the ordinary Priority of Call then the Speaker is in a position to exercise his discretion to call other Bill numbers which relate to the same subject matter at that time. And, given my understanding of the rules in that regard, I would now appeal the ruling of the Chair and I would ask for a Democratic caucus."

Speaker Peters: "Brief response, Representative Madigan. The Chair will make a response, Representative Lechowicz. The Gentleman has proposed a question to the Chair and the Chair will give his interpretation of that rule. And the interpretation of that rule to the Chair is clear. The rule says that the Speaker, at his discretion, shall upon commencing the given Order of business, and that given Order of business being House Bills, Third Reading, shall call Bills or Resolutions pertaining to similar subject matter for consideration at the same time or in consecutive order, that consecutive order being the manner in which those Bills are listed numerically on the Calendar on the Order of Third Reading. That is what the Chair did. Now, in response to the Gentleman's request, one minute. Is it...Do you request, Representative Madigan, do you want a discussion? Just a second, Representative. Are we talking about the conference or the appeal of the ruling first?"

Madigan: "My request is for an immediate Democratic conference."

Speaker Peters: "The...Representative Telcser?"

Telcser: "Well, Mr. Speaker, obviously I want to go with my Bill now. Perhaps the Gentleman could have his conference after the Bill is called and heard. I mean why...You know,

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everybody has talked about the Bill. I don't know why there has to be a conference now, why the Gentleman persists. I would hope he would hold his request until after the Bill is called."

Speaker Peters: "Representative Matijevec, on a point of order."

Matijevec: "Mr. Speaker, on the interpretation of the rules, I believe to interpret the import of a rule that you've got to determine the precedent of the House in the application of that rule. The intent of that rule was that when you come to a certain Bill and there are other Bills of like subject matter, so that that subject matter can be resolved all at the same time, that the Speaker has the discretion to call other Bills of that same subject matter. That is always the way that it has been interpreted in this House. And I think that the Chair has an obligation to use that precedent in the tradition of the House to interpret it in that meaning. I don't think that the Chair ought to now bend the rule to satisfy its own individual purposes. And I therefore join Representative Madigan if he does appeal a ruling from the Chair, if you are going to so make it."

Speaker Peters: "Representative Telcser."

Telcser: "Mr. Speaker? A little order. Mr. Speaker and Members, the Minority Leader has requested a Democratic conference, the purpose of which I think we can all imagine, and we all know what's going to happen there. I can only hope that the people on the other side of the aisle, when they attend their conference, will speak their heart and do what they believe to be right and then come up on the floor and again do what they believe to be the right thing. Mr. Speaker, I also urge Republican Members to please be in attendance immediately after the Democratic conference returns to the floor. Clearly, House Bill 677 is of enormous interest and there have been enormous pressures going on regarding this

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Bill. So please, my Republican colleagues, I urge and implore you to be back up on the floor when the Democrats finish their conference."

Speaker Peters: "Representative Madigan, do you wish me to go to Representative Katz first? Representative Madigan."

Madigan: "Mr. Speaker, I wish to record in the record this point of order, that the rules provide that even though the Speaker is given a certain amount of discretion, there are restrictions put upon the Speaker in the rules. And one of those restrictions is that at the end of a day the Speaker on the next day in his discretion, if he choses to go to an Order of business by rule, is required to go to the Bill that was next in order when he finished the day before. The Speaker, although he has discretion to move from the Order of Third Reading to the Order of Second Reading, or to the Order of Short Debate, once he moves into that Order the rules provide that he's under obligation to go to the Bill next in line after the one that was called previously. I want that in the record because that's another violation of the rules which is being perpetrated by you and the Majority party at this time."

Speaker Peters: "It's noted in the record."

Madigan: "And in furtherance of that point of order, would the Clerk read into the record the last Bill that was considered yesterday on the Order of Third Reading?"

Speaker Peters: "Mr. Clerk, accommodate the Gentleman."

Clerk Leone: "House Bill 639, sponsored by Representative Fawell was the last Bill the House took last night."

Speaker Peters: "Representative Madigan, anything further? Representative Madigan, do you wish now to pursue with your Motion to overrule the decision of the Chair?"

Madigan: "I wish to..I wish to go to a Democratic conference."

Speaker Peters: "Will you withdraw that Motion?"

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Madigan: "No, Sir."

Speaker Peters: "Then that Motion being before us, Representative, I think that that would have to be disposed of first. If it is your decision to withdraw it, go to the conference and reinstitute it, we'll certainly take that Motion when you come back."

Madigan: "If that's your pledge, fine. It shall be withdrawn."

Speaker Peters: "I don't think we could leave a Motion hanging in the air. The Gentleman withdraws his Motion. The Democrats have asked for a conference for...Representative, how long do you think you may need? Half an hour?"

Madigan: "Half an hour to forty-five minutes."

Speaker Peters: "We shall reconvene at..giving you ..Representative Dwight Friedrich?"

Friedrich: "Mr. Speaker, I'd like to request a Republican conference in room 114 to coincide with this."

Speaker Peters: "Yes, Sir. The Democrats will meet in ...Representative Madigan, please assist me here. What is the usual room you meet in?"

Madigan: "118."

Speaker Peters: "118. The Democrats will meet in room 118 for a conference and the Republicans will meet for a conference in room 114. The House is in recess until the hour of 1:15 sharp, promptly on the dot, 1:15."

Speaker Ryan: "The House will come to Order. The Members will be in their seats. Representative Dunn, for what purpose do you arise?"

John Dunn: "Point of inquiry, Mr. Speaker. There were T.V. photographs being taken down here in the press hole and I wondered if special permission had been granted or if the rules had been changed or.."

Speaker Ryan: "Well, the T.V. light is on, Representative Dunn. I'm not familiar with it."

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John Dunn: "I thought our rules provided only that..."

Speaker Ryan: "Only the gallery. You're absolutely right. And I wish the press would refrain from violation...violating the rules."

John Dunn: "Thank you, Mr. Speaker."

Speaker Ryan: "The House will come to Order. The Order of business is Grand Jury Bills, House Bill 677, Representative Telcser."

Clerk Leone: "House Bill 677, a Bill for an Act in relation..."

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

Breslin: "Mr. Speaker, while you are on the Order of statewide Grand Jury Bills, can you tell us which Bills will be called on this Order of business, since we do have to have..."

Speaker Ryan: "Well, we called..Certainly, Representative. We called House Bill 554. Representative Daniels and he took that out of the record. We're now on House Bill 677, which is Representative Telcser's and we will then proceed to House Bill 763, which is yours, I believe."

Breslin: "Thank you."

Speaker Ryan: "Representative Madigan."

Madigan: "Mr. Speaker, it is my interpretation of the rules that your action in moving to House Bill 677 at this time is in violation of the rules. My interpretation of the rules provide...my interpretation of the rules is that if you wish to exercise the discretion given to you by the rules to call certain Bills because those Bills are of the same subject matter, that the rules require that you move down the normal Order of Call to the first Bill among those Bills in that subject matter and that having reached one of those Bills, you then would be empowered by the rules to call consecutively the other Bills of the same subject



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matter. That is not what occurred in this case. The person in the Chair at the time arbitrarily moved from one Order of business to this particular Bill. I consider that to be in violation of the rules and for that reason I appeal the ruling of the Chair which was rendered by the previous Speaker to the effect that his action in calling this Bill was within the purview of the rules."

Speaker Ryan: "Well, Mr. Madigan, I agree with the former Speaker that was in the Chair at the time. As the rule states, the Speaker, at his discretion, shall upon commencing a given Order of business; Number 2: call Bills or Resolutions pertaining to subject matter for consideration at the same time or in consecutive order so that the House may consider and resolve the subject matter at one time. And I think that the...Representative Peters ruled absolutely right and I'm going to maintain that rule. And so now you move to overrule the Chair, is that right?"

Madigan: "I move to appeal the ruling of the Chair."

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

Kane: "Yes, Speaker, pursuing this same ..this same issue is that the rules provide only that the Speaker can go to Bills of the same subject matter. It does not...The rules do not allow the Speaker to just grab any particular subject matter out of thin air and say all of a sudden we're going to decide this particular subject matter. The only way that the Speaker can do that is to come up with a Special Order of business and there are rules providing for the Special Order of business and how to get to a Special Order of business. This... essentially what you were trying to do here and the Speaker that was up there before you is to go to a Special Order of business without following the rules on how to get to that Special Order of business. And I think that it is another action in a long series of

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actions that you have perpetrated during this Session to avoid the rules, to subvert the rules, to break the rules. And I think that this is an action that is ill-timed and that results...this kind of action results in the kind of chaos that we had on the floor last night. And I think that you would be ill-advised to proceed in this matter any longer during this Session."

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

Matijevich: "Only because you are a different Speaker than the one who made that ruling before, I want to again say that you, as a Speaker, must interpret a rule according to the precedent and tradition of the House in interpretation of that rule. The precedent has always been that that rule is interpreted that when you come to a certain Bill the Speaker has a .can, of his own volition, call other Bills on that same subject matter to resolve that subject matter. Therefore, I believe it is the obligation of the Speaker to wait until he comes to a Bill. Otherwise, a Speaker can willy-nilly narrowly call any subject matter any time he wishes. Now, Ladies and Gentlemen of the House, I want to alert you to the fact that no matter how you feel on the substantive issue that's coming along later on down the line, an interpretation of this rule could mean that a Speaker could jump over any one of you any time he so desires to call on a certain subject matter. Somebody said today, it is statewide Grand Juries. Tomorrow it may be mosquitoes. And the day after it can be something else. That is a violation of your rights as an individual Member and I therefore, ask and join Representative Madigan and will certainly support his appeal of the ruling of the Chair."

Speaker Ryan: "Representative Katz, for what purpose do you

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arise?"

Katz: "Mr. Speaker, I have taken a look at House Bill 554. There is nothing in House Bill 554 with regard to a statewide Grand Jury. There's absolutely no basis for the ruling of the previous Speaker. And I would ask you, Sir, to take a look at House Bill 554 because there is simply no mention of statewide Grand Jury in that Bill and so, adding to the point made by the distinguished Minority Leader...Mr. Speaker, would you please, Sir, take a look at 554? There's nothing about statewide Grand Juries in that Bill and your ruling is absolutely without any precedent at all, without any basis at all and the stated reason for your doing it has absolutely no basis if you would look at the Bill."

Speaker Ryan: "Is there any further discussion? The question put by Representative Madigan is, 'Shall the Chair be overruled?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Representative Friedrich, do you seek recognition?"

Friedrich: "Now that this matter has been settled, can we get on with the business of the House?"

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 81 voting 'aye', 80 voting 'no', 1 voting 'present'. And the Motion fails. Representative Telcser?"

Telcser: "Has the Bill been read a Third time, Mr. Speaker?"

Speaker Ryan: "On House Bill 677."

Clerk Leone: "House Bill 677, a Bill for an Act in relation to the establishment and operation of multi-county statewide Grand Jury. Third Reading of the Bill."

Speaker Ryan: "Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, House Bill 677 is a Bill which addresses itself to three of the most critically

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important areas in terms of equality of life of the Illinois citizens. House Bill 677 allows Illinois' Attorney General to convene multi-county Grand Juries in connection with three separate areas number one, narcotics and narcotic trafficking, secondly, hazardous wastes and thirdly, in the area of deceptive consumer practices. The Bill is limited to those three areas and no more. Additionally, the Bill has built in these safeguards. Number one, in the area of narcotics, the Grand Jury can only be called in those counties in which the State's Attorney gives permission. Secondly, prior to asking for the convening of a Grand Jury, the Attorney General must go to the Chief Justice of the State Supreme Court and seek permission to convene the jury. Thirdly, the court would then appoint a Circuit Judge to conduct the hearings. Now, Mr. Speaker and Members of the House, everyone in this chamber knows how often we deal with consumer protection, pollution questions, crime and the narcotic problems which seem to permeate our society in such a devastating fashion these days. We have not been able really to get a handle in these particular areas. House Bill 677 will finally give a Constitutional Officer the ability to enforce the law and protect Illinois citizens regarding these various criminal penalties. House Bill 677 does not create any new penalties. It does not increase any penalties, but it simply allows Illinois to prosecute violators of crimes, particularly when those crimes are conducted from county to county. State's Attorneys, as all of us know, are constrained by the resources they have available. I don't know of a single State's Attorney in Illinois who isn't doing their very best to enforce the law and prosecute violators in their particular counties. But they can only do what they possibly are able to within the confines of

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their resources. House Bill 677 will help those State's Attorneys to bring to justice violators of crimes in the three areas which I've discussed with you. I would like to point out again to the Members of the House that 677 is limited. It has safeguards and it's quite different from statewide Grand Jury Bills we've heard in the past. It is, indeed, dramatically different. But yet, it provides us with the tools to protect Illinois citizens and to maintain their quality of life. Mr. Speaker and Members of the House, I sincerely appreciate your affirmative vote on House Bill 677. It is the right thing to do. It's extremely important. It's a Bill which seven other states already have on their books. It has the support of the State's Attorneys Association in Illinois. We've adopted Amendment #3 which was their suggestion. And I am confident that if House Bill 677 becomes law, law enforcement agencies will have the ability to work together, to enforce the law in these areas and give Illinois citizens a chance, give them a chance in an era where crime has been increasing and increasing and where we have not been able in any sense of the word to keep up with enforcing the laws. It will enable our law enforcement people to help citizens who do not have the resources themselves to be protected from perpetrators of crimes like consumer fraud where innocent people, senior citizens, poor people are being defrauded out of their hard earned savings on some fake, phony promise, where midnight dumpers pollute our very water supply. Mr. Speaker and Members of the House, I sincerely and urgently hope that you will vote for House Bill 677."

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

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, it seems to have fallen to this side of the aisle to stand up

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for traditional liberties. Representative Pierce brilliantly did so last night with regard to the powers of private property and now we are talking about the powers of law enforcement. Mr. Speaker and Ladies and Gentlemen of the House, the State Constitutional Convention considered this problem as recently as 1970. There was not a single force at that convention that wanted to give to the Attorney General the powers of law enforcement. We have a traditional system under which law enforcement is given to the State's Attorneys of the 102 counties. It is a recognition, I think, from our history that the power of ..given to a public official who is operating on a statewide level, giving to that person the power to indict can be, indeed, a dangerous thing. We know that gasoline and alcohol is a dangerous brew, but no more so than politics and criminal prosecution. Now, Mr. Speaker, a Grand Jury is not needed for the enforcement of our laws. Attorney General Scott, for example, did a brilliant job enforcing the environmental laws. He fought here for a Grand Jury. But he didn't get it. And yet he went on without the Grand Jury to enforce the environmental laws of our state with great distinction. As a matter of fact, the Grand Jury is somewhat of an anachronism. It is being done away with generally in the United States. The Grand Jury is totally in the palm of any prosecutor. It has been well recognized that a prosecutor in the contemporary picture of American life can get an indictment against anybody he wants to before a Grand Jury and we have set up other methods of procedure preceeding by information and by preliminary hearings which is done openly that are quite adequate to enforce the laws of the state. Not only do we have the State's Attorney enforcing the laws with the power to indict, but we have the United States Attorney. In

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Illinois, I think, probably more so than in any other state in the country, we have a brilliant quality of law enforcement in the U.S. Attorney's Office. And so, really, why is it in a state that has 102 State's Attorneys that the distinguished Gentleman from Chicago concedes are doing good jobs, have a U.S. Attorney's Office that is doing a superb job, why is it that we have here this Bill that would give to the Attorney General these powers? Now, the reason I think is perfectly apparent, I find. Where is the pressure for this kind of Bill coming from? Well, it is very clear. The pressure is coming now from the Attorney General. It came before from the Attorney General. This General Assembly never went along with the pressure, never adopted it. They felt that the traditional way of giving enforcement powers and prosecution powers to the State's Attorney was the way to go. Now, State's Attorneys in the United States...in the State of Illinois can request at any time the assistance of the Attorney General. That's already the case in Illinois. But what they seek now to do is to give independent power to the Attorney General so that in regard to certain crimes, he can proceed unrelated to whether the State's Attorney may or may not request his assistance. But why is it that organizations like the Illinois Manufacturers Association and the State Chamber of Commerce stand in opposition to this Bill? Not because they are soft on crime at all. I assure you they are not. I read from a quotation, a statement, from the Illinois Manufacturers Association, '...The political benefits for election campaigns are great. There has never been any indication that the pollution control efforts of the Illinois Environmental Protection Agency and the Pollution Control Board, aided by the Attorney General, were not adequate...'. Well, what are they talking about? It's so.

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You have not received anything from either of these agencies telling you that we need the Attorney General to help us protect the environment. The political benefits for election campaigns are indeed great because a State's Attorney has some limitation. He is not a statewide official. He is not engaged in the upper rung in the contest for the Governorship of this state, by and large. But the State's Attorney is unlike the Attorney General. The Attorney General is at the top rung. He has an enormous public relations effort. You can see it all over. And what a brilliant opportunity this affords. To be able to summon any person before a well publicized Grand Jury is an opportunity for media coverage without any parallel. And what about political contributions? Do you realize that an Attorney General is in the position, if we give him these powers, to summon anyone or any industry before him, destroy their reputations, if you will? Because not only is the power to indict the power to destroy, in 1981 the power to summon people before a Grand Jury is the power to destroy them. Put them on the T.V. tubes and whether you indict them or not, they are destroyed. And that is why the Manufacturers Association and that is why the State Chamber (of Commerce) and that is why I, Mr. Speaker, as a civil libertarian defending even those that I may not vote with on many occasions, that is why I believe that this would be a dangerous step to take, an unnecessary step to take. For once the first step is taken, once the foot is in the door, we will then go into one area of the criminal law after another and indeed, the Attorney General will be leading the race to the courthouse door in Illinois and our liberties will have suffered. I urge this House to oppose this foot in the door that is embodied in this Bill."

Speaker Ryan: "Is there any further discussion? Representative



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Bluthardt."

Bluthardt: "Thank you, Mr. Speaker and Members of the House. I think I have a reputation on this floor as being a civil libertarian. Yet I support the Bill. This type of a Bill, if your party is in power they're for it and if your party is against..not in power, they're against it. The last speaker made several points that I think ought to be clarified. He mentioned that the Attorney General if this Bill became law could call anybody into his office and threaten him with prosecution for violation of one of the three matters that this would give the Attorney General jurisdiction. He apparently failed to read Section 3 that says upon written application of the Attorney General to the Chief Justice of the Supreme Court for good cause, stated. That's the point, for good cause stated. And I don't think that any Attorney General is going to have that authority over a Supreme Court Justice that could grant him the jurisdiction that is spelled out in this Bill. I think..I really think we need a statewide Grand Jury even though it be limited as much as this proposed Bill is limited. I think times have changed. I think the type of crime that we're faced with today is more prevalent than it was in the past. I think of the liberties of those and rights of those who are exposed by the ..by the manner in which hazardous wastes are disposed of in this state, for the life, the liberties, the welfare of the public are threatened by that type of disposal of hazardous wastes. I also think of those who have been defrauded through theft..by deception in the consumer fraud field. I think that because of the change of times, because of the manner in which the criminal is so mobile today and because the local State's Attorney is busy with other matters, many other local crimes, that he does not have the

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sophisticated manners..er..means by which to follow up these type of crimes that are spelled out in the proposed Bill, that there is definitely a need for the Bill. I think there's a definite need to have these powers granted to our Attorney General. I favor the Bill. I would ask your support."

Speaker Ryan: "Is there any further discussion? The Lady from St. Clair, Representative Younge."

Younge: "Will the Sponsor yield?"

Speaker Ryan: "Indicates he will."

Younge: "Would you please cite any instance where the State's Attorney of a particular county did not proceed to prosecute a matter involving the environmental pollution laws, therefore giving some need for a statewide Grand Jury?"

Telcser: "I'm not sure I understood the Lady's question. Is it, am I aware of an instance where a State's Attorney is not prosecuting?"

Younge: "I was trying to ask you about the facts in reference to any instance where the Attorney General was not...did not receive the cooperation of a State's Attorney in reference to the prosecution of any case involving violation of the environmental protection laws."

Telcser: "No, no. State's Attorneys have been most cooperative and that's not the issue. The point is that there are crimes committed on a multi-county basis. As an example, a State's Attorney is principally interested in crimes of murder, rape, crimes of that nature. We have ...There have been instances in Illinois where, as an example, someone would come in and take a contract to sell a swimming pool to somebody. All right? They would defraud a county resident on that basis and then go on to the next county and do the same. Well, the State's Attorney, who has

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limited resources, simply cannot devote that Office's resources to a number of consumer deceptive practices, such as the one I just mentioned and therefore, that goes unprosecuted. And that citizen goes unprotected. And the perpetrator moves on to the next county. And we showed testimony in Committee where a number of fraudulent consumer practices, activities were taking place where the perpetrator went from county to county. Now when the perpetrator leaves a county, well then the State's Attorney's jurisdiction is no longer applicable in that particular county. And the State's Attorney goes on to do the many other things that they're burdened with. But we ought to be able to prosecute people who violate laws like consumer laws when they jump from county to county because the people they take advantage of the most are the poor people and the senior citizens who they defraud for smaller sums of money on an individual basis. That State's Attorney in the meantime is prosecuting a murder case or a rape case and simply doesn't have the resources...."

Younge: "Mr. Speaker, I asked a specific question about a specific subject matter having to do with the violation of the Illinois Environmental Pollution Act and the..and the Sponsor has gone to consumer fraud. My question is whether or not there has been any reluctance or whether or not the Attorney General had been turned down when he was...when he asked for cooperation from State's Attorneys in reference to the environmental protection laws. Mr. Sponsor?"

Telcser: "No, I have no...I have no instance where the State's Attorney has not worked with the Attorney General. But the point is that the Attorney General is unable to convene a multi-county Grand Jury to prosecute a polluter, if that's the thing you're mentioning, who commits an act in more than one county. It's not a question of no cooperation.

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The question is not whether or not there's cooperation with the State's Attorney, all of whom do cooperate..."

Younge: "Well then my next question would be whether or not when the pollution problem involves several counties, whether or not there has been any reluctance on the part of several State's Attorneys to cooperate with the Attorney General."

Telcser: "They don't have the authority to convene a jury outside of their own county."

Younge: "Well, that was not my question. My question is whether or not when the pollution problem involves several counties, whether or not the State's Attorneys have been reluctant? They each have the authority to prosecute in their county. Has there been a request on several...in several counties and the several State's Attorneys have been reluctant? Is the answer yes or no?"

Telcser: "No, I'm not aware of any State's Attorneys not prosecuting..."

Younge: "All right. Then there is no need from a standpoint of the absence of cooperation in reference to that type of problem. Then let me ask you about the other type, the dope thing, the narcotics thing. Has there been any case.. can you cite a case where a State's Attorney in a particular county has been uncooperative with the Attorney General in reference to narcotics?"

Telcser: "Let me say, Representative, that I don't know of any cases where any State's Attorney has not been cooperative. State's Attorneys are cooperative and doing the very best they possibly can. But the point is that when there are multi-county offenses we need an authority who can coordinate multi-county offenses such as pollution or in the fields of narcotics. We showed testimony in the Committee when we heard this Bill tracing the trafficking of drugs from county to county. And someone has to have

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the ability to tie that together. Up to this point no one has been able to. It is our contention in Illinois, as in other states that we need a statewide Grand Jury in order to do it..."

Younger: "Mr. Speaker? Mr. Speaker? I have another question I want to ask. Mr. Speaker? He's gone into a soliloquy of answers. He's trying to..."

Speaker Ryan: "House will be in order. Proceed."

Younger: "When the narcotics problem has been involved, involving more than one county, can you cite me an example where the several State's Attorneys have refused to cooperate with the Attorney General because only several counties..when they have been asked to?"

Telcser: "Representative, I can only repeat again. I know of no instances where any State's Attorney has not cooperated in any event or in any offense. But that is not the point. You missed the point of the Bill, obviously."

Younger: "Mr. Speaker, I'd like to speak to the Bill."

Speaker Ryan: "Proceed, Representative."

Younger: "It seems to me that we have authority to prosecute for the subject matter areas in ...resting now in specific State's Attorneys' hands. And the answers of the Sponsor clearly show there has not been an absence of cooperation or his answers clearly show there's no need for a statewide Grand Jury because the people who have the authority to prosecute now have been uncooperative or have not prosecuted. And so, therefore, we have to look for other reasons to the Bill. His answers show the people who have the responsibility to ..to indict and to use their prosecutorial powers are doing so. So, therefore, why the Bill?"

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

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Koehler: "Mr. Speaker, Ladies and Gentlemen of the House, would the Sponsor yield for a question please?"

Speaker Ryan: "Indicates that he will."

Koehler: "My question addresses prosecution immunity with regard to multiple offenses on the part of the witness. Is it a part of this law that the Attorney General can give prosecution immunity to a witness without the permission of any of the affected local State's Attorneys?"

Telcser: "Representative, nothing in this Bill gives him that authority. However, let me simply say that in the area of narcotics, the Grand Jury could not be convened in that county without the concurrence of the State's Attorney."

Koehler: "Well can the...Could the Attorney General grant immunity to a witness in a county, for example, like in Cook County, and that would also prevent that witness' prosecution on a similar offense in my small county, of Marshall County?"

Telcser: "There's nothing in the Bill that does that."

Koehler: "Thank you."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I first want to say that I rarely would get up and speak against my colleague from the same District. As he has said many times, much better than I, I have a tremendous amount of respect for him and I am sure that he is well-intentioned with this Bill. But I think he is misguided. It's my contention and I have..I am an attorney and I have worked in the criminal courts in Chicago. It's my contention that this Bill does not add one item of law enforcement tools to the arsenal of the Attorney General. Everything the Attorney General can do right now that he purports to be allowed to do with this Bill. Indeed, he

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has the obligation to do what you're saying that is allowed in this Bill. All this Bill does is to allow for that part of the prosecution process, the indictment. It only allows for the indictment to be brought by a special Grand Jury. There is no problem getting an indictment in any Grand Jury in this state. It's simply 23 people who hear only from the prosecutor. There is no defense attorney. There are no cross examination of witnesses. It is indeed a rubber stamp. The Gentleman talks about multi-county crime. All you have to do and he admits that the State's Attorney, and there's not one State's Attorney who's ever refused to cooperate with the Attorney General. That means the Attorney General can go out and do his investigations. He can simply go to the State's Attorney in that county, ask to use the Grand Jury, get the indictment and then proceed with the prosecution. In fact, the prosecution has to occur, has to occur in the county in which the offense took place. So, it really does not add one item. It simply allows for another possible abuse of the Grand Jury system, which we have seen. We have seen leaking items to the press before a Grand Jury indicts. The purpose of a Grand Jury is supposed to protect the public from an over zealous prosecutor. It does not have that function anymore. It has been phased out in effect in Illinois and all this Bill does is to allow a particular Attorney General to get headlines, to say that he convened the Grand Jury, he or she convened the Grand Jury. He or she is the one that got an indictment. He or she is the one that got a conviction. It simply does not add one thing to the prosecutorial tools that the Gentleman speaks about. And, I would hope that all of you would please consider this Bill on those merits and reject it as this General Assembly has rejected it in the past."

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

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this very important piece of anti-crime legislation. This touches on a number of important areas. Hazardous wastes has been called by many people the number one issue of the 1980's. And I think it's important if we're going to be able to get at on a statewide basis the problems of hazardous wastes and organized crime and consumer fraud and narcotics, that we are going to have to give our Attorney General, no matter what party he belongs to, the tools that he or she will need in order to deal with these problems. I would like to point out that the Chicago Tribune in an editorial yesterday brought up the point, a very important point, that this issue is not new to State Government in Illinois. It's been around for a number of years and it's been found objectionable in the past because it did not have..the legislation did not have the limitations and the controls that the Attorney General now has taken care to place in this Bill. Now it's important to point out that State's Attorneys and police officials, who had battled against the proposals of Attorney General Scott in the past, are championing this particular proposal. And the Tribune said and I quote, '...The only significant opposition comes from organization city Democrats who apparently fear that it would help Mr. Fahner convict a lot of crooks and thus become hard to beat in next year's election. House Minority Leader, Michael Madigan, sputters..', and these are not my words. These are the Tribune's, '...sputters on about the program being, quote, "unnecessary" and, quote, "costly"', and the Minority Leader can usually do better than that.' We are compelled to wonder, Mr. Speaker and Members of the House,



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whether the Minority Leader's position would be the same if the Attorney General of the State of Illinois were Richard Daley or Eddie Burke or Dan Pierce or Clarence Darrow. It may come to pass within two years or six years that the Attorney General of this state may be a Democrat rather than a Republican. And I think that the Members on this side of the aisle, most of whom will be supporting this proposal, would support it under those circumstances as well. This is not a partisan issue. It should not be a partisan issue and it should not be the basis for the Minority Leader's smoke screen for his opposition to this Bill. And I urge all of you to support this important legislation."

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

Alexander: "Thank you, Mr. Speaker and to the General Assembly, I'd like to ask the Sponsor a question."

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

Alexander: "I'd like to rephrase it to all the Members of the General Assembly first that...Does this General Assembly want to go on record playing politics in lieu of giving to the entire, I'm talking about the entire State of Illinois, and all of its citizenry, good legislation which will enable them to have a better life? My question to you, Mr. Telcser, is, at this present time would you accept an Amendment that would move the effective date of this enactment of this Bill, House Bill 677, to after the 1982 elections at which time there will be no politics involved with it? Would you accept such an Amendment?"

Telcser: "If you would vote for it and the Members on your side of the aisle would, I certainly would..."

Alexander: "Thank you..."

Telcser: "If you give me the commitment to vote for it, along

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with your Minority Leader and I'll take the Amendment."

Alexander: "Thank you.."

Telcser: "Offer it."

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

Sandquist: "Yes. Yes?"

Speaker Ryan: "Now everybody has had their chance to talk. Let's have a little order here so everybody can get their say in on this issue. Representative Sandquist."

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I don't think I have to take second seat to anybody as on my civil libertarian record and what I've voted for in this House. And I'll put it up to anyone. In the past I have opposed this Bill on giving a statewide Grand Jury. But I think this is different this time because there are the protections in this Bill that it's only limited to three general fields. The Attorney General must go to the Chief Justice, and present a petition before he can convene the Grand Jury. And I'd just like to answer a few other things that have been coming up from the other side. And I do this from experience because I have been an Assistant State's Attorney in Cook County. I have presented evidence to the Grand Jury in Cook County and I think it's a terrible thing when you say that you have no faith in our citizens and are nothing but rubber stamps. That is not the case. They're 23 good outstanding citizens of our state and they do listen to what's presented to them. They are not rubber stamps and I think that that should be dispelled. And I also would like to point out that with the Amendment that's been put on this Bill, the State's Attorneys are now not opposing it. They are in favor of it. We're dealing with things that cross county lines. We're not dealing with the murders and the rapes that the

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State's Attorneys must deal with, must present to their own Grand Juries. These are fields that only can be done by an expanded organization that does cross county lines and I urge that this vote..Bill should be approved."

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

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I stand in opposition to this Bill. I'd like to say, not only as a lawyer, that I don't agree with this piece of legislation on Grand Juries per se. I'd like to also state that two State's Attorneys called me and violently opposed this piece of legislation, Tony Cammera from Adams County and John Barra from Peoria County, both of whom violently oppose this legislation because it usurps their authority and their rights they were elected on in their counties. So, for myself and also for those State's Attorneys, those two State's Attorneys that are downstate State's Attorneys, not part of a Democratic machine like Mr. Barkhausen stated. I stand in opposition to this piece of legislation."

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

Bowman: "Thank you, Mr. Speaker. I will be brief. I only wanted to comment on the repeated constant remarks that the Majority Leader keeps injecting into the debate. He would have us believe that it is impossible for prosecutions to occur in instances where the crimes or the perpetrators of crimes operate in more than one county. I think we've heard many knowledgeable people on this floor speak to the contrary. Furthermore, I think most civil libertarians object to the Grand Jury system in general. The Grand Jury system was invented in England to protect the innocent and it is now being used to accuse innocent people to the

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'agrandisement' of prosecutors' ambitions. I think adding yet one more layer of Grand Jury indictment mechanisms is simply the anti-civil libertarian and the wrong way to go in a situation. I think that the ..the Gentleman is proceeding on the basis of purely political grounds and has not persuaded me that it would be worthwhile taking a step backwards against the tide of civil libertarianism in this country. Thank you."

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

Klemm: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. You know, I'm a freshman Legislator and I've sat very quietly listening to the comments of the more experienced Representatives here. And one thing that crosses my mind is that we're all concerned about 102 State's Attorneys in Illinois and I share that concern and want to support them as much as possible. We're all concerned about the counties and having come from County Government before arriving here, I realize the limited budgets that counties in Illinois have to support our State's Attorney. Though we try, we have limited resources. But I think we're forgetting one main purpose and that is the people of Illinois. We're talking about consumer fraud; We're talking about hazardous wastes, toxic chemicals; We're talking about illicit drugs. You know, these three areas transcend any of the counties we come from. They criss-cross throughout the State of Illinois, difficult to trace, difficult to comprehend and difficult to apprehend those that try to do this. And if there are business people against looking into hazardous wastes, then that's a shame. I can't support their position. I believe that business of the people and the protection of the people come before our 102 State's Attorneys and our 177

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State Representatives. I think we have 11 million people to be concerned about. And I think this is good. This is nonpartisan as I see it because I know everybody would support an Attorney General putting an end to these deceptive cruel hoaxes and pollution and drugs to our people. And I support your...ask for your support on this Motion."

Speaker Ryan: "Representative Braun."

Braun: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I was, for four years before I joined this Body, a prosecutor in the United States Attorney's Office in Chicago. I have the highest regard for the Sponsor of this Bill. I have the highest regard for the current Attorney General with whom I've worked in the U.S. Attorney's Office. However, I must oppose this Bill because in my opinion it takes us closer to the star chambers of medieval England than we have ever been in the history of the United States. Grand Juries are, by their very nature, open to prosecutorial misuse. Irrespective of the person who's the prosecutor, the possibility, the potential for abuse is there. No prosecutor worth his salt will fail to get an indictment out of a Grand Jury when called upon to do so. It's just in the nature of the way the Grand Juries work. You go in. You present your case. There is very little....All the other protections that are available under the Constitution are not available there and a bill of indictment is returned. I am frightened, Ladies and Gentlemen of the House, by the notion that we would be expanding Grand Juries of any sort statewide in the State of Illinois at a time in our history when we should be abolishing, abolishing this relic of the past that current legal thinking recognizes should be abolished, that is only a tool of the prosecution and that, in my opinion, does not

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serve the interests of effective law enforcement. As a former member of the law...As a member of the law enforcement community of which I still consider myself a part, I must tell you, Ladies and Gentlemen, this is the wrong way to go. We should be abolishing the Grand Juries altogether instead of setting up a creature of State Government that is open to abuse and raises the specter of a revival of star chambers in the State of Illinois. I encourage your 'no' vote."

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

Johnson: "I am absolutely embarrassed for the other side of the aisle. But at the same time I admire them for their innovativeness in an ability to invent some incredible reasons for opposing the most reasonable Bill that we've had before us this term all in the name of good government when in fact the total absolute reason why the other side of the aisle opposes this Bill is raw political muscle. And at the same time, I admire those Members on the other side of the aisle who, in a short period of time, are going to show their independence and their courage in supporting a Bill that cracks down on the multi-county, multi-state drug dealers, on the hazardous wastes dumpers, the polluters who ruin and foul the streams and the environment of the State of Illinois and those people who make a multi-county effort across the State of Illinois, across all 102 counties to steal life savings from senior citizens, to bilk the old, to bilk the working poor and that's what this Bill is all about. Look over the rhetoric and look at the Bill and see what it does. First of all, for those who are concerned about a Republican Attorney General having this power, look at the Bill and see what the procedure requires. This Bill requires the Attorney

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General of Illinois to make application to the Illinois Supreme Court, which is controlled by a majority of Democratic Members, to the Chief Justice, who is a Democrat, for approval. It requires statutory standards of good cause and otherwise to be met. And only after the long procedural efforts and statutory standards are met can the impaneling of a Grand Jury even begin. And you ask if the need is there and you look to see the limited financial and other resources of local governmental entities and the need for specialization, the need for some sort of an effort on a comprehensive scale to control narcotics dealers and polluters and the cost efficiency of this that would allow the Attorney General, in cooperation with local governmental entities, to exercise cost efficiencies and economies of scale to affect real prosecution in this particular area. And you look to see the mobile nature, the hit-and-run nature, the midnight dumping nature, of those limited areas of this Bill that it directs itself to. And I want to do as Representative Telcser did, at least in part, to look at a couple of specific examples in different areas covered by this Bill to see where the need is. You take, in the last two years, these are all examples in consumer fraud and narcotics where there's a real need for this Bill: The farm belt steel scandal in central Illinois where over two million dollars of farmers' money was stolen by multi-county thieves who went into those areas, made contracts for the construction of steel buildings for farmers then left to go to another county and on to another county and left the farmer holding the bag to the tune of over two million dollars, all very mobile, all very sophisticated and totally beyond the control and the ability of an individual prosecutor in an individual county to direct themselves to; The buyers club scandals, pyramid

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sales scandals, where the working poor, who this side of the aisle purports to represent, have been bilked of their life savings because the prosecutors in individual counties didn't have the tools to be able to address themselves to those areas; The home repair scandals where the old are bilked of their life savings in chimney schemes and gutter schemes, all of which are totally immune, are totally immune from effective prosecution by local prosecutors; In the area of hazardous wastes, the dumping of acids from factories, oil sludge, pcb's, in major metropolitan areas like Cook County, Peoria County, Vermilion County, the midnight dumpers who go from Madison to St. Clair in the mid-metro-east area and are totally beyond the control of an individual prosecutor to hit; the acid waste situation in northeastern Illinois in Ogle and Stephenson County, an example in metro-east....Mr. Speaker, could I have a little order? I don't think I'm beyond the time limit. I realize Representative Leverenz would rather not have me touch on these subject matters because it hits too close to home, but I would appreciate a little order. The situation in metro-east where a dog...several dogs ran across a field, their owners, small children, let them go, ran across a field. By the time they got across a field because of the dumping of acid they lost their fur and two little kids lost their pets in that example, all across the State of Illinois where the midnight dumpers go from one county to the other and are beyond the control of any sort of effective prosecution except by some sort of a comprehensive approach; In the narcotics area, the 'Herra-Mexican' heroin ring, which moved all over the six county area in northeastern Illinois, deadly people, who can only be effectively prosecuted by some sort of a comprehensive scheme on the part of the Attorney General;



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The 'company', quote, unquote, who operated in the Jersey, Macoupin, Madison County area where marijuana was flown into farmers' fields in a multi-county sophisticated scheme, again, could only be prosecuted either by a federal official or by some sort of a comprehensive state scheme and likewise, in east central Illinois, the amphetamine ring between Danville and Champaign. But the bottom line is this, and this is the message you ought to pick up from this debate and the message you ought to look at when we get the vote on this particular issue on the Board. This side of the aisle is apparently, notwithstanding their promo stations to the contrary, doesn't care about prosecuting the organized criminal, doesn't care about: the big drug dealer in Illinois who's causing thousands and tens of thousands of people's lives and families' lives to be destroyed forever; the midnight dumpers who dump in the streams and in the fields across the State of Illinois and have turned this into what the other side of the aisle protests, and that is a dumping ground for people who move from one county in one state to the next; the senior citizens who have worked for a lifetime...Representative Kornowicz is a great supporter of the senior citizens...who have worked for a lifetime to earn what they have. And I respect and am in support of Representative Kornowicz in that regard. But to see their life savings taken away in schemes that go from county to county that aren't subject to any sort of effective prosecution, and the farmers who have suffered a loss of substantial portions of their earnings through the sophisticated schemes of these bilkers and the cost ..that cost and the savings that could be realized by effective implementation of a very reasonable moderate Bill, this side of the aisle doesn't care about that. They talk about it, but they don't care about it.

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If they care about it, this vote is an opportunity to act on that. Don't listen to all their double talk and their purported reasons about civil liberties. This has nothing to do with civil liberties. Their talk about local control and so, has nothing to do with that. This is an area that has needed prosecution for ten or fifteen years and if we turn our backs now, ten or fifteen years from now the big drug dealers, the polluters, the schemers who take and steal from senior citizens and otherwise, their life savings, are going to realize what we could have done now to prevent that. And for those reasons and simply because this oughtn't to be a political Bill, it ought to have 177 votes. I urge you to break loose from the shackles of the political muscle and the leanings that have been put upon you and vote for Representative Telcser's Bill. It's a good Bill and I urge a 'yes' vote."

Speaker Ryan: "Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, like my colleague, Representative Cullerton, I must reluctantly speak against the Bill sponsored by our colleague from our District. I think I agree with Representative Telcser on a great many things. I think he's wrong, unfortunately, on this issue. I was an Assistant State's Attorney in Cook County and I was involved in the consumer fraud area. I think many of you know that I'm very active in the consumer area and continue to be in the Legislature. And one of my concerns is that we currently have, in the State of Illinois, one of the strongest consumer fraud laws in the country. It is modeled after Section 5 of the Federal Trade Act. And primary responsibility for enforcement has been with the Attorney General's Office. Unfortunately, the Attorney General has not used that law over the years to the full extent that he might have. He has not gone to

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court and set precedents that could be used in future cases to demonstrate the strength of this law. He has not set precedents in order to defer..deter future violators. I suspect he has not done this in part because it doesn't make headlines. I don't see why we need this Bill to deal with consumer fraud when we currently have a strong consumer fraud law if it were only used by the Attorney General's Office to the full extent of that law. Accordingly, I must reluctantly urge a 'no' vote."

Speaker Ryan: "The Gentleman from Morgan, Representative Reilly."

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

Speaker Ryan: "The Gentleman has moved the previous question.

All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Gentleman's Motion prevails. Representative Daniels to close."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I am indeed pleased to stand up along with Representative Telcser in offering this Bill for your consideration. I am also pleased to join the State's Attorneys Association of Illinois in the endorsement of this legislation. Yes, I am also pleased to join the State's Attorney of Cook County, Richard Daley, in the endorsement of this legislation. For it is Richard Daley and the Attorney General of Illinois, Tyrone Fahner, and many of us on this side of the aisle that understand the importance of this legislation. Some of us would like it to go further. Some of us would like it to include other items that would give the Grand Jury authorization to the Attorney General. But yet, when we look at the legislation and when we concur with the State's Attorney of the largest county in Illinois in endorsing this legislation, we recognize that the area of consumer fraud sees no limits of boundaries by counties, when we know that people who have brought their automobile into a

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mechanics shop only to find out that they've been faced with a \$1500.00 repair bill and unable to get their car back and frustrated by prosecution because it's a multi-county problem, when we know the severe problem of narcotics in the State of Illinois that sees no limits by county lines and we recognize the need for prosecution in this area, and then when we look at the polluters of this state, those people that will take the lives and drain the very air out of our system and will pollute the areas of our state and when we see the frustration that those of us, even in DuPage County, have experienced because we have a polluter there that the EPA has been frustrated in finding and we recognize that it sees no county lines, then, Ladies and Gentlemen of the House, when you look at the merits of the legislation and you recognize how carefully this Bill has been drafted to meet every possible objection that would be brought up, every possible objection barring one and that's the political objections that may come across this Bill, I have to compliment Mr. Telcser in his draftsmanship of this legislation. I have to compliment this Bill and I have to recommend it for your attention. Yes, some of us, as one of the other speakers said, could take political considerations in mind and some of us on this side of the aisle and on your side of the aisle could oppose this for mere political reasons. But I think if we look at this Bill carefully, like I'm sure many of you have, and if you take one last look and if you think about the people that this Bill can serve and that you, as Representatives in the General Assembly, as the people of the State of Illinois can assist in cracking down on these most serious problems, limited to the areas that can affect you most directly in the areas of hazardous wastes and drugs and the problems that they create of our people, you,

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too, will join us in supporting this legislation. I hope that we can set aside for the moment in this Body the area of political consideration. I hope that you, all of you, will join us, join the State's Attorneys Association of Illinois, join the State's Attorney of Cook County, your State's Attorney, and join the Attorney General of the State of Illinois in casting a green vote, make this Bill possible. It's within your power. Vote 'yes' on this most important piece of legislation. Thank you."

Speaker Ryan: "The question is, 'Shall House Bill 677 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Telcser to explain his vote."

Telcser: "Mr. Speaker, Members of the House, in explaining my vote I'd like to point out that a number of the Members talked about State's Attorneys cooperating, State's Attorneys not cooperating and whether or not subpoena power was one way or another. Let me simply point out that the State's Attorneys Association endorses this legislation because they recognize the need for it. That's the bottom line regarding the State's Attorneys Association. Some Members talked about Grand Juries not being a proper method in the law enforcement agencies. Well, then why haven't you introduced Bills to eliminate the Grand Jury? Other Members talked about the civil remedies when they know full well that by the time you wing your way...weave your way through the court system with civil remedies, the perpetrator is gone. He's gone. He's out of the state. Seven states have a statewide Grand Jury. It works well. It works well to protect the citizens of those states. Mr. Speaker, Members of the House, it is not often when you have a Roll Call vote where you can vote your own conscience. A Member on the other side of the aisle stood up and asked if I would take an Amendment to make it

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effective in 1983. That's what this is all about. The Minority Leader has made this a partisan political issue. The person who suggested that Amendment told it all. This should not be partisan. Every Member ought to have the ability to vote the way they want to vote. How, in God's name, could consumer protection or hazardous wastes legislation be partisan? There's no way it possibly can. The State's Attorney as some....The Attorney General, as some Member indicated, may want to grab headlines. He would get no more or no less headlines if it were the State's Attorney who had the power. Mr. Speaker, Members of the House, I'm proud and delighted to cast a 'yes' vote for this Bill. It's a good Bill. It's a consumer Bill. And I'm desperately sorry to see the Minority Leader twist arms, bang heads and make this a vicious partisan political issue. The protection of Illinois citizens is not a partisan question. We ought to be here for the good of the public no matter what party we serve in."

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

Jaffe: "Yes, Mr. Speaker. I hope you'll give me as much time as you gave Representative Telcser..."

Speaker Ryan: "You have all day, Representative."

Jaffe: "Mr. Speaker, I'm not at all reluctant to get up and speak against this Bill. As many of you know in the General Assembly, I supported Bill Scott time and time again when he was the Attorney General of this state. I might say that I probably supported him more times than the Republican Members of this House, although I never supported him on the Grand Jury concept. You know, let's face it. We don't have to talk about the merits of this particular Bill. This is the most political Bill of the Session. This is the 'prop-up Ty Fahner candidacy' Bill. You know, Ty Fahner has really been a disaster as Attorney

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General ever since your Governor appointed him. He fell over his feet when he tried to represent the Governor as a 'Banana Republic' seizing of the Senate. He's faced with opposition in his own political party who consider him to be the weakest part of the ticket. You know, your party quakes in its boots thinking of Ty Fahner as a candidate for Attorney General. You know, the truth of the matter is, as Representative Braun has said, we really should be doing away with the Grand Jury. And in your heart you know that. We really should be doing away with the Grand Jury system in this particular state. But instead, no, we're not doing that. We're going to prop up an ineffective Attorney General. Well let me tell you, we have enough nuclear bombs in this country to destroy everybody in the world 20 times over. We have enough Grand Juries in this state to indict everybody 20 times over. If the Attorney General can't do it with the materials that he has in hand, he certainly won't be able to do it with this piece of garbage that you have filed over here and I think we ought to vote 'no' to this thing and put an end to the most political Bill of this Session."

Speaker Ryan: "The Gentleman from Wayne, Representative Robbins."

Robbins: "I don't think that we ought to be talking about the political end of this. I think we ought to be talking about right and wrong. Do you want to try to put an end to the teenage..teenager in your town that is taking drugs and on dope? If so, why don't your District Attorneys and your police do it? Isn't it time that we had a statewide Grand Jury with subpoena power to try to stop some of this drug addiction and the cost to the State Government? As these people destroy their minds they fill our institutions and this is something important. Land pollution is bad enough. Drug pollution and mind pollution is worse. It's time that

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we come up with something, with someone, to do something. There hasn't been anything done in the last fifteen years and if a statewide Grand Jury would save one young person from being...having their mind and body destroyed by the drugs that are being pushed over this state, it's worth it. Now think. Are you in favor of law and order or do you want the syndicate and the mobs to continue to live as parasites off of your young people?"

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

Jones: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm really surprised at my colleagues on the other side of the aisle by taking an issue like this and making it political. We talk about an Open Meetings Act. We talk about a Grand Jury that's closed. But I rest assure you that if you had a secret ballot here, half the Members on the other side of the aisle would be voting against this very, very bad piece of legislation. But when you talk about the Minority Leader badgering this side of the aisle, you know and I know that the Governor has beat you over the head with this piece of legislation and forced you to vote for it. If you were really sincere about Grand Juries, then you would have an open Grand Jury, open to the scrutiny of the people in the State of Illinois. Because you know and I know that Grand Juries are nothing but a rubber stamp and if you want to find out how effective your Attorney General is, let him present his evidence in the open rather than go to a rubber stamp closed Grand Jury to badger the people of the State of Illinois. We have enough State's Attorneys in the State of Illinois to solve the problem. You know it and I know it. But don't interject political flowery speeches into this subject. You know that the Governor has badgered you on this piece of legislation. You don't want to vote for it. Stand up and



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vote your conscience and vote 'no'."

Speaker Ryan: "Representative Terzich."

Terzich: "Well, Mr. Speaker, as you know, I'm not an attorney. I was an active participant of a Grand Jury and if you don't think they are rubber stamps, well just keep in mind that you haven't gone through the ropes or the wringer and as far as I'm concerned, it's not political. It's personal. But you can take all the Grand Juries and you can shove them as far as I'm concerned. If you don't think they are rubber stamps, just look at the mark that they left on my body and maybe you can appreciate it a little bit better."

Speaker Ryan: "Representative Kulas."

Kulas: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I am simply appalled that so many Members of this General Assembly have just come to the realization that this Bill is a political football. But I'm not an attorney, but I checked with some legal experts and they have told me that this piece of legislation is worthless. It's useless and it's not even worth the paper it's written on. But, it is useful for the present Attorney General because he can use it as a roller coaster to coast to victory at his next election. Well, if you want to vote for Ty Fahner, vote for this Bill. But if you want to vote your conscience and vote for the people of the State of Illinois, vote against this Bill."

Speaker Ryan: "Representative Henry."

Henry: "Yes, thank you, Mr. Speaker, Members of the House. I was just looking over the statement made by the Majority Leader when he was talking about the Environmental Protection Act. I'd like to know the present Attorney General's record in this field. He talked about consumer fraud. I don't know a dog gone thing that the Attorney General has done in the field of consumer fraud. He talked about controlled

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substances. I don't know a record on Mr. Fahner's record in office with controlled substances. And he speaks about perjury. I haven't heard anything on all his news releases about perjury. So what it boils down to, I don't believe that the office has functioned for the people of the State of Illinois with its present responsibility. So now you want to extend his responsibility when he has no record in his present position. That's the reason I'm voting 'no' and I'm going to keep it up there. Thank you."

Speaker Ryan: "Does anybody else care to be heard? Representative Vinson?"

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm somewhat perplexed by the division on the Democratic side of the House. Representative Madigan, the Minority Leader, says that the Governor is lazy, that he won't lobby, that he won't fight for a good program. And Representative Jones says he's in here aggressively battling for this program. And I don't know how they reconcile those differences. I imagine somehow they do that when the word comes down from Chicago on how they should vote. Representative Jaffe says this is a political issue. He says that the only purpose for this is as a campaign matter. But I want to remind you of Representative Telcser's offer to take this back to Second Reading and to put an Amendment on the Bill that delays its effective date until 1983 if the Minority Leader will offer to support the Bill with that Amendment. The Minority Leader didn't say anything about that. I suspect that the reason for that is the Minority Leader is afraid of the Grand Juries and he's afraid of them because of the merits of the issue. Representative Daniels said it best as to the matter..as to the matter of the partisanship of this thing. There are Members of this House and it ought to be

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noted, Representative Daniels, himself, who are thinking about running for Attorney General. But what did he do? He stood up and fought for the concept because it's a good law and order concept, because of the merits of the Bill, because of the chance, the chance to do something about consumer fraud, the chance to do something about drugs and most of all, the chance, the chance to do something, something about whatever else the Bill deals with. I would argue that you ought to vote for this Bill."

Speaker Ryan: "Is there any further discussion? Any other explanation of vote? Have all voted who wish? Have all voted who wish? Representative McCormick."

McCormick: "Mr. Speaker, Ladies and Gentlemen of the House, one of my good colleagues on the other side of the aisle said a while ago that the Governor was beating people over the head. I wish to hell he'd beat me over the head once in a while. I went through a time when they tried their damnest to beat me. As a Republican on the ticket in the fall, they didn't want me in this House. They sent all the troops to the 59th District. Did everything in the world they could to beat me. Some of them even raised money for the Democrat. I know I'm kind of repulsive, but I didn't know that much. Very little help I got from the Republicans. And I've been trying every since to get somebody to beat me over the head and I can't get Ryan to do it and I can't get Thompson to do it either. Surrounded around here, my friend, is a good fellow, smarter than hell. He tried to keep me from coming back too. But Ladies and Gentlemen, this transcends politics and it transcends personal feelings and transcends a lot of things. You ought to be down in southern Illinois when all of the people, and I don't what they are, but they come through with those great big beautiful trailers and they

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park in my camping area down in Johnson County. And they fan out over all of southern Illinois and they take the old people's money for painting the roofs of their houses or painting the house. They take the farmers for cleaning, beautiful, bright, shiny, clean top on your barn, half of the price anybody else in the world would charge you for it. Anybody almost is a sucker for it. Even I bought it once. Then, Ladies and Gentlemen, they keep spreading out over the area. They put more tar; They put more aluminum on top of the houses; They steal more stuff out of the stores in those little towns than you can possibly gain. They go into the bigger stores and they get in a fight in the back room and they have all the other people grab it and run. You don't find them in Johnson County. By the time I get back and collect my fee for them living with me, they're plumb gone to Cairo. They can get out of there quicker than you can in your car if it's all hooked up. Now that is the pollution we don't have too much trouble down there with because our people are basically clean and so for most of you, don't even know we exist. We don't have good enough highways yet, but we're working on them. And I hope to tell you on one thing more. If you get anything out of me on CTA, or anything else up there, I'll get a road or God is not my judge. Now I think that you fellows here and you Republicans ought to be ashamed of yourselves. I don't care if it's a....If you really personally think it's not a good Bill. Would it ever look right for one time for a Republican to stand up and be counted even if his hind end has been kicked by the party all over southern Illinois? I'm telling you now it's time that the people that believe in law and order, it's time you Democrats that believe that it's right to take care of the people....And you said the other day that you took care

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of the senior citizens. You knew you didn't give them the first Bill, but you said it anyway. Now, how about taking care of the people that are getting cheated now? And whether you like somebody or you don't like 'em, whether you're hit over the head or whether you're not hit over the head, it's time to do something for all of the people of Illinois, whether you like Ty Fahner or not. I don't know whether I do or not yet. I've never had the time to work on him. But I'll tell you this, I'll tell you this, I think any Attorney General that sits over there, whether his name happens to be Phil Rock or Ty Fahner or Bob Blair or anybody else you can think of, or you either, buddy, I think he ought to have an opportunity to fulfill the job of protecting the rights of every citizen in this state. And I think you ought to vote 'aye' on this Bill."

Speaker Ryan: "Representative Stewart."

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Despite some of the rhetoric and the discussion of the so-called merits of this Bill on both sides, I rise to explain my 'no' vote and I'm very ambivalent about that vote. However, I don't think that anyone can really seriously discuss the merits of this Bill without discussing the politics behind it. I have decided to give my party a chance. I'm not convinced of both..of either argument for or against. And I say that honestly. However, I would say that for those of us who sit on this side of the aisle, who think that this is an issue around which we should rally, I will say that there are a lot of other issues that really do strike at the heart of the condition of the people that we claim to represent and I would hope we would see that same clamor for Democratic unity. Thank you."

Speaker Ryan: "Last call. Have all voted who wish?"

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Representative Huskey."

Huskey: "Well, I just...Mr. Speaker and Ladies and Gentlemen of the House, I just wanted to second Representative McCormick's beautiful speech. I went down there like a sucker and bought a farm and pretty soon....Must have been people from out of Johnson County because I know it wouldn't be anybody in Johnson County, that killed my calves in this field and held barbecues, that burned my barn down..so...a few other things like that. So I know I can....and came all the way from Cairo to steal my strawberries. So I know damn well that he's telling the truth."

Speaker Ryan: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Friedrich, do you seek recognition?"

Friedrich: "I was just going to explain my vote. I didn't realize the time was over."

Speaker Ryan: "Take the record, Mr. Clerk. Representative Telcser."

Telcser: "Would you poll the absentees, Mr. Speaker?"

Speaker Ryan: "Poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees: Abramson. Barnes. Bianco. Bullock. Capparelli. Epton. Ewell. Flinn. Garnisa. Krska. Kucharski. Laurino. Leverenz. Margalus. Martire. Mautino. McAuliffe. O'Brien. Redmond. Schraeder. Stanley. And, Stearney."

Speaker Ryan: "Are there any changes? On this question there are 82 voting 'aye', 70 voting 'no' and 2 voting 'present'. Representative Telcser."

Telcser: "Postponed Consideration."

Speaker Ryan: "Representative Telcser?"

Telcser: "I'd like Postponed Consideration, Mr. Speaker."

Speaker Ryan: "Postponed Consideration on House Bill 677."

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Speaker Ryan: "House Bill 763, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 763, a Bill for an Act to establish statewide grand jury system. Third Reading of the Bill."

Speaker Ryan: "The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. You are, I'm sure by now, familiar with the issues behind the statewide grand jury. This Bill creates a statewide grand jury system in order to protect our environment from violation of the Pollution Control Act. It is specifically limited to violations of the Pollution Control Act. I have a specific reason for introducing this limited type of grand jury Bill. First of all, the Attorney General in this state has developed the expertise and confidence in the prosecuting of pollution cases far above and beyond any State's Attorney in any of the 102 counties that we have. The cases themselves are complex. The issues are complex. They are technical and difficult to understand. The Attorney General in the State of Illinois has taken on those difficult and complex issues and has done a good job at them for many years. Right now in Illinois we have a number of State's Attorneys. We have 57 out of the 102 who are new, who aren't familiar with trying the general run of the mill traffic, battery, assault cases let alone complex issues like pollution. In addition to that, over half of them do not even have assistance. Practically speaking they will go outside their own office to hire people if they have to prosecute pollution cases. It is well established in this state that the prosecutor of the Pollution Control Act is the Attorney General. It is efficient in my view for the prosecution of those cases that the Attorney General have within his power a statewide grand jury..."

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

Madigan: "Would you provide Mrs. Breslin with some order?"

Speaker Ryan: "Absolutely. Can I have a little order in the chamber?"

Madigan: "Mr. Speaker?"

Speaker Ryan: "Yes, Sir."

Madigan: "As hard as all of you look, they're not going to change."

Speaker Ryan: "Representative Breslin, proceed. Representative Collins in the Chair."

Breslin: "Mr. Speaker, Ladies and Gentlemen, I would say at this juncture that had I known this was going to be a major political issue of this Session, I would probably not have introduced this Bill. I will say however that I wish all of the parties including the press would look at the issues and would look at the Bills. There are a few of us who have read the Bills and I would suggest there are substantial differences and they ought to be noted. First of all, my Bill deals only in the one area that the Attorney General in this state already has made high marks on, pollution, the present...I would suggest that under the previous Bills that we have considered they have not reached that level of competence. They would have to, for instance, in the narcotics area, go out and hire people and train people to get into that area, which is an area right now that our State's Attorneys do very well. Has anybody noticed? Has the press noticed? That under the other Bills we have considered, it will cost more money? It is not efficient. Has anybody noticed that under this Bill, the one I have proposed, where a county jury, grand jury and a statewide grand jury have come back with verdicts on the same...with indictments on the same case, there is a



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procedure under this Act for the assignment Judge to consolidate those cases and a set the venue. It is not present in the other Bills. It's fairly basic for efficiency. Has anybody noticed that under the other Bills there is no specific designation, that the State's Attorneys will have concurrent jurisdiction over the issues listed? In my Bill it is specifically listed that the State's Attorneys will have concurrent jurisdiction in pollution control cases. Another point; there is no indication in the other Bills that more than one statewide grand jury can operate at one time. Totally inefficient. If you are trying to prosecute cases in the northern half of the state, very complex and involved, it would be far more efficient to have the opportunity to attack other problems going on in other parts of the state at the same time. This Bill provides that the assignment Judge with the consent of the Chief Justice of the Supreme Court of this state can impanel more than one grand jury with a maximum of three. They shall operate for one year and can be extended to 18 months. As I said before, I had no idea this was going to be a major political issue and I don't intent it to be. I present it on its merits. As a consequence, I have taken an Amendment to make this Bill effective as of January 1, 1983. I have been convinced to do this because of the sentiment on this floor which can see and because there is some rationality since we are presently operating with an appointed Attorney General to take this issue out of politics and wait for the next election. What has not been mentioned, Ladies and Gentlemen, is that the opponents to this Bill specifically and to the previous Bill that dealt with hazardous and special waste is not just a few Members on this side of the aisle and a few Members on that side of the aisle, but the

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Illinois Manufacturer's Association and the State Chambers of Commerce. What does that tell you about their sincerity in keeping our environment safe for our citizens? That they would object to the prosecution of criminals who violate the criminal Statutes of this state. To those of you who believe that that system, the statewide grand jury system, can be corrupted I would point to the fact that there are many, many, many safeguards built in to this Bill; the Chief Justice of the Supreme Court, an assignment Judge and the 23 jurors that sit on that statewide grand jury. I would also suggest to you, Ladies and Gentlemen, that any system when operated by corrupt men can be corrupted. Thank you."

Speaker Collins: "Is there any discussion? The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, naturally I am disappointed as many Members on this side of the aisle are that the last Bill failed to receive the necessary votes to pass. And naturally some of us are very concerned because the legislation that's before us right now not only is going to be delayed in its effectiveness when it becomes law, but also it does not include other areas that are of tremendous importance to the citizens of the State of Illinois such as trafficking in drugs and problems that they face in those areas and that the limitation of this Bill is so restricted that the very necessary item of grand juries dealing with important elements in our state will be eliminated. But yet, at the same time, we are very pleased to have Representative Breslin join us in endorsing this legislation and the concept of the statewide grand jury. Very pleased that she has worked hard and it's true she has to place this Bill in an order which we can accept as unfortunate as it is that

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it doesn't concur all of the items that we would like to see, but that we can vote for and support in this area of statewide grand juries. Five votes is all it would have taken on the last Roll Call, five votes to become law. Representative Breslin was not on that Roll Call as favorable. So now we only need four. Representative Breslin, I'm going to vote for your Bill and I'm pleased to do it. I want you to pick up four votes on your side of the aisle so that we can make this Bill become law with the area that you believe in and I hope that you will show us the Members on your side of the aisle believe in and join us in the concept of protecting our citizens at a very most important area. I heartily endorse her Bill."

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

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, I sit next to that wonderful Legislator from LaSalle County, Representative Breslin. But I would want to say to Representative Breslin and I would want to say to my colleagues on the other side of the aisle that my opposition to House Bill 677 had nothing to do with any sponsorship by the Attorney General of the state or the fact that it had Republican sponsorship. I thought it was bad in principle. I felt it was a danger and a threat to the people of the state to share the law enforcement function that State's Attorneys now have with the Attorney General. I thought that it would be a great threat to the people of the state that the Attorney General would use law enforcement functions for campaign purposes and accordingly, I would continue my opposition to Representative Breslin's Bill. I consider it a less dangerous Bill because it is not as broad a Bill. But the foot in the door still applies. We have a Republican Attorney General now. We will have Democratic Attorney

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Generals and some of my colleagues on the other side will wince perhaps someday if a Bill of this character ever becomes the law because they will discover that threats involving the use of political power by prosecutorial authorities apply equally whether the Attorney General is a Republican or a Democrat. And in many ways, the Republicans may be even more threatened because they are particular targets in some instances. This Bill of Representative Breslin's does deal with the real problem. But the way to deal with that real problem is through the present scheme of law enforcement in the state. The Attorney General has the power right now to investigate these matters. I'm sure that the Attorney General would respond to any requests from the State's Attorney of LaSalle County or any of the other counties, to lend the assistance of his office when it is requested by the State's Attorney. That is an adequate solution. It is also to be noted that the Environmental Protection Agency, the Pollution Control Board have not asked for this legislation to help correct the problems of the environment, nor has the legislative...the Environmental Council made this an objective. It is simply an objective of the Sponsor of the Bill. However good the objective the long run effects are too dangerous. We would be taking a step that we will someday regret if we take it accordingly and with great reluctance, I urge my colleagues to stand on the matter of principle that law enforcement in this state should be the responsibility of the State's Attorneys in this state as it has been since 1818 and is reaffirmed by the Constitutional Convention in 1970 that was ratified by the people of this state. And I would urge a 'no' vote with regard to House Bill 763."

Speaker Collins: "The Gentleman from Champaign, Representative

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Johnson."

Johnson: "I move the previous question."

Speaker Collins: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The Lady from LaSalle, Representative Breslin to close."

Breslin: "I'd appreciate a favorable Roll Call."

Speaker Collins: "The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Now the last Bill I voted against my District mate and now I vote against my seatmate simply because I truly believe that this is not the right way to go in attempting to solve these problems. I truly believe that to simply allow the Attorney General to have a grand jury that he can call his own is not the way to go against these particular polluters. The way you go against them perhaps would be for the Attorney General to come in here and lobby very hard, as he's hard on this ..in the last Bill, for more money, for investigators, more money for attorneys so he can go out and do the job that he's obligated to do. But this Bill will not help him do that and that's why I'm voting 'no'."

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

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I voted for the last Bill. I'm voting for this Bill in order to be consistent. However, I do want to...I do want to make an observation that I wish that people would push their own buttons and only their own switches on this particular Bill."

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Speaker Collins: "Your point is well taken. The Lady from Cook, Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Breslin is one of the most conscientious Members in this Legislature and I would love to support... (cut off).. Thank you. But the concept of a statewide grand jury is not only unnecessary, but it's dangerous. It is actively dangerous and I would encourage a 'no' vote on this Bill as on the other, not for political grounds or because of the abuses the grand juries portend for all of us. We already have United States Attorneys' enforcement powers for environmental pollution. The last Attorney General did a magnificent job in going after environmental polluters. I think this Bill is not only unnecessary, but it's dangerous. And I urge a 'no' vote."

Speaker Collins: "The Lady from LaSalle, Representative Hoxsey."

Hoxsey: "Ladies and Gentlemen of the House, I'll direct my comment to you, Representative Breslin. I am very sorry that you would allow those people on that side of the aisle to twist your arm to put an Amendment on this Bill with an effective date that will not produce what you and I need to have done for LaSalle County. And I am very sorry. I'm still voting for your Bill, but I really...and I fail to understand why you didn't vote your conscience on the former Bill. Those maybe you can explain to me eventually."

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

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, I think all that has been said on the other Bill in terms of its applicability and what can be done and its use in terms of law enforcement can't be said for this Bill and a never narrower kind of field. All of those certainly on this

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side of the aisle who supported the legislation introduced by Representative Telcser can end in my..help in my mind to end up supporting this piece of legislation. And in answer to the question of the Gentleman who suggested the need for more funds in the Office of the Attorney General, I respectfully suggest to him that I will be more than happy to join with him in offering any Amendments to increase those particular line items in the Bill to provide the Attorney General with those kinds of tools that he knows that office does not have presently to do the kind of job it should be doing. I encourage an 'aye' vote."

Speaker Collins: "The Lady from LaSalle, Representative Breslin."

Breslin: "In response as to why I'm voting for this Bill and against the other, I thought I clearly explained the differences between the Bills and in the concept in my presentation of the Bill. This one deals with what is vital to the people of LaSalle County. It doesn't have the increased cost. It has the provision for consolidation, the provision for concurrent jurisdiction, the fact that one..more than one can be held at one time. It was...I accepted the Amendment with regard to the delay in the effective date solely because in my view it has become a political issue. I didn't intend it; you didn't intend it; the people of LaSalle County didn't intend it. But it is clear to me that this Bill could not pass without the delayed effective date. I regret that, but it seems to be a political fact."

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

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, I voted for the last Bill and I'm not voting for this Bill and I don't consider that to be an inconsistent situation because, as the Sponsor of this Bill has pointed out, the two Bills are different. I don't think that it is

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appropriate for us to pass a Bill offering a statewide grand jury for the entire scope of the Environmental Protection Act and I'm really amazed that with the debate that we've had on this House year after year about the over regulation of agriculture and other concerns in Illinois that have been hurt by the over zealousness of environmental protectionists that we would be passing a Bill like this to strengthen that situation when the over zealous so-called protection of our environment has hurt so many people economically and in terms of energy. I see no inconsistency in voting 'no' on this Bill and I am doing so and would urge others to do likewise."

Speaker Collins: "The Gentleman from Cook, Representative Jones, Emil Jones. The Gentleman from Cook, Representative Huskey."

Huskey: "Well, Ladies and..Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I certainly have to congratulate Representative Breslin for having the fortitude in her party to uphold law and order. And she's certainly a brave sole to stand up amongst all those red lights over there and I hope a lot of other people have the guts to stand up with Representative Breslin. It's a good Bill and it certainly deserves your green votes."

Speaker Collins: "The Gentleman from Wayne, Representative Robbins."

Robbins: "Again, I ask you to think about law and order and giving someone the authority to deal with the organizations that oppose law and order. This gives you a chance to try to see that some are protected that are not protected. You sure you have a State's Attorney? Who owns him? Sure you have a sheriff. Who owns him? Did you ever stop and look to see what are you afraid of? Are you afraid that we might have law and order if we have a statewide Grand Jury



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that would have enough power that nobody could buy them? Think. If you continue to vote red, you believe that it is not possible to take a state that is very corrupt at the present time and do anything to stop the corruption. As you go home, think about your son, or your daughter, or your friend's son, or your friend's daughter that will be involved in using dope this weekend, and nobody on the local issue has enough power to stop it and enough investigative things in their power to do it. And you don't want it stopped because you think someone might gain a vote by creation of this Bill. Are you willing to live with this the rest of your life? I hope it don't have to come home and haunt you. I hope you don't have to see those young men and young women that have their minds destroyed. I hope that never happens to one of your lived ones. But if you ain't got enough guts to stand up now, when will you have the guts?"

Speaker Collins: "The Gentleman from Cook, Representative J.J. Wolf."

Wolf: "I move the previous explanation of vote."

Speaker Collins: "Thank you. I am glad somebody did. 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 78 voting 'aye', 56 voting 'nay', eight voting 'present'. The Lady from LaSalle, Representative Breslin."

Breslin: "Could I please this...put this Bill on Postponed Consideration?"

Speaker Collins: "That is your right. This Bill will be on Postponed Consideration. Representative Conti, for what purpose do you rise?"

Conti: "Mr. Speaker, for the purpose of an announcement. The...I was told that the Rathskeller, for our convenience, will open up at eight o'clock tomorrow and be here until we are

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working whatever time that will be. They had no intentions of being opened Sunday. We convinced them to stay open Sunday. They will be open also Sunday for our convenience. The Rathskeller will be open tomorrow and Sunday."

Speaker Collins: "House Bills Third Reading priority of call. Representative Madigan, it is the Chair's intention to pick up where we left off on priority of call last night which the first Bill would be House Bill 651, Representative J.J. Wolf. This...the Gentleman from Cook, Representative Madigan."

Madigan: "Are you returning to where we left off last night on the Order of Third Reading?"

Speaker Collins: "Yes, we're going to Third Reading priority of call. We are not going to Third Reading of Short Debate. Representative...or House Bill 651, J.J. Wolf. Read the...read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 651, a Bill for an Act to amend the Election Code, Third Reading of the Bill."

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

Wolf: "Thank you, Mr. Speaker, Members of the House. The...House Bill 651 would make it a Class 4 Felony to bribe...to use bribery to prevent a person from voting, registering to vote, or to support or oppose a candidate. The present statute applies that only to the use of force, intimidation, threats, or deception of forgery to prevent a person from voting, registering, supporting, or opposing a candidate. It has been silent on that particular aspect. It was requested by the Cook County State's Attorney a couple of years ago, and I put the Bill in again this year and I would ask your support. Some people had made some comment that it may be a vehicle. I assure you that it is not. I would just appreciate your vote."

Speaker Collins: "Is there any discussion? The Gentleman from

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Cook, Representative Meyer."

Meyer: "Question of the Sponsor."

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

Meyer: "If I asked you to vote for my Bill and told you that I'd support your Bill if you supported mine, is that a felony for both of us?"

Wolf: "No, this is for...this is for not...I wasn't aware that the Speaker was going to get that order of business. No, this Bill does not cover that. This is with the prevention of people to vote. Apparently there has been some area back several years ago where someone had been offered a bribe and..."

Meyer: "What if I went to my neighbor up in, you know, I am working my precinct. This is a felony?"

Wolf: "If you...under the present law?"

Meyer: "Yeah."

Wolf: "If you use intimidation, threats, or deception, or forgery to prevent a person from voting, registering, or supporting, or opposing a candidate, yes, it is presently a felony under current law."

Meyer: "I have no further questions."

Speaker Collins: "Is there any further discussion? The Gentleman from Cook, Representative Wolf, to close. The question is 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', those 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 139 voting 'aye', 2 voting 'nay', and this Bill having received a Constitutional Majority is hereby declared passed. House Bill 663, Representative Christensen. The Bill will be handled by the Gentleman from Will, Representative Van Duyne. Representative Van Duyne."

Clerk Leone: "House Bill 663,..."

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Speaker Collins: "Don't read the Bill, Mr. Clerk. Representative Van Duyne, the Gentleman from Will."

Van Duyne: "Thank you, Mr. Speaker. Representative Christensen was just called out on the rotunda just a moment ago, so if you would, why don't you just go to the next Bill and then when he comes back you can go back to his."

Speaker Collins: "He's coming in now. If he wants to call his Bill we can or we can call the next one and go back to it."

Van Duyne: "Okay, okay."

Speaker Collins: "Representative Christensen, I was just calling your Bill. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 663, a Bill for an Act to amend the Illinois Municipal Code, Third Reading of the Bill."

Speaker Collins: "When he has his papers together, the Gentleman from Grundy, Representative Christensen."

Christensen: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 663 amends the Municipal Code. It requires corporate authorities of a city to fix by ordinance the salaries of city officers at least two months before elections are held for such officers. The reason for this Bill is quite simple. It lets the public know what the salaries are going to be. It lets the candidates know what the salaries are going to be, and it prohibits change in the salaries if the wrong person should get in party or like lame duck raises, and it is a very simple Bill."

Speaker Collins: "Is there any discussion? The question is 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 128 voting 'aye', seven voting 'no', three voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 698, Representative

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Daniels. Read the Bill."

Clerk Leone: "House Bill 698, a Bill for an Act to add Sections to the Real Estate Brokers' and Salesmen's License Act, Third Reading of the Bill."

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

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 698 amends the Real Estate Brokers' and Salesmen's License Act. It establishes a dedicated fund to be used by the Department of Registration and Education only for the licensing and regulation of real estate licenses. The fund would be supported by the real estate licensure fees and provides for the Auditor General to conduct audits of this fund. I know of no opposition to this legislation, and I would ask your favorable support."

Speaker Collins: "Is there any discussion? The question is 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 139 voting 'aye', one voting 'no', one voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 709, Representative Mulcahey. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 709, a Bill for an Act to amend Sections of an Act to revise the law in relation to sheriffs. Third Reading of the Bill."

Speaker Collins: "The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Thank you, Mr. Speaker and Members of the House. House Bill 709 is a Bill which would...It's supported by a number of the sheriff's departments throughout the State of Illinois, which would simply allow the...permit auxiliary

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deputies to perform law enforcement duties as may be directed by the sheriff. There was some problem with the Bill in Committee. There were a couple of Amendments offered and Senate Amendment #1 was to permit the auxiliary deputies to perform law enforcement duties and to be responsible for the ...the sheriff is responsible for these individuals and also to..the fact that the ..this law shall not be increased...The number shall not be increased in number after January 1st, 1982, if vacancies exist in the..within the ranks of the police of the department. And I would move for the adoption of this Bill."

Speaker Collins: "Is there any discussion? The question, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 132 voting 'aye', 8 voting 'no', 5 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 762, Representative Yourell. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 762, a Bill for an Act to amend Sections of the Library System Act, Third Reading of the Bill."

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

Yourell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What this Bill does is raise the grants by the state under the Library System Act from its present \$1 to \$1.50 per capita of the population of the area served and from \$35 to \$56.25 for square mile and fraction thereof. We have had a tremendous, as you can imagine, increase in the cost of books, increased cost of service, and it is time that this formula is changed so that libraries can

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keep up with inflation and provide the kind of services to the citizens of Illinois that they are entitled to. I would be glad to answer any questions that you might have. I would ask a favorable Roll Call on House Bill 762."

Speaker Collins: "Is there any discussion? The Gentleman from DuPage, Representative Hoffman."

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

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

Hoffman: "Is there any additional cost generated to the state by this legislation?"

Yourell: "Yes."

Hoffman: "How much?"

Yourell: "\$6,800,000."

Hoffman: "\$6,800,000. Is that included in the Governor's or the Secretary of State's budget?"

Yourell: "No, it is not."

Hoffman: "This is not included in either of the budgets so it is outside the budget. Is there an appropriation Bill in for this amount?"

Yourell: "No, there is not."

Hoffman: "Is there a particular reason for that?"

Yourell: "No, they just wanted authorization for it. It does not mean that this has to be fulfilled in this fiscal year. The last grant that was passed...the last raise they had was in 1977 and each succeeding year they pass this kind of Bill but the money doesn't always come forth. But this is the authorization in case they find the money to do it with."

Hoffman: "Thank you very much, Mr. Yourell. Just a brief comment and with all due respect to...to the Sponsor and in regards to the...the Bill, I have discussed this with librarians from my area indicating to them that I, for one, I for one

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could not support this kind of legislation because what we're doing is setting up a level...authorizing a level of funding and a formula, in a sense, for which we are not prepared to fund. And then what happens the next year they come back and say you passed this legislation for a higher dollar amount for libraries, but you didn't fund it. You're not keeping your word. I've gone through this a number of times on the school finance program that you can remember in 1974, 5, 6, and 7, and I am just not sure that it is their best interest or ours that we get into this kind of a situation."

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

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

Speaker Collins: "Indicates he will."

Ewing: "How much of an increase is this grant with your proposal? What percentage?"

Yourell: "I don't know, it is 50% on the one, Mr. Ewing, and I don't know what the percentage is on the other."

Ewing: "What was the grant before you put 50% more on it?"

Yourell: "A dollar."

Ewing: "That sounds like about 50% increase to me, would you agree?"

Yourell: "That is what I just said."

Ewing: "Oh, I thought you said you didn't know."

Yourell: "No, I said that one grant was a 50% increase which is a 50% increase, but I didn't know on the area grant that goes from 34 to 56."

Ewing: "Mr. Sponsor, has the Secretary of State been fully funding this program before?"

Yourell: "Yes, they have."

Ewing: "And this has nothing to do with the local tax rate that a library can levy or..."



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Yourell: "No, it doesn't."

Ewing: "This would be in addition to their local taxing power?"

Yourell: "This is in the systems, the State Library Systems that is in the...the responsibility of the State Library and the Secretary of State."

Ewing: "This goes just to the library systems and not to the local libraries."

Yourell: "That is correct."

Ewing: "Alright, Mr. Speaker, Ladies and Gentlemen of the House. I am certain that every...almost every Member of this House has been contacted by their library system Members. I have. I sat down and talked with them for some time about what they wanted and what they needed in libraries. I think it is obvious that they can use this money. I haven't found any unit of local government or any unit of government which couldn't use the money. But I also found them to be very reasonable people. I also found them to be taxpayers, at least the Library Board Members. And when I explained to them what the needs were of the state, and what our financial condition was, and how we were going to cut senior citizens, and how we were going to cut the welfare people, and how we were going to cut special education, and how we were going to cut back on tax relief, they kind of agreed that they didn't think this was the year to put in this type of increase. And they left my office very satisfied. I think any of you who have that same opportunity could satisfy your constituents in this regard, and I think we need to give a resounding 'no' to this. It is ridiculous to pass this and say we'll defer it till two years down the road. I want to have something to do if I get re-elected. I want to consider this again. I don't want to do it now. What would we do? Vote 'no'."

Speaker Collins: "The Gentleman from Knox, Representative

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McMaster."

McMaster: "Thank you, Mr. Speaker. This Bill was heard in Counties and Townships. At the time it was heard, I made it very clear to the librarians, the library people who were there that this was not an automatic increase for them, that this was merely giving the Secretary of State the right to raise it to this amount. It was not mandating to him that he must. I believe that I voted 'no' on the issue in Committee, and will in all probability vote 'no' upon it now because I do not believe in raising false hopes to the librarians by dangling out in front of them the fact that the Secretary of State has that opportunity while this General Assembly will not, in all probability, fund the Secretary of State's office to a sufficient amount to allow him to pay this increase. This is what happened in Committee, and I wanted to pass it along to you."

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

Ropp: "Thank you, Mr. Speaker and Members of the House. I, too, in Committee supported this concept because what this actually does, it does permit at some time when monies are available, an increase to the library situation. One of the problems that has happened is over the years, this Body stated by law that we should provide books in prisons all the way, including complete law libraries and maybe two so that prisoners can become educated on how to become attorneys which has taken away from our local libraries. And therefore, these particular libraries are short of money because of legislation that we have passed. I certainly will not support increased monies when those appropriation Bills are brought to this House as it would affect this particular legislation. But this will provide in time for increases when monies are available. At no

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time will they ever be able to get any more money unless this Bill passes some time."

Speaker Collins: "Representative Yourell to close."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen, what the former Representative indicated to you is absolutely true, and I was asked the question 'Was there an appropriation Bill in conjunction with House Bill 762?' And I answered that as absolutely correct. There is no appropriation Bill, and the reason for that is that this is an authorization to the Secretary of State to provide the supplies of materials and books that this General Assembly mandated in years past. There is no guarantee, and I am not hopeful that any additional funds are going to be coming from the Secretary of State's budget for full funding of this program. But each and every year we must have an authorization Bill in order to provide the money should they become available. I would like to read to you what has happened in the past. In 1975 we authorized full funding, \$9,200,000. They actually got \$9,300,000; '76, \$9,300,000, they actually got \$8,800,000; in '77, \$9,300,000, they actually got \$8,700,000. In fiscal year '78, \$13,000,000 and they got \$9,000,000. In '79 they...we authorized \$13,000,000 and they got \$13,000,000. In 1980 we authorized \$13,000,000 and they got \$13,000,000. In '81 we authorized \$13,000,000 and they got \$13,000,000. So this is not an appropriation of the Secretary of State's budget. There is no appropriation Bill. This is an annual exercise, an authorization for the library systems in the State of Illinois, and when you vote for this if you do, you're not voting for a tax increase, you're not voting for an additional appropriation, you're voting for an authorization to make these funds available to the library systems in the State of Illinois should those funds be

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available in the revenues to those...to the system. I urge a favorable Roll Call, and don't be afraid. You're not doing something that you have to explain later."

Speaker Collins: "The question is 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', opposed by voting 'no'. The Gentleman from Cook, Representative DiPrima, to explain his vote."

DiPrima: "Yes, Mr. Speaker. I don't get up too often and oppose a piece of legislation. But I don't know, the way this Bill has been bounced around here, I am starting to wonder. Probably these funds are going to be used...used to purchase some pornographic material to staff all the libraries so the little kids can get over there and look and see what it's all about. So for the first time since I've been down here and Yourell has been down here, I am going to oppose this legislation."

Speaker Collins: "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 90 voting 'aye', 56 voting 'nay', four voting 'present'. The Gentleman from Livingston, Representative Ewing."

Ewing: "With that, I would ask for a verification."

Speaker Collins: "The Gentleman requests a verification of the Roll Call. I assume Representative Yourell would like a Poll of the Absentees. Representative Ewell, 'aye'. For what purpose does Representative Pierce rise?"

Pierce: "Mr. Speaker, I never make this request, but I request to be verified 'aye' because I have to leave for a college graduation now."

Speaker Collins: "Your own?"

Pierce: "Yeah."

Speaker Collins: "Representative Pierce votes 'aye' and asks leave to be verified. Leave is granted. Call the

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absentees, Mr. Clerk. We start at 92 'aye', 56 'nay'...91 'aye', 56 'nay', four 'present'. Poll the Absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the Absentees. Abramson, Bartulis, Bell, Bulthardt..."

Speaker Collins: "Bell, 'aye'...Bell, 'no'. Proceed with the absentees. Representative Bluthardt, did you answer the...Bluthardt, 'no'. Bell, 'no'. Griffin, 'no'. Bartulis, 'no'. Darrow, 'aye'. Neff, 'no'. Why don't we just wait for the Poll of the Absentees and you can answer the Roll Call. Proceed with a Poll of the Absentees."

Clerk O'Brien: "Continuing the Poll of the Absentees. Brummer, Bullock, DiPrima, Epton, Garmisa, Huff, Jackson, Klemm, Krska, Kucharski, Leinenweber, Margalus, Martire, McCormick, Ted Meyer, Pouncey, Redmond, Schuneman, Stearney, Tuerk, no further."

Speaker Collins: "Representative Schuneman. Vote Schuneman 'no'. Martire. Martire votes 'aye'. McCormick votes 'no'. Representative Pouncey votes 'aye'. We'll proceed with a verification of the Roll Call, but first, what is the count, Mr. Clerk? Representative Zito."

Zito: "Mr. Speaker, how am I recorded?"

Speaker Collins: "How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Zito: "Could I be recorded as voting 'aye', please?"

Speaker Collins: "Record the Gentleman as voting 'aye'. Representative Fawell."

Fawell: "Mr. Speaker, how am I recorded?"

Clerk O'Brien: "The Lady is recorded as voting 'no'."

Fawell: "Will you please record me as voting 'aye'?"

Speaker Collins: "Record the Lady as voting 'aye'. Representative Preston asks leave to be verified. Leave is granted. Jaffe the same request. Levin the same request."

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Leave is granted. Representative Martire, for what purpose do you rise?"

Martire: "I would like to change my to 'no'."

Speaker Collins: "Record Representative Martire as voting 'no'. 94 'ayes'. If you'll add Representative Huff, it will be 95 'ayes'. 95 'ayes', 56 'nos'. Well,.....there are 95 'ayes', Representative Yourell, and proceed with the verification."

Clerk O'Brien: "Alexander, Balanoff, Barnes, Beatty, Bowman, Bradley, Braun, Breslin, Capparelli, Carey, Catania, Chapman, Christensen, Cullerton, Currie, Darrow, Deuchler, Domico, Donovan, Doyle, Jack Dunn, John Dunn, Ralph Dunn, Ewell, Farley, Fawell, Flinn, Getty, Giglio, Giorgi, Greiman, Hanahan, Hannig, Henry, Huff, Jaffe, Jones, Kane, Katz, Keane, Dick Kelly, Koehler, Kornowicz, Kosinski, Kulas, Laurino, Lechowicz, Leon, Leverenz, Levin, Madigan, Matijevich, Mautino, McClain, McGrew, McPike, Miller, Mulcahey, Murphy, Oblinger, O'Brien, O'Connell, Ozella, Pechous, Pierce, Pouncey, Preston, Rea, Rhem, Richmond, Ronan, Ropp, Saltsman, Sandquist, Satterthwaite, Schneider, Schraeder, Slape, Irv Smith, Margaret Smith, Steczo..."

Speaker Collins: "Excuse me, Mr. Clerk. Representative Chapman asks leave to be verified. Leave is granted."

Clerk O'Brien: "E.G. Steele, Stewart, Stuffle, Terzich, Turner, Van Dyne, Vitek, Watson, White, Sam Wolf, Woodyard..."

Speaker Collins: "Woodyard, 'no'."

Clerk O'Brien: "Younge, Yourell, and Zito."

Speaker Collins: "Are there questions of the Affirmative Roll Call? Representative Tuerk wants to be recorded as voting 'aye'. Representative Miller."

Miller: "Mr. Speaker, I would like to be recorded as voting 'present' please."

Speaker Collins: "Record the Gentleman as voting 'present'."

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Representative Miller. Questions of the affirmative. The Gentleman from Livingston, Representative Ewing. He wants to know what the present count is."

Ewing: "Could I have...that's right."

Speaker Collins: "94 'ayes', and Representative Klemm would like to be recorded as voting 'no'."

Ewing: "Representative Ralph Dunn."

Speaker Collins: "Representative Ralph Dunn. Is the Gentleman in the chamber? How is the Gentleman recorded, Mr. Clerk?"

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

Speaker Collins: "I don't...oh, yes. There he is back in the aisle. I beg your pardon."

Ewing: "Breslin, Representative Breslin."

Speaker Collins: "Representative Breslin. Is the Lady in the cha...there she is in the back of the chamber."

Ewing: "Chapman...Representative Darrow."

Speaker Collins: "Representative Darrow. Is the Gentleman in the chamber? He is not in his seat. How is he recorded, Mr. Clerk?"

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

Speaker Collins: "Remove him."

Ewing: "Domico. Representative Domico."

Speaker Collins: "Representative Domico. Is the Gentleman in the chamber? How is the Gentleman recorded, Mr. Clerk?"

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

Speaker Collins: "Remove him from the Roll Call."

Ewing: "Representative Doyle."

Speaker Collins: "Representative Doyle is in his seat."

Ewing: "Representative Ewell."

Speaker Collins: "Representative Ewell. Representative Ewell is in Representative Braun's seat."

Ewing: "Representative Greiman."

Speaker Collins: "Representative Greiman. Is the Gentleman in

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the chamber? How is the Gentleman recorded?"

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

Speaker Collins: "Remove him. Representative Sam Wolf."

Ewing: "Representative Hanahan."

Wolf: "Mr. Speaker, can I be verified please?"

Speaker Collins: "Just a minute please. Representative Wolf asks leave to be verified. Representative Darrow, return him to the Roll Call. Representative Slape, for what purpose do you rise?"

Slape: "Yes, it is my understanding that Representative Hanahan is across the street in his office. He..."

Speaker Collins: "Who?"

Slape: "Hanahan."

Speaker Collins: "We have an agreement with him. Representative Hanahan will not be challenged. Return Representative Greiman to the Roll Call."

Ewing: "Representative Huff."

Speaker Collins: "Representative Huff is in his seat and Representative Madigan is here and wishes to go to his office. So we'll verify him."

Ewing: "Representative Kane."

Speaker Collins: "Representative Kane. Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Collins: "Remove him."

Ewing: "Representative Katz."

Speaker Collins: "Representative Katz. How is the Gentleman recorded?"

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

Speaker Collins: "Remove him."

Ewing: "Representative Laurino."

Speaker Collins: "Representative Laurino. How is the Gentleman recorded?"



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

Speaker Collins: "Remove him."

Ewing: "Representative Jane Barnes."

Speaker Collins: "Representative Jane Barnes. Is the Lady in the chamber? How is the Lady recorded?"

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

Speaker Collins: "Remove her."

Ewing: "Representative Leverenz."

Speaker Collins: "Representative Leverenz. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Ewing: "Representative Leon."

Speaker Collins: "Representative Leon. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Ewing: "Representative Matijevich."

Speaker Collins: "Representative Matijevich. The Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Ewing: "Representative McGrew."

Speaker Collins: "Representative McGrew, he is standing behind his seat."

Ewing: "Representative Preston."

Speaker Collins: "Representative Preston. He asked for leave to be...yeah, alright. Representative Preston asked for leave to be verified."

Ewing: "Representative Saltsman."

Speaker Collins: "Oh, Saltsman? He's in his seat. Representative Leon has returned. Put him back on the Roll Call."

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Ewing: "Representative Sandquist."

Speaker Collins: "Representative Sandquist is in his seat."

Ewing: "Representative Margaret Smith."

Speaker Collins: "Representative Margaret Smith is in her seat."

Ewing: "Representative Steczo."

Speaker Collins: "Representative Steczo is in his seat, and Representative Zito wishes to be verified."

Ewing: "Representative Stuffle."

Speaker Collins: "Representative Stuffle is here in front. Any further questions?"

Ewing: "Representative White."

Speaker Collins: "Representative White is in his seat."

Ewing: "Representative Schneider."

Speaker Collins: "Representative Schneider. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Ewing: "Representative O'Connell."

Speaker Collins: "Return Schneider. Representative O'Connell. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Ewing: "Representative John Dunn."

Speaker Collins: "Representative John Dunn. He's over here on the side. Any further questions of the Affirmative Roll Call? Representative Leverenz has returned. Put him back on."

Ewing: "I have no other questions."

Speaker Collins: "Return Matijevich. What is the count, Mr. Clerk? On this question there are 88 'ayes',... Representative Leverenz, we returned you to the Roll Call. What purpose do you arise?"

Leverenz: "I just wanted to verify that I am on the Roll."

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Speaker Collins: "No question about it. What is the count, Mr. Clerk? 88 'ayes', 63 'nos', four voting 'present'. Representative Lechowicz, for what purpose do you rise?"

Lechowicz: "Mr. Speaker, I just want to be sure that I am on the Roll Call."

Speaker Collins: "Mr. Clerk, Representative Lechowicz is voted..."

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

Speaker Collins: "And this Bill...Representative Richmond."

Richmond: "I was off the floor. Was I removed from the Roll Call, Mr. Speaker."

Speaker Collins: "Was Representative Richmond removed from the Roll Call?"

Clerk O'Brien: "He was not removed."

Speaker Collins: "He was not."

Richmond: "Thank you."

Speaker Collins: "Representative Murphy was not removed from the Roll Call, and..."

Clerk O'Brien: "He was not removed."

Speaker Collins: "This Bill having failed to receive...Representative Katz, return him to the Roll Call. And Representative...no, Ralph Dunn was not removed from the Roll Call. On this question there are 89 voting 'aye'. O'Connell back to make 90. Brummer to make 91 if he was taken off. Representative Brummer."

Brummer: "Yes, Mr. Speaker. How am I recorded?"

Speaker Collins: "How is the Gentleman recorded?"

Brummer: "The Gentleman is recorded as not voting."

Brummer: "Please vote me 'aye'."

Speaker Collins: "On this question there are 92 voting 'aye',...91 'aye', 63 'nos', four voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 780, Representative

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Leinenweber. Read the Bill."

Clerk O'Brien: "House Bill 780, a Bill for an Act to establish a Uniform Information Practice Code, Third Reading of the Bill."

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

Leinenweber: "Thank you, Mr. Speaker. The...House Bill 780 is a Uniform Information Practices Code and it seeks to meet two great contending concerns regarding the records that all levels of government maintains. First of all, it is felt that it's essential that certain information regarding the operation and decisions of government be available to review by citizens, in order to prevent corruption, misfeasance and ineptitude. Also, all levels of government or many levels of government are increasingly maintaining records concerning individuals. So, there is great concern among these records that are being maintained by government for the right of privacy. There is an essential conflict between both openness of government and privacy of the individual. House Bill 780 seeks to meet both of those essential aims, that is, insuring the right of privacy and also insuring openness of government in one Bill. Congress in many states have enacted both, either Freedom of Information Acts or Privacy Acts or both. But the Uniform Act, Information Practices Act is the only provision that's been drafted that seeks to be comprehensive and cover both purposes. The Code is divided into four Articles. Article I has title, rules of construction and definitions. Article II provides for basic freedom of information. It gives every agent of government affirmative obligation to make information available unless the information is exempted under specific categories of exemptions. Such as, information regarding criminal investigation, predecisional

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information, examination or test data, information regarding real estate, trade secrets, and personal records that would be clearly unwarranted invasion of personal privacy. Article II also establishes a procedure for resolving disputes over disclosability of information. That is, if, in one instance, the agency feels that the record is exempted there is a procedure where agency review and ultimately judicial review. Article III concerns the other half of what is very important in this area and that is the right of privacy of individuals. Generally, agencies are prohibited from disclosing personal records unless they are permitted under the express...under certain exceptions. Such as, the information of the name, compensation, job title, duties, professional background of employees, etcetera. Also, where consent is obtained from the individual. Also, information that has been collected for the purpose of dissemination to the public. Information contained in transcripts, minutes, etcetera, and information subject to subpoena or order of court. Article III also sets up procedures for individuals to object to having their records disclosed, for individuals to obtain review of their own records and procedures for individuals to have corrections or amendments of erroneous records entered into the official records. Article III also establishes guidelines limiting what personal information governmental agencies can gather on individuals. That is, information must be necessary to accomplish the agency's purposes and no more. Article III, also contains penalties for unauthorized disclosure of information. Article IV, sets up exception procedure which was not very well understand by certain people but I think has been clarified and the exemptions are limited only to the requirement that an agency maintains facilities for

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duplication, formal denial procedures and for rulemaking. Amendments...I have put Amendments on the Bill. There are six Amendments to seek the objections that were raised to me. The first and foremost objection was that there would be cost to every level of government for retrieval. The Bill, now, as amended, provides (a) that the agency may obtain or charge a commercial rate for duplication and the agency is also allowed to, but not mandated, to charge its reasonable cost, actually incurred in retrieval. There's another Amendment for Representative Jaffe which tightened up certain aspects of privacy regarding health, medical records, alcoholism records and so forth. The other Amendments are basically technical and I would be pleased to answer questions."

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

Jack Dunn: "Will the Sponsor yield to a question?"

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

Jack Dunn: "How comprehensive is the tightening up of these records? A case in point, in Tinley Park we've got a Mental Health Center and they were sending felons from the county jail unaccompanied by any records. The staff at the Mental Health Center had no way of knowing what kind of individuals they were receiving until it was too late in many cases."

Leinenweber: "This does not, I would say in that area, broaden because mental health records are covered under the Mental Health Code and the Act does provide an exception for areas that have already been dealt with in the Statutes. So, that particular area, in my opinion, would not be covered by this Act. It would neither provide redress for what appears to be an error there nor does it aggravate the situation."

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Jack Dunn: "Are safeguards built in for other cases of a similiar nature when people were receiving someone with a record? Would those records be available in order that they might protect themselves and guarantee the safety of the person, themself?"

Leinenweber: "Excuse me, I couldn't hear you? I'm sorry."

Jack Dunn: "Setting aside the case I mentioned before, when a person was transferred from a court or a law enforcement agency or the way they bounce around through the system, do their records accompany them, in order that the people might be forewarned were about to...have to take care of them?"

Leinenweber: "Well, that...there is an exception in the Code for records involving criminal investigation. Again, it does not seek to tell an agency how it should operate within its own, in other words, if you are working within the State's Attorneys Office, it doesn't tell the State's Attorney what records he has to send or not to send. All it deals with, is what records the public would be entitled to view, how they can view them, and also, what records that they cannot turn over to the requesting public."

Jack Dunn: "Thank you very much."

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

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

Speaker Collins: "Questions? He indicates he'll yield."

Pullen: "How many millions of dollars do you think this Bill will cost for the State and local governments to administer?"

Leinenweber: "Zero."

Pullen: "Oh, really?"

Leinenweber: "Yes."

Pullen: "That's very interesting."

Leinenweber: "Amendment #6 provides for agencies of government to charge their actual cost for retrieval. The Bill,

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previously, without Amendment, also provided that the State may charge the commercial rates for duplication."

Pullen: "So, the public, in every case where they are obtaining information will have to pay for public information?"

Leinenweber: "They will have to pay the cost of assembling the public information if the agency charges not mandate."

Pullen: "Do you not think that adoption of this Bill would actually have the effect of closing up some information that is now public?"

Leinenweber: "Not that I'm aware of, other than, possibly, I'm not sure whether there are...since we do not have a Privacy Act in Illinois whether there are abuses of people's rights of privacy. If there are, that would be prevented."

Pullen: "Where do we protect the people's right to know?"

Leinenweber: "In Article II."

Pullen: "Does not this Bill have preponderance of protection of privacy as opposed to the people's right to know?"

Leinenweber: "Excuse me, what was your question?"

Pullen: "Does not this Bill have a preponderance of concern for the people's right of privacy as opposed to the people's right to know?"

Leinenweber: "Well, I'd say it's a balanced approach. It recognizes the individual's right to privacy. It also recognizes in instances where the individual is not entitled to privacy and it also provides for procedures to obtain records where they no...do not exist at the present time."

Pullen: "Why do you think the Bill is necessary?"

Leinenweber: "Because if you had been in Committee, you would have heard testimony of many instances..."

Pullen: "I'm not on your Committee, Sir."

Leinenweber: "Many instances where by investigative groups, private investigative groups have sought to obtain



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information and have not been able to get it. An example that comes to mind was an investigation of Day Care Centers in the City of Chicago. The investigating group could not obtain information regarding Day Care Centers that was maintained by public agencies."

Pullen: "Well, I'm sure your intent is very noble but I'm not so sure that this Bill is going to carry out such nobility. Thank you."

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

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

Speaker Collins: "I don't think that's necessary. Oh, yes, there are others. The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The Gentleman from Will, Representative Leinenweber, to close."

Leinenweber: "Yes, thank you, Mr. Speaker. Illinois does not have any freedom of information provisions in its laws now and this has provided some stumbling blocks for people to obtain information which they are entitled to. It also provides some protection for the governmental officials because they can now look to a law which tells them what they should turn over to the public and what they should not and it provides reasonable procedures for determining disputes. I would also like to point out that in a questionnaire that many of you returned, a 122 of you stated that you favored freedom of information in legislation. This is a good proposal, it is balanced. It does not...it comes down on both on the side of the individual's privacy and for the individual's right to know. So, I urge its adoption."

Speaker Collins: "The question is, 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', opposed by

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voting 'no'. The Gentleman from Cook, Representative Getty, to explain his vote."

Getty: "Mr. Speaker, I rise to explain my 'aye' vote. This is a very good, sound concept, to set down reasonable rules under which information will be available. I think it should be passed. I think if there are any problems that they could be worked on in the Senate. I don't think that a thing like this.. I see we have a good vote. Thank you."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Wait a minute, Representative Findley."

Findley: "Thank you, Mr. Speaker, Members of the House. I'm a journalist and I'm disturbed at the number of green votes on House Bill 780. I think that we should've seen these two issues; freedom of information and right to privacy, split for these reasons. The Governor may, by rule, exempt State agencies from the Code, it allows governmental bodies 38 days to deny access to a record and it weakens the current law. I urge a 'no' vote."

Speaker Collins: "Take the record, Mr. Clerk. On this question there are 143 voting 'aye', 13 voting 'no', 6 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Will, Representative Leinenweber, for what purpose do you arise?"

Leinenweber: "Yes, this is the Uniformed Information Practices Code. It was drafted by the Uniform Information....the Uniform Laws Commission with explanatory notes. It is my intention as part of the legislative intent to file the notes from the Uniform Laws Commission as a part of the record of these proceedings, as the intent of the Sponsor."

Speaker Collins: "Thank you. It shall be recorded. House Bill 800, Representative Ronan. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 800, a Bill for an Act to amend Sections of the Bingo License and Tax Act, Third Reading of the Bill."

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

Ronan: "Thank you, Mr. Speaker, Members of the House. This is another opportunity for the Members of the General Assembly to vote for a fine piece of legislation. This is a real people's Bill. House Bill 800 amends the Bingo License and Tax Act. Basically what it does is it gives Bingo operators, and we all know who those are, those are the people who need help - civic associations, church groups, people who go out there and raise their money, provide fine social service around this state. It gives those operators an opportunity to wage better bingos so that more people participate so that they can raise more money for their fine organizations and so the state can get more tax money. To my knowledge there is no opposition to the Bill. It flew out of the R and R Committee 10 to 2."

Speaker Collins: "Is there any discussion? The Gentleman from Perry, Representative Ralph Dunn."

Dunn: "Thank you, Mr. Speaker, Members of the House. I wonder if the Sponsor would yield for some questions and tell us a little bit about what it does. I wasn't on the Committee, and how does it open up bingo and make it a lot more popular or a lot more profitable for the people who need it. Would you tell us a little bit about it, Representative Ronan?"

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

Ronan: "Absolutely. What this Bill does is it adds a few very simple concepts. Number one, it increases maximum price amount for a game from \$500 to \$1,000 which means that more people will be interested in going to the games. Number two, it provides that a license...a licensee may conduct

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bingo's twice a week rather than one which, again, is going to make it easier for the licensees to raise money and to support those fine civic organizations and associations. Number three, it eliminates requirements that a special game card be valid for all special games in that day which will help the bingo establishment and the civic association. Number four, it eliminates requirements of the number of games conducted in one day not exceed 25. Four very simple concepts. This is really going to help the charities and the people of this state. This is what we should be working for in the General Assembly, an opportunity to help the senior citizens who derive such enjoyment from bingo."

Dunn: "My...thank you, Mr. Speaker. I want to ask another question. My staff analysis said the Department of Revenue opposes this. Is that not correct?"

Ronan: "Representative Dunn, in Committee, the Department of Revenue did come out against the Bill, but it was obvious they were misinformed about what this legislation does. That is why we had bipartisan support in Committee. We've got bipartisan sponsorship with the Bill. The Department of Revenue was afraid that this was going to be used for large bingo operators to misuse. That is not the intent of the Bill. This is supported by the Civic Associations, by the churches, and things like that. It does not open up any loopholes for large, unscrupulous bingo operators. I am opposed to them. That is not the intent of this legislation, and I guarantee that that is not the purpose of this Bill."

Dunn: "Thank you, Representative Ronan. I would like to address the Bill just for a minute."

Speaker Collins: "Proceed."

Dunn: "I think there is many religious and social, and other

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organizaitons that have benefitted probably from bingo in the past. And I think that...I think that they have benefitted somewhat in the past, and it has been a good thing probably. I hate to say that, Representative 'Giorgi' (sic), you may not believe it, but I think that probably bingo has played an important role in a lot of charitable organizations. And I think that it is doing a good job as it is. I am afraid, as I think many other people are, if you open it up more, open it up like Representative Ronan would do, that it would probably become so profitable and so well attended that somebody would move into it. I think we ought to keep it like it is. I would urge a 'no' vote on this Bill."

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

Bowman: "Well, thank you, Mr. Speaker. I hope everyone was listening carefully when Representative Ronan described the Bill. He did describe it accurately. The fourth thing he pointed out, however, may have been missed however. This Bill strikes the language in the Act which limits the number of bingo games to 25 in any one day including regular and special games. Now, I don't know very many churches or veterans' organizations that have bingo orgies that run all day long. But I do know plenty of profit making enterprises that do that, and it seems to me that by striking that language, you'll have the profit making ventures soaking up the market, so to speak, and being more competative against...or taking people away from the church games and the veterans' games and so forth. So if it weren't for that deletion of the Bill, I could support the Bill. But that particular deletion from the present statute, it seems to me, goes against the churches and against the veterans' organizations and for the profit

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makers. So I would urge a 'no' vote."

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

Topinka: "Am I on, Am I on? Mr. Chairman, Members of the House, I would like to ask a question. Will the Sponsor yield?"

Speaker Collins: "He indicates he will."

Topinka: "In our district about two years ago, we had a group of people who tried coming in under the guise of a store-front church, and I happened to do the investigations on it, and it was a private concern which was opening up bingo palaces between here and Waukegan, and every police department between those two areas was quite concerned about it. And we ultimately made it so hot for them with the laws as they were, that they stayed away. Had they been there, they could have operated on a high turnover, and could have indeed put our senior citizen center and our local veterans' post out of business. Now, those bingo games that we have for that veterans' post and our local senior citizens help pay off their mortgages, help keep them off the welfare rolls and really keep them in business. Do you have any prevention in your Bill, Representative, that will keep this type of thing from happening because it is of very relevant concern in our district."

Ronan: "Representative Topinka, I am absolutely in agreement with your concern. It is the Department of Revenue's job to keep bingo operations legitimate and to eliminate the illicit operator. This Bill does nothing to aid the illicit operator. The restrictions that the Department of Revenue has, they still have with this...this legislation doesn't affect those restrictions. If there is an unscrupulous operator, it is up to the Department of Revenue to put them out of business. I am in favor of that. There are people who have abused bingo, but this has nothing to do with that. I am in favor of the Department of Revenue enforcing

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its job and getting rid of the elicited unscrupulous operator. This is to help the fine church group, the fine civic association, and our great senior citizens."

Topinka: "Thank you."

Speaker Collins: "The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker. I move the previous question."

Speaker Collins: "The question is 'Shall the main question be put?' All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Ronan to close."

Ronan: "Yes, Mr. Speaker. Just to clarify this. This is for the civic associations. This is for our senior citizens. This is to help the people. The Department of Revenue has to mandate to get rid of elicited bad bingo operators. I am in favor of that. I'll leave that fight with the Department of Revenue, shoulder to shoulder to get the bad unscrupulous operators out of business. But let's help the legitimate civic associations, religious organizations, and church groups that are so dependent on this vital fund raising effort. This is going to help them, so let's help the senior citizens. Let's help the people of the State of Illinois. As far as Representative Bowman is concerned, I'll be glad to work with him in the Senate for whatever he wants to achieve as long as it doesn't hurt the real intent of this Bill which is helping people. But I would be glad to work with Representative Bowman, as I've always done in the past, when this Bill gets over in the Senate. I move for your favorable consideration to this fine people's Bill."

Speaker Collins: "The question is 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', those opposed by voting 'no'. The Gentleman from Cook, Representative

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Boucek."

Boucek: "Thank you, Mr. Speaker. I had my light on before, but now I'll explain my vote. It seems to me that bingo started out as a little game to help the little old Lady. And now we're going from one game per week to two games a week. I suppose next year the Sponsor or the other Gentleman from the other part of the State, I don't want to mention his name because then he'll feel that he should respond, will go up to four days next year. And then the next year six days. And then we'll have it every day. It started out where the prizes are small. It is \$500 now, and then it is going to be \$1,000. Pretty soon it will be \$2,000, \$3,000, \$5,000, maybe \$10,000. Maybe we'll be raffling off homes and cars on the little old Lady's little bingo game. And for that reason, I think we're having organized gambling brought into the State of Illinois, and I will vote 'no'. And I urge others to do likewise."

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

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We heard this legislation in our Committee, and there were some concerns at that time on...on what exactly this legislation would do, and I think it is only fair to tell everyone, probably which was not said originally in the statement or may have been overlooked. And many of the social agencies around the state who do have bingo have been contacting us on this situation because last year, if you'll remember, we outlawed what was called the bingo palaces, and I think the Department of Revenue probably was effective in their job, and this is possibly the reason for it coming back. But what this legislation does, I think, is it pools licenses as well as pools the prize money. And when you open it up, I think that there would be a concern



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for the smaller church groups and social agencies that are limited now by about one day or so for the bingo playing. I think those have to be at least brought to the attention of the Members of the House."

Speaker Collins: "The Gentleman from Cook, Representative Stearney. The Gentleman from Cook, Representative DiPrima."

DiPrimna: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All this 'gobbly goop' is a lot of garbage for crying out loud. What the hell, you're helping the little organizations, the veterans...the veterans, the senior citizens. They're all very...they enjoy this game, and it brings in a little revenue to the state. I don't see why you people are holding back from supporting this legislation. There is nothing wrong with this. Come on, let's get on with it and give them a vote."

Speaker Collins: "The Gentleman from Hardin, Representative Winchester."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I agree with Representative Ronan. This s a great Bill. Probably the greatest Bill that he has had all year. I support the Bill because of possibly a conflict of interest. My dear mother who is 65 years old plays bingo just about every night. And she wins. She wins about \$60 a week, but she spends about \$80 or \$90 a week to win that \$60. But she loves it, and she loves the camaraderie of visiting with people when she plays bingo. Her only complaint is that they don't have enough days to play bingo, and I think this is a great Bill, and we ought to give those senior citizens the opportunity to play bingo if they want to and to generate dollars for a civic organization, and I would ask for an 'aye' vote."

Speaker Collins: "The Gentleman from Winnebago, Representative

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Giorgi."

Giorgi: "Mr. Speaker, I was here prior to the new Constitution that wouldn't allow us to have bingo laws. I was here prior to the Lottery. I was here prior to the not-for-profits chances and raffle. The people that go to these bingo games want to play more than 25 games. They want more special games. The Department of Revenue, since we changed the law last year, have examined every applicant with a fine toothed comb. And if you are not a bonafide not-for-profit, and you must be a charitable corporation, you can't be licensed. Now, I was here when the Crime Commission was started. I was here when Frank 'Saragusa' was out looking for crooks. They told me the Lottery was going to be rapely with the crooked and the undesireable nefarious. The Lottery is going to hit of \$750,000,000 without the hand of a scandal. We haven't had any schandals in bingo. We haven't had any scandals in not-for-profit chance laws, and the scam that is attacked is building my metro center in Rockford, and it is building McCormick Place. It is going to provide so much pleasure for my people in Rockford. like I told you, we saw Johnny Cash. We're going to see Paul Anka next week. We're going to see Dionne Warwick. They may resurrect Bing Crosby, but it is...this money...you know that we've taken over \$2,000,000,0000 in taxes for scam at the track. And you guys are using that money to use the farmers rye for ribbon for the strawberry pie, the farm kid for his sheering of the sheep. The Moody Bible Institute uses the McCormick Place as often as anyone. The mentality, what you're worried about, is gone. You've got all kinds of law enforcement. You've got all kinds of informants. You'll catch the crooks. Let these people enjoy their bingo."

Speaker Collins: "The Representative from Cook, Representative

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Beatty."

Beatty: "Mr. Speaker, Members of the House, the Sponsor of this legislation has indicated he has confidence in the Department of Revenue. They have indicated they are opposed to this legislation. It will, in fact, force many church groups, and legitimate veteran organizations, out of bingo. There was a scandal. There is an investigation that was going on through the Attorney General's office last summer. Many places were closed down. When you do not limit the number of games, you force out certain church groups. The wrong element gets in when you raise the prize limits. I think we should vote 'no' and stick with our Department of Revenue."

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

Henry: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I can't understand, excuse me, I can't understand the red buttons when we're talking about revenue for the state. It is my understanding from the Sponsor of the Bill that the Bill would generate revenue for the state. The Bill will generate revenue for the civic organizations in our community. And the Bill will also have a place for continued senior citizen participation. And out of it, Ladies and Gentlemen of the House, I see revenue for the state. Now you're talking about the state is short of money, I am saying that the Revenue Department of the State of Illinois is ducking their obligations to enforce the laws. Why should we...why should we...why should we not prepare places for senior citizens to do what they want to do and enjoy their golden years of their life just because the Department of Revenue fails to fill their obligation to the state. The state needs the revenue."

Speaker Collins: "The Gentleman from Coles, Representative Stuffle."

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Stuffle: "Yes, Mr. Speaker and Members. As one of the three hyphenated Sponsors of this Bill, I rise in its support and ask for an 'aye' vote. I know that many people out there right now on 'present' or red are only there because of hte issue raised by Representative Bowman. This is the last chance this Bill will have in this House or the Senate if it is not passed today. That issue can be fully addressed in the Senate if that is the only problem with the Bill, and I believe that is not a problem. If it is, it can be taken care of. I have great faith in the integrity of Representative Ronan or I wouldn't be on this Bill. I think it is a good one and ought to get an 'aye' vote."

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

Kulas: "Mr. Speaker, Ladies and Gentlemen of the House, I believe this is a good piece of legislation. I am not worried about any bingo parlors. It doesn't say that you have to increase the prize amounts. It doesn't say you have to increase the days that you can play bingo. My mother goes to play bingo. And she's not a member of the syndicate. She goes there because she enjoys the companionship. She enjoys spending her time with her friends, and she doesn't care if she wins any money or not. So I don't think there is any cause for consternation from the other side. I think it is a good Bill, and I think we should pass it out."

Speaker Collins: "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 98 voting 'aye', 50 voting 'no', 12 voting 'present'. Record Levernz as 'aye'. Come down here and put it in writing, Representative Leverenz. 98 'aye', 50 'no', 12 voting 'present'. And this Bill having received the Constitutional Majority is

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hereby declared passed. House Bill 831, Representative Hudson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 831, a Bill for an Act to amend Sections of an Act in relation to terms, conditions and provision in contracts of employment, Third Reading of the Bill."

Speaker Collins: "The Gentleman from DuPage, Representative Hudson. Please give the Gentleman a little order."

Hudson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In keeping with a promise to my constituents, my colleagues here in the House and as a matter of conviction I bring before you a measure, I believe, to be worthy of your attention, your consideration and your support. This proposal is in a very real sense a link in the chain of American liberty. This measure does in a very real sense epitomize the age old struggle between compulsion and freedom. House Bill 831 simply provides the first Amendment right of our citizens to associate or to refrain from associating in a labor union. House Bill 831 would make it contrary to public policy in Illinois for any individual to be required by contract or agreement to become or remain a member of any labor organization or any employer organization as a condition of employment. ...., this of course, is a right to work proposal offered in a straight forward manner and without ranker or ill will toward any of my colleagues to whom the merits of this concept may seem obscure. ...all you have my hopes for a clearer vision perhaps or for enlightenment for a firmer resolve but you will never have my lack of respect for your right to vote your conscience on this issue. House Bill 831 is designed to protect by law the rights of an individual who may not chose to join a labor union or employer organization. By statute it is already contrary

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to the public policy in Illinois for either employer or employee to contract or promise not to join, become or remain a member of a labor union or employers organization. Were you aware of this? By statute it is already contrary to public policy for employer or employee to agree to withdraw from an employment relation in the event he joins, becomes or remains a member of a labor union or employer organization. Thus, we observe the employee protected by law in his right to join the union and to remain a member of a union but we look in vain for the commensurate right to refrain from joining a union if the contract stipulates the closed or union shop. So, why should there not be one further protection? Oh, leave the others in place, of course, but one further protection add just one more item and that is that it shall also be contrary to public policy, holy void, not enforceable in court, etcetera for either party employer or employee to be required to become or remain a member of a labor organization or any employers organization as a condition of employment. This seems fair. It provides freedom of choice for the worker. It not only seems fair, it is fair. The worker joins or doesn't join but either way he has a job. The union gains because its members are on the rolls paying dues, contributing to Pension Funds and all of the rest of it not because he or she is forced to but because that employee wants to. Because they see in their membership something they really believe is worth having and keeping voluntarily. Of course, this voluntary membership would test the union's metal. Of course, this voluntary membership would require responsive and responsible union leadership, but is that so bad? I don't think so. Why not give the Illinois worker this fundamental right of free choice? Now, I want to say something to the Members on the

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other side of the aisle and I hope they'll listen. Because in the past twenty-four hours I've heard a great deal of rhetoric over there. One Gentleman whom I respect very much, stood up this afternoon and he said, 'its' our duty on this side of the aisle to stand up for traditional liberties'. That's what he said. It's our duty to stand up for traditional liberties. Well, if that's so, I say the time has come, my friends, let's stand up for those traditional liberties. And I happen to believe and thousands of other people happen to believe, too, that one of those traditional liberties that we talk about and we boast about and were so eager to defend is the right of a man and woman, a man or woman to either join or not to join the labor organization. Why should anyone be forced to join a labor organization as a condition of employment. What makes that so right? Why isn't that one of our traditional American liberties that they talk about on the other side of the aisle? I happen to think it is an I happen to think it's worthy of your support. And I would solicit your votes, my comrades, over there and over here. I would solicit votes from any one of you that believe a worker has rights and those rights ought to be protected. This is your opportunity and I earnestly solicit your vote. I ask you to search your hearts. I ask you to search your consciences and I urge your support for House Bill 831."

Speaker Daniels: "The Gentleman from Madison, Representative McPike."

McPike: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, perhaps an explanation of the labor laws in this country would be appropriate at this time so that we can understand what we're voting on here. In 1935, the Wagner Act, the NLRA came into existence giving workers throughout this country the right to organize bargain collectively and

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strike if they so disagreed with their employers. The Taft-Hartley Act passed in 1947 severely limited the NLRA Act which was passed twelve years earlier and let me explain to you the rights and privileges of employers and employees under that law today. If you wish to have a union at a particular plant, you vote on it. We live in a democracy. You vote to have a union or not to have a union. If the majority of workers at a plant vote for a union then they can be recognized and represented by that union. They also have the right after they are represented by that union to bargain with their employer over a contract. That contract may require that workers who are hired by the employer pay union dues after being there for thirty days. Let me repeat that. They have to pay union dues after being there for thirty days. Taft-Hartley says 'that they may tender dues and that is all'. In other words, if a worker who is against a particular union refuses to go to union meetings, refuses to honor a strike called by his union, goes on a wild cat strike on his own and causes his union to be penalized, does everything in his power to not be a member in good standing with his union he cannot be fired by the employer. The only thing that is required of that employee is to pay union dues, to pay his fair share. Now, why is that important? It is important because federal law requires that the union, if a union is voted in, federal law requires that that union represent everyone at the plant. They must negotiate fringe benefits, salary increases, holidays, all of their benefits. Not just for union members in good standing but for everyone at the plant. If someone has a grievance they must represent that person at grievance hearings against the employer. Since there are associated costs that the union has in negotiating contracts and representing people



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at grievance hearings unions feel that workers who share in the benefits of a union should pay for the cost associated with the union. And that's all the law says. That there can be no free loaders at a given plant. That since everyone benefits from a union everyone should pay for the cost of that union. You might compare this to a local village that has a referendum on whether or not they should build a new firehouse. Those people that vote against referendum, if it passes, are none the less obligated to pay their taxes. They are not allowed under our system of government to enjoy the benefits of a new firehouse without paying for it. We do not allow free loaders in Democratic voting nor do we allow free loaders at our plants under present law. You might ask, who is for this law and who is against it. Without boring you I have a couple of interesting letters I thought you might enjoy hearing from a couple farmers. This is from one farmer speaking about right to work. It says, 'I remember when we had no organized labor. Haircuts cost fifteen cents but people couldn't buy haircuts. Shoes cost two dollars and fifty cents a pair but no one bought shoes. Hogs sold for two sixty-five a hundred weight but you couldn't sell a hog. You know why? Because they weren't paying near enough in the cities. They wish to divide the farmer against the worker but we're all the same. We all work for our living. Unions are people and they make our country stable. Without them we'd have hard times again. People often forget that unions are just people who work, earn a living, buy homes, and eat the food that farmers grow. What exactly does the role the unions play in our society? You might be interested to know there are sixty thousand local unions in this country that negotiate one hundred and fifty thousand contracts every year for working men and women.

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Without those negotiations wages would be set in two other ways. You can set wages arbitrarily as was done in the 1800's by employers or you can have the state set wages. So unions in this country today serve as a mediating agent between employers and employees and without them our economic society would not be as it is today. It is recognized in those countries in the world that are not free that the first, the first forms of organization in the society that must go are unions. Whenever we have totalitarianism in this world we do not have unions because they recognize that unions protect the workers against the state and that unions protect the workers against the employers'. I think it's interesting today as I said the other night that the world today applauds the success of the trade union movement in Poland. And yet, the Republican Party in Illinois attempts to destroy or weaken the trade union movement in this state. That is what this Bill is. It's a right to work Bill. It's a right to work for less, less benefits, fewer holidays, longer hours, less pay, no dignity. That's what right to work stands for. That's what it has always stood for and that's why a million trade union people in Illinois have opposed it. I said the other day, I said yesterday that this was a vicious attack by the Republican Party against working men and women and some people stood over there and said, 'no these unemployment Bills don't hurt much'. And they'll stand up today and say right to work really doesn't hurt that much. And they'll say the Bill on the calendar that requires one year notice to strike doesn't hurt much and the Bill on the calendar that cuts unemployment benefits by forty percent doesn't hurt much and the Bill on the calendar that turns Worker's Compensation back to the 1890's doesn't hurt very much and on and on and on. Repeal

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the prevailing wage. Repeal of the 'Scaffold' Act. Never in a hundred years have we seen such an attack by the Republican Party on working men and women. And this the worst. Right to work in Illinois should not be debated. If you want to debate it you should go to Mississippi or Arkansas or Louisiana. But in a northern industrial state, in a state where Abraham Lincoln came from, in a state of a million AFL-CIO union workers we should not debate right to work. We should not discuss it. We should not give it to consideration to be on this House floor. We should destroy it now and forever. I ask for a 'no' vote."

Speaker Collins: "I would remind our guests in the gallery that our rules prohibit demonstrations. The Lady from Cook, Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. That was indeed an eloquent speech and I want that speaker to know that Representative on the other side of the aisle that I stand here, not as a Republican representing the Republican Party but as a free citizens of this country that feels that that freedom is indeed inherent and should be extended to every single worker, every single person in this country. I certainly do conceive that early in this century that the unions played a very very vital part in the development of the industry and the industrial help of this country. Carl Sandburg wrote of Illinois some very eloquent lines portraying us as one of the giants of the industrial world. And since I have been an elected official in this General Assembly for ten years I have seen deterioration of that strong relationship and that strong partnership between business and labor. And I have become very alarmed. When I first came down here I really did not take the strong position that I take today. And I guess that we all can interpret

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how we feel about this issue in different ways and possibly we could equate it with beauty as in the eye of the beholder. To me, mandatory union dues are nothing more than the poll tax was that was eliminated by the fourteenth Amendment of the Constitution. I feel very strongly that working men and women would not be writing to me during the strikes that have occurred. Those men and women who live in my district and have asked me to remain anonymous but to have urged me to go forward with my plea on their behalf. To eliminate the, apparently the oppressive leadership of their unions and to go forward to seek a right to work status for the State of Illinois. I hold no malice. I certainly grant everybody who believes strongly and who has benefited from unions in this state and in this country and I would like to see us come back to a working relationship on the basis that we have always enjoyed in this country. But apparently there is an aggressive and an obsessive movement in the labor world and particularly among the leaders that is really not serving the best interest of their members. And it is because I do respect working men and women that I would like to see them have an inalienable right continued to be extended to them and that is their right to choose whether or not they should join or not join the union. I only will end by saying to you that in a time when transportation at all levels is in such jeopardy and such a crisis and I have served on the special Committee and I have heard union leaders say that they cannot renegotiate their labor unions when I have seen my son-in-law works for an airline and I have seen that certain airlines cannot and are on the brink almost of bankruptcy and cannot make any changes because of union opposition. And when I on the other hand see that Delta Airlines who has, is not a unionized airline, is alive and

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well and prospering and making profits and sharing those profits with their employees as any company should. I can say that they're indeed are two sides to this issue. There are twenty states and admittedly they may not be strong, industrial states but I will tell you they are becoming strong, industrial states because of the oppression of right to work, lack of right to work in this state and also Workmen's Unemployment Compensation that is driving the business and industry of this state to those very states who are right to work states. So I would say to you and I am not speaking for the Republican Party because there are many Members on my side of the aisle who will not vote for this particular issue. But I am saying that I ask you with caution those of you who have influence with your labor leaders and with your people, I ask you to join with this state to keep us alive and well and for us to go back to a kind of partnership where there is understanding instead of the system that has occurred. I ask you to think about this and to vote your conscience and to support this very fine Bill. A very sincere man who has worked for a long, long time to bring right to work to Illinois."

Speaker Collins: "The Gentleman from Bond, Representative Slape."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The previous speaker said that she spoke as just an independent citizen. I'd like to speak to the House today as a person who views himself as a historian and point out the basic fault in this Bill or the basic mistake in this Bill, is that the Sponsor is trying to address the labor movement on May 15, 1981. This is incorrect assumption to take in addressing the labor movement in the State of Illinois or in the United States of America. The labor movement has to be viewed as a continuum that started back with sacrifices that have been made in this state and other

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states of this country over a tremendous number of years. A lot of people, I'm sure, have given the opportunity to go into a plant would probably select not to join the union. But you should ask the basic question, why do they go to that plant in the first place? They went to the plant because it had the highest wages in the area. It has the best fringe benefits. It has other contract concessions that have been made to the workers. Not by the people that are probably even working in that plant at that time. But by concessions that have been won, by labor movement in the State of Illinois over the last sixty and seventy years. To say that we're going to defend one person on May 15, 1981 and say that he should have the right not to join the union, it's going back and forgiving all the work and all the sacrifices that have been made in this country by people years ago in the thirties when people stayed out of work for weeks and months at a time, gave up wages so they could have conditions of better working procedures in their plants. It's to forgive all those, all those sacrifices that have been made by the workers. I would urge a 'no' vote on this Bill because I think it addresses the wrong problem in the State of Illinois at this present time. Thank you."

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

Bradley: "Thank you, 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 'nay'. The 'ayes' have it. Representative Hudson, to close."

Hudson: "Well, thank you, Mr. Speaker. Ladies and Gentlemen of the House, we've heard some interesting testimony here this afternoon. Some of it true, some of it myth. House Bill

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831 will not, as it's the implications are, destroy the labor movement in Illinois. It will loosen the union leaders strong hold on the throats of the working man and woman in Illinois. A stranglehold that has helped drive hundreds of businesses out of Illinois and I don't say solely but I say it has helped drive hundreds of businesses out of Illinois and into twenty other states, many in the Sun Belt. States that have a right to work and which give employees the freedom of choice. It should be noted that a, that right to work states posted in that population gain of over three million citizens between 1970 and 1977. Right to work states showed a total gain of over a million, well over a million jobs between 1968 and 1978, while compulsory union states lost four hundred and eighty-one thousand six hundred jobs. There is a greater disposable income in right to work states so right to work is not right to work for less but right to work for more. When local costs of living and taxes are taken into account there is lower unemployment in right to work states. The jobless rates were nearly two percentage points below compulsory union states throughout the seventies and I would have just a few closing thoughts for you, Ladies and Gentlemen. A voluntary organization of workers united for self help is stronger than one composed of unwilling, disgruntled or recalcitrant workers. Now we've heard in times past about the free rider argument. It is said that the members who are not, those citizens who are not members of the union become free riders. They have the benefit of the policies in the contracts promulgated by the union and the management but they pay no dues but I'm going to say in many cases those people are not free riders. They are captive passengers and they are captive passengers on the union bus and they have to pay dues. Only part of which is

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used for negotiation contracts and what you would say would be legitimate union business. The rest of the money, the rest of those dues go for political campaigns, social and economic propaganda and all the rest of it and it is to that that many workers object. But, nonetheless, they are compelled to contribute whether or not he is convinced that all of these things are to his benefit. Now, I will maintain that what I'm proposing today is not anti-labor and I don't believe it is because it provides that any employee shall be free from employer coercion just as well as any other coercion. To join or not to join the union. How can a law be anti-labor that sustains freedom of labor. The union leaders seem to be saying that if the union approves of employer coercion then it is anti-labor to insist that the employee be kept free from the tyrannical use of the employers power. Against which unions have always claimed to be the sworn enemy. Finally, the concept of freedom, and I hope you will hear me out if you haven't listened to anything else, my colleagues, and I will say my esteemed colleagues, I wish you would listen but the concept of freedom is tenacious. It is persistent. It is enduring. And it is part of our heritage and I was shocked, frankly, I was shocked to hear one of my colleagues and get up on, get up on his feet and say that this an issue that shouldn't be debated, shouldn't be debated here today. I thought we came down here to debate any legitimate and reasonable issue. I don't consider that to be a concept of freedom and liberty. When a man stands up one of my respected colleagues stands up and says we shouldn't debate this. This shouldn't be talked about. I don't understand this. Any issue, it seems to me, of reasonable import should be talked about and debated here in this hall and in this chamber. So I say right to work



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is freedom concept. It will not fade away and it cannot be wished away and it cannot be voted away permanently. Maybe today but not permanently. And should it be defeated here today I caution the opposition against exultation because eventually right to work will be the law in Illinois. Eventually our business organizations will find in right to work a cause they too can vigorously support, and I say vigorously support. Labor unions will eventually view right to work as an ally and it can be. It doesn't have to be an, their enemy. They will view it as an ally not an enemy and yes, the people's Representatives, those of us in chambers such as this, those of us in public office will some day be voting for this, if not today. But we do have a chance today to do just that and I urge you, my colleagues, to vote for House Bill 831."

Speaker Collins: "The question is, shall this Bill pass? All those in favor will indicate by voting 'aye', those opposed by voting 'no'. The Gentleman from Kane, Representative Murphy."

Murphy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As long as we're talking about labor unions let's talk about the heart of what they've done. They've led to fight, they've led to fight for education, liberty institution that came along and pushed republic education. They led the fight. They led the fight on civil rights. These people that look at us out here and say that the labor people are out to take business. I am very disturbed at some of the statements that were made here during the week, that they aren't trying to hurt labor. All the legislation that came out of the Labor and Commerce Committee has been detrimental to the working man. They said it wasn't a public policy of either party. If you'd have been in at the Committees and I heard some people

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around here saying something about the Committees being greased you should have been in that one. That was pretty well greased. That's why you're debating this one on the floor today."

Speaker Collins: "I would ask everyone to look at the Board and before they ask to explain their vote.. The Gentlemen from ...."

Murphy: "And vote 'no'."

Speaker Collins: "The Gentleman from Wayne, Representative Robbins."

Robbins: "I'm going to join all of my good colleagues that are voting 'no' on this Bill because I believe that we must keep the people to where they have to provide money for the unions so that they can try to defeat me next election so I can spend my time with my family as I travel to various states where they make more money than they do in Illinois and where they are working at factories that are not union because the union refused to back them when they were on strike two years in Mt. Vernon, Illinois and they brought scabs in and backed the company scabs. I think they should be proud of themselves and I don't think they, a person should have a right to work law on this state. I think we should continue to move industry out and keep them here where they have to work for lower wages in, where they own their own homes so that the business agent can have a new car for getting a good contract from the company. Thank you."

Speaker Collins: "The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, I hope this shows that finally even most of the Republicans and the people in this state have rejected scab labor and going back to sweat shops in the State of Illinois. This is only one of the

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labor votes, only one of the issues and I hope labor realizes that. I hope they'll wake up and see who their friends are and realize there are many issues that surround this particular one. And many issues which they need to vote on for the people who support them. I'm happy to see this is going down the tubes where it ought to be. It's not been here for a vote. Positively for 45 years and I hope it doesn't come back in 45 years. A 'no' vote's the only vote anyone could cast that's ever seen what unions have done to help people in this state and country. I'm proud to be from a union family of three generations and proud to be a Democrat who supported unions and I'm going to on every Bill. Not just this one."

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

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, it would be amusing if it were not so sad to see that the labor leaders in this state are so terribly afraid of competition."

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

Kelly, Dick: "Thank you, Mr. Speaker. I'm not so much to speak on the issue I supposed as to call for a point of personal privilege. I know that the Sponsor had, is who I respect very much, had accidentally listed the name of Dick Kelly on this Bill as a Cosponsor and the, instead of my colleague, my fellow Kelley across the aisle. And I know the Clerk has made every opportunity to correct this problem but I am still getting calls from individuals obtaining Bills from up in the Bill Room and I'm listed on numerous publications throughout the United States as a Cosponsor. I am not only a Cosponsor but I am a very strong opponent of this legislation. My entire background, my family was in the union movement when I was born. I

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feel very strongly on the issue and I wanted for the record that I am very much in opposition to this legislation."

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

Friedrich: "Mr. Speaker and Members of the House, it's obvious this isn't going to pass but I think maybe it should be a signal to those who are the heads of the unions of this state that it's about time they start taking a look around to see some of the things they've been doing wrong. Otherwise, this Bill would not have progressed this far. It's about time, for example, that they start, ...quit protecting the dead beats who are hiding behind the labor unions and start getting around to increasing production so that we don't have to worry about Japanese imports. I think also it's wrong that they support Bills which make it a better deal to sit your hind end than it is to work and they end up paying the Bill for it. So hopefully this will have a good effect even though it does not get the number of votes to pass it."

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

Stewart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I remember once, quite some time ago now when I was first made aware of the whole concept of right to work and I thought well, my God this is a misnomer if I ever heard one. I would hope that the, that the positive defeat of this Bill by such an enormous margin would help to reassure those of us in this House that, yes, Illinois is a state that is committed to unions that before we had unions we had other subjugation of working people. We had children in sweat shops. We had adults working for nothing. We were, in fact, one step above slavery and that can be argued. I would hope that people on both sides of the aisle would take a good look at the number of red votes on

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that Board and understand that the people put those red votes up there, committed to them and that's not going to change. And perhaps we would not have to waste time on this kind of (cut off)."

Speaker Collins: "The Gentleman from Cook, Representative Jack Dunn."

Dunn, Jack: "Mr. Speaker, Ladies and Gentlemen of the House, I think that the vote up there shows that the Republican Party should not be stereotyped as being against labor unions. That was said a little bit earlier and I submit to you that the labor unions have done more to raise the lot and the dignity of the working man than anything else in this century. The Sponsor said give the people their liberties and I say we had a world without worker protection. It didn't work. We had abominable working conditions and wages. The entire standard of American living is raised by the union environment. The only liberty we would see are the ones being taken by the employer. Thank you."

Speaker Collins: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, I think the record ought to show that this House has more respect for people who might want to burn books or for people that want to dance together than they have for Hudson's right to work law and it seems like the (cut off)."

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

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, my grandfather was the first president and organizer of the Brotherhood of Electrical Workers in Milwaukee and the people joined his union because they thought it ...I'm sorry if there's some people that don't want to hear

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anything. The people joined that union because they thought it was right and because it was good and because it stood for things they believed in and in those days they called them free trade unions not slave trade unions. This Bill here is not going away, Representative Stuffle. This is the wave of the future. Union membership is dropping. I think if you just look at the teacher unions you'll see in the teacher unions more and more teachers choose because they're educated people with a conscience they choose not to join that union when that union is representing something that they think that's wrong. I happen to know that because I'm married to a person who's chosen not to join a union with fellow teachers because that union was down here doing something wrong. Just today the Democrats and Republicans in this House had conferences to discuss matters that were contrary to the conscience of individuals members and Democrats on that side of the aisle (cut off)."

Speaker Collins: "The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Mr. Speaker, I move the previous. Take the record."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Bill there are 25 voting 'aye', 138 voting 'no', five voting 'present' and this Bill, having failed to receive the Constitutional Majority, is hereby declared lost. House ...House Bill 835, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House 835, a Bill for an Act to amend Sections of the Illinois Horse Racing Act, Third Reading of the Bill."

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

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 835 is legislation that

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was re... (cut off). Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 835 is legislation which authorizes what was passed by this House two years ago by then Representative, the late Bruce Wadell. When that legislation was passed one word was wrong. Instead of 'on' it was 'off' track betting. What this legislation is is on track betting at the racetrack for any race that is run somewhere else in the state or the country. It was originally planned so that.. it was originally presented so that people, for example, at Arlington Park Track. If the track was open that day could bet on the Kentucky Derby at Arlington Park if the derby was run that day. We amended this legislation in accordance with the Attorney General's opinion that a.... (cut off)... that also allowed them to televise the national race that they're having in the State of Illinois which is the #1 race in the world as I understand it, the million dollar handicap at Arlington Park. That's what this Bill does. It is not off track betting. It is on track betting. The only place that they can make a bet is at the track. I'd be happy to answer any questions and if there aren't any I'd ask for a favorable Roll Call."

Speaker Collins: "Is there any discussion? The Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Collins: "Indicates he will."

Friedrich: "If the track at Arlington shows to use this for the two handicap races at the Kentucky Derby that would be legal, right?"

Mautino: "You could bet on the Kentucky Derby at Arlington Park if you were at the park that day."

Friedrich: "And the state would get revenue from those bets the same as it does other bets?"

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Mautino: "Yes, Sir. It's a windfall to the state in about the terms they figure at \$150,000, for example. If we didn't get it in time for the Kentucky Derby but it would have been a windfall to the State of Illinois."

Friedrich: "But that's one of the possibilities?"

Mautino: "Yes, Sir, it is."

Speaker Collins: "No further discussions? The Gentleman wish to close?"

Mautino: "I just ask for a favorable Roll Call."

Speaker Collins: "The question is, 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Collins, 'yes'. 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 120 voting 'aye', 13 voting 'no', 8 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill... House Bill 863, Representative Abramson. Is the Gentleman in the chamber? Out of the record. House Bill 868, Representative Mulcahey. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 868, a Bill for an Act to permit refunds on property tax payments by persons 65 years of age or older, Third Reading of the Bill."

Speaker Collins: "The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Thank you, Mr. Speaker and Members of the House. This Bill does exactly what the digest says it does. It is a new Act which permits certain local governments to refund a portion of the real property taxes for persons 65 years of age or older. This indeed is a senior citizens tax relief Bill. It is entirely permissive. It would permit any city or village or incorporated town to refund any portion of that real property, real property taxes that were levied by



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or collected for the such local units of government. This is simply on a single family residential dwelling. I want to emphasize that it is permissive. It is done by a Resolution by the local City Council or Village Board, whoever the case may be. As we all know that home rule units now have this authority. They have the authority to do so. Non-home rule units do not. This will simply make it permissive. It will allow these local units of government to refund a certain portion of that property tax to senior citizens 65 years of age or older who do indeed qualify based upon a number of qualifications which is listed in the Bill. I would move for the adoption of the Bill."

Speaker Collins: "Is there any discussion? The Gentleman from Wayne, Representative Robbins."

Robbins: "How come this Bill applies only to people that live in cities and don't apply to anyone that lives in the country to allow them relief on their township taxes?"

Mulcahey: "Well, you do have that as far as the County Board is concerned. They will take of you in those matters. This applies to the small municipalities."

Speaker Collins: "Further discussion? The Gentleman from Madison, Representative Sam Wolf."

Wolf, Sam: "Will the Sponsor yield, please?"

Speaker Collins: "Indicates he will."

Wolf, Sam: "Representative Mulcahey, has the Municipal Officials League expressed any position on this Bill?"

Mulcahey: "I'm sorry, Representative."

Wolf, Sam: "Has the Municipal Officials League expressed any position on this Bill?"

Mulcahey: "As I recall there was no opposition to this, to the Bill in Committee."

Wolf, Sam: "If it's to be administered, how would this refund be

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accomplished? Would this be by application from the senior citizen to the municipality or how would that be handled?"

Mulcahey: "That is absolutely correct."

Wolf, Sam: "You did indicate the Municipal League had no position."

Mulcahey: "Well, yes the Municipal League, as a matter of fact, did support it quite frankly."

Wolf, Sam: "Thank you very much."

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

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House, this is another good Bill for the senior citizens that we're trying to take care of so well but as I mentioned when the Amendment came up on Second Reading that the intent of the Sponsor is well meaning I think was the first municipality that allowed the senior citizens to by their vehicle stickers for two dollars. And then there was so much pressure put on me that they want their vehicle stickers for nothing and in the concentrated area, any metropolitan area one municipality creates a dominal effect and even though it's permissive your next door neighbor is giving your senior citizens who lived in their home six months a tax break. Next thing you know there's political pressure put on in a community such as mine which is strictly a real estate tax structure. No industry, no business, just residential property. And the joining community has over four hundred industries. They could very well do it because of the general fund that they have, the general revenue fund they have is an excess of maybe two or three hundred million dollars. But imagine the pressure that this would put in a metropolitan area. It's a very well meaning Bill in a small community but when you get in the metropolitian area this is going to create havoc with many many many municipalities and public officials who

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are going to be put under pressure to go ahead. And most of us are having trouble now trying to live within a balanced budget. I don't like to talk against the Bill like this but just stop and think what you're doing when you're introducing legislation like this. This is going to have a terrible, dominal effect on many municipalities."

Speaker Collins: "The Gentleman from Macon, Representative John Dunn."

Dunn, John: "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 say 'aye', opposed 'no'. The 'ayes' have it. The Gentleman from Winnebago, Representative Mulcahey, to close."

Mulcahey: "Thank you, Mr. Speaker. I want to reemphasize once again that the Bill is strictly permissive and it's going to allow the small communities throughout the state, the Village Boards and so on and so forth the opportunity to refund a certain portion of that real estate tax to people if, indeed, they agree to it. That's all there is to it. It's that simple. And, for example, in my village right now the City Council does want to make that refund. They don't want to impound the funds. They don't want to spend them unnessarily. They are in the position where they're willing to refund this and they want to do it but they cannot do it under existing law. As far as the larger metropolitan areas are concerned those units of home rule that have this power now they can do it. It's the non-home rule units that cannot do it. And I would respectfully ask for an 'aye' vote. You'll love yourself in the morning."

Speaker Collins: "The question is, 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', those opposed by voting 'no'. The Gentleman from Rock Island,

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Representative Darrow, to explain his vote."

Darrow: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm going to vote in favor of this good Bill because the Gentleman from Vienna, from the 59th District originated the legislation and I saw him bring it over here and give it to Mulcahey and he said the people down south in the 59th District, they've got so much money in those small towns that they don't know what to do with they're going to give it back to us senior citizens but I don't want to handle that because I have a conflict of interest and I want you, Mulcahey, to handle it. But you remember it's a Republican idea. Thank you."

Speaker Collins: "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 136 voting 'aye', 13 voting 'nay', 1 voting 'present' and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 910, Representative Bower. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 910, a Bill for an Act to amend Sections of the Bingo License and Tax Act, Third Reading of the Bill."

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

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a veteran's Bill and my hyphenated Cosponsor is Mr. Veteran's of the House, Larry DiPrima. This Bill was introduced to clarify some problems that we discovered in the Joint Committee on Administrative Rules. Under the rules that were then in existence by the Department of Revenue on the operation of bingo games, if a veteran's organization had an auxiliary that conducted a game additional license had to be obtained so that they, in

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fact, had to obtain two licenses. It created a great hardship particularly in small communities where bingo games were conducted not as a money making operation but merely as a social activity. At the request of Representative Mautino, an Amendment was introduced and adopted that clarified further exactly what organizations this would apply to. And at the request of the Representatives from.. Representative McPike, Representative Steele, and Representative Wolf, provision was added that would clarify a situation for one of their local labor unions. I would ask for your support."

Speaker Collins: "Is there any discussion? The Gentleman from Cook, Representative Birkinbine."

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

Speaker Collins: "He indicates he will."

Birkinbine: "Where you say auxiliary might it, might you not have a statewide organization such as a fraternal organization perhaps Shriners or the Rotary what have you who might be interested in bingo, under this might not one license cover every auxiliary throughout the state?"

Bower: "No, and as a matter of fact you should look at, looking at the synopsis isn't probably gonna help you that much. You got to look at the Amendment which says, 'organizations which is licensed to conduct bingo and considers its headquarters to be at the same location as the organization supplying the premises.' What it would require is really only one license per premise as opposed to two licenses per premise or more."

Birkinbine: "Well, for the same premise. Right. Okay, thank you."

Speaker Collins: "Further debate? The Gentleman to close if he wishes."

Bower: "I would merely ask your support on a Bill that helps a

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lot of very small and good organizations."

Speaker Collins: "The question is, 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Collins, 'aye'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Somebody push Leinenweber on 'aye'. Take the record, Mr. Clerk. On this question there are 134 voting 'aye', 7 voting 'no', 11 voting 'present' and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 933, Representative Mautino. Wait a minute. Take that out of the record. House Bill 933, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 933, a Bill for an Act to amend Sections of the Park District Code, Third Reading of the Bill."

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

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 933 affects all Park Districts with the exception of the Cook County Park District. It is, it addresses the question of a tax levied for police protection and lighting and roads within a Park District on those parks that were organized after 1973 for the tax rate of .25% for maintaining a police system and after 1963 a maximum rate of .005% for paving and lighting. What has happened throughout the State of Illinois is the Park Districts become more and more used and are more and more available to the citizens of Illinois through interstate traffic. The two largest expenditures that any Park District has is in the area of vandalism which addresses the police protection area and, of course, in the area of lighting and roads. Now, there are many Park Districts that already have this provision but those that were put

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into effect at later times did not have the opportunity to have this provision included in their original levies. So what this would do with a back door referendum, which is amended onto this Bill, would allow those Park Districts to comply with all the rest of the State of Illinois and have this .25 provision included in their levy and .005 for the lighting and the paving of the streets. I'd be happy to answer any questions."

Speaker Collins: "Is there any discussion? The Lady from DuPage, Representative Fawell."

Fawell: "Thank you, Mr. Speaker and Members of the House. I would just like to make the comment that I have received a great deal of mail from the various Park Districts in my area that want this Bill. I have also talked to a Member of the Park District Association and they too are very interested in this Bill. And I think if you look through that stack of letters that we all receive in our offices you will find that your district too is for this Bill and I would suggest a 'yes' vote on this Bill. Thank you."

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

Schraeder: "I wonder if the Sponsor would yield. Representative Mautino, if the Park Districts now are taxing these figures, these percentages right now would allow them to increase by those same percentages and say now this is the percentage we're going to use for pavement and for protections?"

Mautino: "No, the existing Park Districts that have this or originally in their levy cannot increase it. This is only for those Park Districts that did not have it in their original levy set up. This is no increase for those Park Districts that already have this. It's already in the law but it's applicable to some and not applicable to others."

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

Zito: "Previous question, Mr. Speaker."

Speaker Collins: "I don't think that's necessary. No one is seeking recognition. The Gentleman from Bureau, Representative Mautino, to close."

Mautino: "Thank you very much and I'll be very brief, Mr. Speaker. As you know the downstate park systems are the only ones that have not had this opportunity to make these provisions in their operating organizational charters before this time. The Chicago Park District, this General Assembly acts on each and every year. We're trying to put all the Park Districts in the same posture and I ask for an 'aye' vote."

Speaker Collins: "The question is, 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', those 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 113 voting 'yes', 29 voting 'no', 8 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 937, Representative Sandquist. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 937, a Bill for an Act to amend the Adoption Act, Third Reading of the Bill."

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

Sandquist: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 937 is very similar to a Bill which we passed last year and sent over to the Senate. It was sponsored by Representative Griesheimer. What it does is to try to open up the records for adopted people under certain prescribed circumstances. And I might point out that sixteen Bills have open records, I mean, sixteen states have such laws



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under books now and another fifteen have them pending this year. These are not completely open records but under certain prescribed circumstances the adopted person can find out who his parents were. It is really done in two ways. In one way if the natural parent gives permission he can put it at the time of the adoption on a list which will be kept by the department that at any time it can be disclosed. In addition, I want to point out that up to the time that a person is 18 years of age they cannot find this out. But after they're 18 the adopted person can, if the adopted parents agree, can find out if the natural parent has given their permission, between the ages of 18 and 25, that is. After 25, the adopted parents do no longer have to give permission. Now, if the natural person has not given the permission then it is provided that the person who is seeking the information can petition the court under prescribed set of standards and can ask the court that he wants to find this out. Then the court appoints a, what's called a confidential intermediary which, in a period of six months, will attempt to find that natural parent. If he finds the natural parent he can ask that natural parent whether or not they will agree to allow their identity to be disclosed. Now, this is not a, and if they do not find it then it goes back and it can be continued after a period of six months if the court so desires. This, actually is, as practical matter, is being used in a lot of instances today in which social service agencies that are in the adoption field do this kind of investigation. I think it's something that many people feel it's important that they should find out who their parents are for medical reasons and for other reasons. Now, it is true that under certain conditions we can go under our current law. If you show a medical necessity, the judge can order it. But there are

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other instances where you may want to know about your children as to what they may inherit and I think that we've got protections in here, and I would be happy to answer any questions and ask for an 'aye' vote."

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

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to House Bill 937. I believe that it can be very disruptive of families. I think it can be very violative of the privacy of the natural mother originally. Well, it sounds very well to say that you have to have the consent of the adopting parents. As a practical matter, if you are the adopting parent and a child comes to you and says 'I want to know more about my natural parents', you don't really have a choice in the situation because if you say no, as a practical matter you would disturb the relationship with your child. I believe that the privacies that have grown up with regard to adoption are privacies that contribute to the stability of family life. If a mother has decided to give up a child and has signed the necessary forms to do so, I think that it is to the benefit of the parent. I think it is to the benefit of the adopting parents, and I also think it is to the benefit of the adopted child to sever their relationship with the individual parent. I think that people, young people as well as older, are motivated by neurotic considerations. And sometimes they may have the feeling that if they can only find out who their mother was, all of their problems will be solved. And so they engage in a vain quest for their mother. Now, you and I know that their problems may have have nothing to do with that. And if they are not pursuing that particular vendetta or that particular quest, they may, for their own neurotic reasons, pursue some other. The fact is that if you are a parent, if you are

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the adopting parent, I believe you should not be put to that test. The present law does permit the court to permit such inspection in the case of bonafide medical reasons. I do not think it should be broadened and accordingly I believe this Bill should be defeated."

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

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I spoke in Committee on this Bill, and it wasn't a situation I was even a Sponsor or Cosponsor on it. I'm in a little bit different situation than a normal individual here on the floor. I am an adopted child and I know exactly what Representative Sandquist is trying to get across. I will give it to you personally. I am not out on a witch hunt to try and find out who my natural parents are and one thing and another. I personally love my adopted parents, and I wouldn't want to go into that situation. We have, excuse me, in the nation 2,336 genetically inherited diseases. I've got a four-year-old daughter. If some emergency that she had to be taken to the hospital happened or if I had to go to the hospital happened in a situation with the people at the hospital well do you have any problem with heart disease, diabetes, high blood pressure in your family, what am I supposed to say for my daughter or for myself? It's a very hard situation and this is one point of this Bill that it will open up the health records. This is a very very serious situation because lots of times in the case of emergency where an adopted child has to go into a hospital they don't have time of days, weeks or months to check medical records that have gone down, you know, maybe in the last ten or fifteen years and in that child's history. So I would definitely ask each Member of this House to give House Bill 937 an affirmative vote. Thank you."

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

Greiman: "Thank you, Mr. Speaker. Representative, the Representative from Glencoe who is my seatmate is a distinguished jurist but a very undistinguished psychiatrist. I was not aware of his training as a psychiatrist. However, I learn new things about Harold each day that we sit together. The truth of the matter is that people are intentionally interested in this country about who they are, about their roots if you will. I recall not long, not many years ago the whole country was taken with the fascination about the story of 'Roots'. And that's what this essentially is. We also, by the way, provide for openness. Imagine a person who is an adult who wants to see court record that deals with himself or herself is told, 'No. Even though you are an adult, you're 25 years old, we won't let you see the essence of who the heck you are. You can't know who you are.' Now I am not willing to just dismiss thousands of people who want to know their roots as some neurosis. I think they have a right to see records that deal with themselves as adults. The question and the issue is to build in some safeguards of confidentiality for people who do not want to be part of that process. And this Bill does precisely that. It builds in a method of keeping the confidentiality, keeping the wishes of the natural parent if that parent is not interested in finding out what happened to little Johnny. And that's okay and I respect that. We respect that and this Bill also respects that wish. But more important is what the Gentleman, Mr. Piel, eluded to that it requires a form to be filled out. A form which would be anonymous but which would deal with the health problems of the family of the mother and if known the father, the natural father.

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Those are important vital things. One does not bring one's daughter or son to the hospital and immediately go and get a court proceeding. The information would be there and available. I think that's important. I think the Bill should be passed."

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

Nelson: "Will the speaker yield, will the Sponsor yield for a question?"

Speaker Collins: "Yes, he indicates he'll yield."

Nelson: "Representative Sandquist, I would like to ask you why you use the terminology natural parent rather than biological?"

Sandquist: "I believe that's the way it is in the statute now. I think it's the most common way of describing who the true natural parent is."

Nelson: "In my mind, if I may speak to the Bill, Mr. Speaker."

Speaker Collins: "Proceed."

Nelson: "Thank you. To my mind the natural parent of any child is the nurture of that child, the person who teaches and loves and disciplines that child. And I would prefer, you know, to see a distinction made between biological parent and adoptive parent. My one real fear with this Bill is for the young, unmarried girl who may be pregnant and considering adoption or abortion. And I think that it will be the kind of decision for her that is terribly, terribly difficult. And I fear that by making the law in the State of Illinois open to this young girl being able to be found out later on in life when she has perhaps made a new life for herself, has remarried and wishes to forget an unwanted pregnancy that she did carry to term a long time ago. I'm sorry but I simply cannot support it because I think it will encourage abortions."

Speaker Collins: "You'll have a chance to close, Representative

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Sandquist. The Gentleman from Cook, Representative Vitek."

Vitek: "Mr. Speaker, thank you. Ladies and Gentlemen of the House, today I'm mildly surprised to hear our good friend, Mr. Piel, that he is an adopted son. I have known his father through my public relations in the recorder's office where I first met Henry Piel, a beautiful man. And Henry, and Bob, I'm so surprised but I'm happy for you because I know you love your father and your adopted mother. I helped Griesheimer with his Bills the last Session to open up the record to a person that is over 18 years of age or older so that he could find out. Now, Henry has brought home a beautiful thing here to us a message that if there were something wrong with his original parents that he could at least find out and save his daughter's life or his own life. And for this reason I support this Bill and hope that every Member of this House will see the reality of protecting their children if they have adopted children that this would help them in that case. I hope that everybody will take a look at this and think a little bit about the humaneness of finding out who your natural parent is. Thank you."

Speaker Collins: "The Lady from DuPage, Representative Fawell."

Fawell: "I don't want to, Mr. Speaker and Ladies and Gentlemen of the House, I don't want to belabor the point, but I do want to know that Representative Sandquist's idea is not too far-fetched. I had a very good friend who was adopted who became extremely ill. They could not diagnose her problem. She almost died and it did turn out that it was an inherited disease that she had no idea was running through her family. I think this is a good Bill, and I would urge its adoption."

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

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Kornowicz: "I move the previous question, please."

Speaker Collins: "The question is, 'Shall the main question be put?' All those in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The Gentleman from Cook, Representative Sandquist, to close."

Sandquist: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. In answering Representative Nelson, I'd like to point out that the natural parent is the way the court cases have always described what she calls the biological. And that's why we use the natural parent. I'd also like to point out that she does not have any fear because this specifically provides that unless you get the natural parents permission you can never find out. So that girl who gave up her baby at a young age, as long as she doesn't want to let it be disclosed it can never be disclosed. So that's protected. I appreciate the things said by Representative Piel and Representative Greiman. I was on Judiciary last year when we worked very hard to get these protections in the Bill. It's not complete open records but it does permit in certain instances with all its protections involved and I'd ask for an 'aye' vote."

Speaker Collins: "The question is 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the..wait, there are people seeking explanation of vote. The Gentleman from Cook, Representative Ewell."

Ewell: "Mr. Speaker, very briefly, I think you're entering here into a public policy matter that perhaps the Legislature would be better suited to stay out of because we are going to delve into the backgrounds and into the histories of things that sometimes should be left as they are. We're not just talking about the medical problems that may arise.

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It's true that they may arise once in a while but I do say to you that the confidentiality of the relationship, as it exists, is between the adopting parent and the parent who put the child up for adoption ought to be protected. I think we're indeed getting into a mischievous ground here that this Body would perhaps be better suited not to enter upon."

Speaker Collins: "The..Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 119 voting 'aye', 18 voting 'no', 16 voting 'present' and this Bill, having received a Constitutional Majority, is hereby declared passed. I've been asked to announce that we are going to work straight through until about 10:00 or maybe 11:00. There will be no dinner break, and we are to make our own arrangements for whatever dinner we may have. I also have had a pair of eyeglasses turned in. If somebody is missing the glasses, they're up here, and there is a single key that the Doorkeepers found in the back of the chamber that may belong to someone. On the Calendar, page two, the Order of House Bills Second Reading. House Bill 228, Representative Schuneman. Out of the record. House Bill 411, Representative Reilly. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 411, a Bill for an Act in relationship to meetings, Second Reading of the Bill. Amendments #2 & 3 were adopted in Committee."

Speaker Collins: "Are there any Motions relative to Committee Amendments."

Clerk Leone: "No Motions filed."

Speaker Collins: "Are there any Amendments from the floor? The Gentleman from Effingham, Representative Brunner, for what reason do you rise?"

Brunner: "Yes, a point of order. Mr. Speaker, what order of



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business are we? Where are we?"

Speaker Collins: "We are on the Order of Second Reading on the Calendar."

Brummer: "I can't find 311 on there."

Speaker Collins: "411."

Brummer: "Thank you."

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

Clerk Leone: "Floor Amendment #4, Miller, amends House Bill 411 as amended."

Speaker Collins: "The Gentleman from Vermilion, Representative Miller."

Miller: "Mr. Speaker, Ladies and Gentlemen of the House, the purpose of Amendment #4 is to permit members of certain local governments to conduct party caucuses. As a former County Board member I firsthand know that sometimes it's necessary to talk candidly with the other members of your party on that Board about matters that are highly partisan and where the membership stands. We, as General Assembly Members, have party caucuses and Pre-Committee meeting conferences and I don't think we should be inconsistent and hypocritical and not allowing local officials the same opportunity to meet as members of their respective parties. Upon matters which they as a party will be expected to act and defend and run upon. In my four years on the County Board we used this very liberally but when we did it was very important. The purpose is very restricted to partisan Boards. I'll entertain any questions."

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

Reilly: "Thank you, Mr. Speaker. I rise reluctantly in opposition to the Gentleman's Motion to adopt Amendment #4. He means this very sincerely and I understand and discussed with him where he's coming from on this. But it seems to

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me that this would be a mistake to put into the law. What we would be doing if we put this into the law into the statute would be inviting evasion of the Open Meetings Act. This would be a great step backwards from the current law let alone the forward steps that we are trying to take in House Bill 411. If you put into the law a statement that says political caucuses are not covered and the courts have gone back and forth over whether they are but that's a different matter up to the courts. If you put into the law a statement that says political caucuses are not covered, in my opinion, you may as well not have an Open Meetings Act. What you will end up with is political caucuses being extremely popular at the local level. Every time somebody wants to, in any way, violate the Act they will use this as the reason. They will meet in what they call a political caucus. This, in my opinion, however, sincerely meant would, in effect, gut the Bill. I wish it were being addressed in separate legislation where we could work on this idea by Amendment and perhaps come up with some compromise version of it. But as it stands I would oppose the Amendment and hope that those who believe in open meetings join with me in voting 'no', voting 'no' on Amendment #4."

Speaker Collins: "Representative Miller, to close."

Miller: "Well, I, too, believe in open meetings, but I also believe that there are certain matters that are partisan in nature and I really don't understand why partisan members cannot be expected to meet as a group and to assemble and to debate the issues that they're going to be held accountable as partisans. And respectfully request an 'aye' vote."

Speaker Collins: "The question is, 'Shall Amendment #4 be adopted?' All those in favor will indicate by saying

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'aye', opposed 'no'. The 'nos' have it. Are there further Amendments?"

Clerk Leone: "Floor Amendment #5, Levin, amends House Bill 411 on page two and so forth."

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

Levin: "Mr. Speaker, Ladies and Gentlemen..."

Speaker Collins: "The noise level is really getting high. Could we give the Gentleman some order?"

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #5 is basically House Bill 262 from the 80th General Assembly which passed out of here with over 140 votes only to get lost in the Senate. What Amendment #2(sic) does is to limit an exemption which is currently in the Open Meetings Act for deliberations leading to decision of the Illinois Commerce Commission. The hearings of the Illinois Commerce Commission are all subject to the Open Meetings Act. When there is a hearing there is a hearing officer. There is evidence taken. This is all open to the public subject to the Open Meetings Act. Once the hearing has concluded the recommendation of the hearing officer goes to the five members of the Commission. Under this current statute they may deliberate in private. However, they must announce their vote in public. This makes little sense. What Amendment #5 does is to limit the exemption for the Illinois Commerce Commission to the consideration of information that is proprietary or trade secrets. It is supported and endorsed by the Illinois Commerce Commission and the language has been worked out with Illinois Bell and some of the other utilities so that it deals with their concerns. The current Attorney General, who has been talked about earlier this afternoon on another Bill, a few months ago, stubbed his toe on the issue of public utilities when one of his assistants tried to prevent

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consumers from cross examining witnesses before the Commerce Commission. I would think it would set a bad precedent for this Attorney General to come out against the elimination of the exemption for the Illinois Commerce Commission in the Open Meetings Act even when the Illinois Commerce Commission itself is in favor of this Amendment. So I would encourage an 'aye' vote. I would say that this is a way the Attorney General can redeem himself with many utility consumers. I think it's something that everybody would like to see to get an idea of how the Commerce Commission is making the decisions that increase our utility rates whether we be consumer or be utility or be business. So I ask an affirmative Roll Call on this Amendment."

Speaker Collins: "Is there discussion? The Gentleman from Cook, Representative Abramson."

Abramson: "Mr. Speaker and Ladies and Gentlemen of the House, this is essentially one of the same Amendments as we defeated the other day. It was a subject matter of a Bill that was before the Public Utilities Committee and was placed in Interim Study. I rise in opposition to the Amendment."

Speaker Collins: "The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Mr. Speaker. I join Representative Abramson in opposition to the Amendment. Representative Levin has worked on this hard and again I think has perhaps the germ of an idea but I wish he would pursue it in own Bill first of all. The fact is that we don't deliberate no kind of administrative Body deliberates these kind of a quasi judicial decision in public and the courts don't... the Human Rights Commission doesn't. You can name a hundred others that do not. Nothing unusual about that. The

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problem with these exceptions would be you'd end up with it be conducting deliberations for say four or five hours on a case. Fifteen minutes they'd have to be in public. Fifteen minutes they'd be closed and they'd come back to another matter that was covered by the exception and it would have to go public. I just think it's impractical. I think Representative Levin should pursue this in his own Bill. I would ask for a 'no' vote. 'No' votes on Amendment #5."

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

Kornowicz: "... previous question."

Speaker Collins: "I don't think that's necessary.. Thank you. There's nobody else seeking recognition. The Gentleman from Cook, Representative Levin, to close."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, the previous speaker was incorrect in stating that this Amendment was offered and defeated on a previous Bill. I would point out that for the record that there was no vote with respect to this issue in connection with House Bill 1502. I would point finally in closing that this is an opportunity to cast a pro-consumer vote and Mr. Speaker, I would ask for a Roll Call. I do have five Members that will join me in asking for a Roll Call on this matter."

Speaker Collins: "The question is, 'Shall Amendment #5 be adopted?' The Gentleman has asked for a Roll Call and is supported the sufficient number of Members. All those in favor will indicate by voting 'aye', all those opposed by voting 'no'. Collins 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 52 voting 'aye', 64 voting 'nay', none voting 'present' and the Gentleman's Motion is lost. Are there further Amendments?"

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Clerk Leone: "Floor Amendment #6, Katz-Getty-Jaffe, amends House Bill 411 as amended."

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

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, under the leadership of the Minority Leader, Representative Jaffe, Representative Getty and I held a number of meetings regarding the Open Meetings Act. Some of them have been with the.. with Mr. Reilly and with the Attorney General. They have accepted a number of asked suggestions. Amendment #6 includes a few that they did not accept. We have decided that since they accepted a number of them and since it is the eleventh hour and we would like to make sure that the Open Meetings Act is improved that we will withhold and proceed not to go ahead on this Amendment so that I will withdraw the Amendment and we will go to the Senate and if, as to those points, we will see that they are raised over there rather than imperiling the legislation at this point."

Speaker Collins: "The Gentleman withdraws Amendment #6. Are there further Amendments?"

Clerk Leone: "Floor Amendment #7, Katz-et al, amends House Bill 411..."

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

Katz: "The same with regard to Amendment #7, Mr. Speaker."

Speaker Collins: "The Gentleman withdraws Amendment #7. Are there further Amendments?"

Clerk Leone: "Floor Amendment #8, Barkhausen, amends House Bill 411 as amended."

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

Barkhausen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, Amendment #8 to this Bill changes in an important way and I think the definition of meeting, which is really

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the heart of this Bill, and I think makes it more palatable to us and to local governments and makes the Open Meetings Act potentially more workable. The Attorney General, I think, took a positive step in the Executive Committee by changing his original definition of meeting from two or more to a majority of a quorum. However, as we all know, many of our local governmental units have small bodies. Some of them with five members, some of them seven members, some of them with nine members and with any local governmental unit that has between seven and nine members a majority of a quorum will be three. And so is the definition is now, the definition of meeting is now put in this piece of legislation. Three members meeting to discuss any item of public business would have to submit to the local media notice that they were meeting. What I'm proposing to do with Amendment #8 is simply to make the definition of meeting a majority or rather a quorum of the members of a public body. So that if you had a public body made up of nine members instead of having to send out a notice when you had a meeting of three members that onus wouldn't be on you until you had a gathering of five members. In addition to that, and Ladies and Gentlemen, I think this is another important distinction. Instead of requiring a notice simply when public business is discussed I would suggest that a notice ought to be required only when public business is going to be transacted by a quorum. To have to send out a notice every time business is informally discussed I think again puts an unworkable onus on local governments and we would be better for us to require that this notice be submitted only when public business is transacted. I think it's a simple definition still. It's one we ought to keep in mind that people on local governmental units are serving, by and large, in a

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voluntary capacity. Most of these people aren't lawyers. Many of them, they come from all walks of life. They're not necessarily sophisticated in the legal ways of the world and this definition of meeting is one that is easy to understand, easy to apply and I think workable for all concerned in sufficiently protects the public's right to know. Mr. Speaker, I would ask for a Roll Call on this Amendment."

Speaker Collins: "The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Mr. Speaker. Again I rise to oppose the Gentleman's Amendment. He has been very concerned about the Open Meeting's Act and, indeed, in a later Amendment, Amendment #11 which he will offer I will support him because he has done good work on this and has come up with some good ideas. This one I happen to think is not a good idea. Representative Leinenweber, in the Executive Committee, came up with, I think, a very good a very workable compromise position between the way we started out and the manner in which some people would like to define meeting in the Act. It seems to me that's workable. The key phrase that Representative Leinenweber put in in the Committee was the meeting had to be held for the purpose of discussing the public business. It seems to me that is sufficient protection for the worry that local government officials justifiably have that somebody might try to prosecute them for an inadvertent or an accidental or an unintentional violation of the Act. It seems to me that the Bill as it stands now with Representative Leinenweber's Amendment in it, which this would seek to reverse, is in good shape so I would ask for 'no' votes. 'No' votes on Amendment #8 to House Bill 411."

Speaker Collins: "The Gentleman from Effingham, Representative



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Brummer."

Brummer: "Yes, I rise to support this Amendment as a result of a very specific situation. I would remind everyone here that under the commission form of government there are five Commissioners. A quorum, therefore, would be three. A majority of the quorum would be two. That would mean that without this Amendment any time two Commissioners met for the purpose of discussing any item of municipal government they would be subject to the Open Meeting's Act. Any two people getting together. I think that they are not a majority. They are not a quorum. I think that is unduly restrictive with regard to the affairs of... and the goals of openness. They cannot obviously transact any business. I, therefore, feel that this Amendment is very necessary. I think it is ridiculous if we prohibit any two people from getting together. And, therefore, I would urge an 'aye' vote on this Amendment."

Speaker Collins: "The Gentleman from McHenry, Representative Klemm. The Lady from Cook, Representative Stewart."

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Does the Sponsor yield to a question?"

Speaker Collins: "He indicates he will."

Stewart: "I just got the Amendment and I'm taking a look at it and you say here means that a gathering of a quorum of the Members. The question I have is that with the remarks of the previous speaker in mind also there is the exact opposite problem. In Chicago we have a City Council of 26. The majority which is the quorum... I'm sorry. We have a City Council composed of 26 of 50 the majority is 26 and certainly a lot fewer than 26 people could get together and make significant decisions about the public's business. I would like to know how you feel that this definition in light of either very small chambered bodies or very large

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bodies still would not really effect the difference of still having a situation where you have two people who could still be liable or subject to the Open Meetings Act. And also the Open Meetings Act specifies that they have to be gathered to discuss the public's business. And if that two people then the public should be notified. And certainly if that's 26 people the public has a right to be notified."

Barkhausen: "May I answer that? Yes, Representative, the definition that I've come up with is an attempt. I'm not... you know it's up to the vote of this Body to determine whether it's a good attempt but it's an attempt to try to address the situation both in Chicago and in downstate communities where they have a five man commission form of government. In the situation in Chicago where you have a... you're talking about a situation where 26 are gathered together they would be required to submit a notice any time that group had the potential for transacting public business in a way that would be binding. A quorum, of course, is not only a quorum of the entire Body. If it's a Committee say of the City Council that you're concerned about, if they're a quorum of that particular Committee they would also be required to give notice."

Stewart: "I was just worried that your Amendment, while trying to address smaller bodies .. you know, put us who deal with larger bodies and for the jeopardy. Because even the majority of a quorum still leaves quite a few people, 13 or fewer people, in a situation like in Chicago and I'm certain that when 13 of the aldermen get together to discuss the public's business that certainly the public should be there."

Barkhausen: "Well, it's true that while as a quorum grows larger it's permissible for a larger group of members to meet

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without giving notice. It's also true that that larger group cannot take any action which would be binding on the public body and, therefore, I don't think they ought to be under a requirement to give notice."

Stewart: "If I may speak to the Amendment, please."

Speaker Collins: "Proceed."

Stewart: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I'm certain that the author offered the Amendment with every good intention but I'm not sure that really alleviates the problems we have in reconciling the very different kinds of local government that we have and I would ask for a 'no' vote."

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

Stearney: "Would the Gentleman yield?"

Speaker Collins: "Indicates he will."

Stearney: "Mr. Barkhausen, what is the penalty for violating this Open Meetings Act?"

Barkhausen: "It's substantial, Representative, not having drafted the full Act I can't tell you..... attorney's cost and a number of other provisions as well. I'm sure the Sponsor could answer that question for you."

Stearney: "I mean, is there any jail sentence?"

Barkhausen: "I'm quite sure there isn't."

Stearney: "There is or is not?"

Barkhausen: "I'm quite sure there is not."

Stearney: "Its payment of cost, attorney's fees?"

Barkhausen: "In the case of a successful litigant under this Act attorney's fees... attorney's fees could be awarded, yes."

Stearney: "And one other question. You're redefining meeting, gathering. Am I right?"

Barkhausen: "I'm redefining the definition that's in the Sponsor's proposal, yes."

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Stearney: "Okay, and in redefining it you're saying it would have to be a gathering of a quorum of the members of that Commission held for the explicit purpose of discussing public business. Am I right?"

Barkhausen: "Correct."

Stearney: "Okay, perhaps, Mr. Reilly, could you tell me if there's any penalty for violation of this Open Meetings Act?"

Speaker Collins: "The Gentleman from Morgan, Representative Reilly."

Reilly: "Well, there's.. the Act, the current Act which is not changed is a Class C misdemeanor. But I would suggest, Mr. Speaker, that this line of question is relevant on Third Reading doesn't seem to have anything to do with the Amendment that Representative Barkhausen has offered."

Speaker Collins: "I believe your point is well taken. Representative Stearney."

Stearney: "Well, Mr. Speaker, Ladies and Gentlemen of the House, if that be the case I would just like to address myself to the Amendment. I would stand in support of this Amendment. Now, mind you I'm from Chicago and we don't have any real small Boards but I think downstate this is of imperative importance. Just to give you an example, in the spring I was in Mazula County, Montana and I happened to be watching the evening news one night. And there on TV, low and behold, they were televising some court proceedings of two members of a three member Board of Commissioners who were on trial for violating this public meetings Act. So if you don't think that people can stand in jeopardy of being in violation of the Act and probably being tried in a criminal court for violation you just pass this here. I think Mr. Barkhausen is right. You have to be extremely careful when you enact such legislation because when you got small

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Boards obviously people are going to be discussing matters and perhaps they will just touch on this on a relevant issue that's going to come before the Board the following day or the following week. Maybe in a general way but nevertheless, somebody will say at a later date that they were discussing this particular matter that was germane to the matter to be held and, in effect, they were violating the Act. And then they'll be asking the State's Attorney or whoever is to enforce this Act, the Attorney General, to hold these people either in contempt, sue them for attorney's fees or 'enjail' them. And then how are you going to get Board members to serve. It's difficult enough to get people to serve in public life considering all the problems that we do have. This Gentleman, Mr. Barkhausen, is altogether right. Mr. Reilly is wrong. This Amendment should be adopted. Vote 'aye' on it."

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

Matijevich: "Mr. Speaker and Members of the House, I support my colleague with this Amendment. The real big joke of the initial Bill as introduced was a matter of two people meeting and that being a formal meeting. Some of you, those few of us that were left on the floor of the House last night, remember when Dan Pierce said the State House Inn is going to be open for a half hour and it's going to close. Everybody's welcome to have a drink and so some of us ran over there and had a couple drinks before closing time. Now, that evidently is an open meeting, should be an open meeting because we left right here and were conducting business and there we were socializing. So that is the very apparent flaw in the Bill as introduced and my colleague is trying to have a workable Amendment and I support him."

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Speaker Collins: "The Lady from DuPage, Representative Karpel."

Karpel: "Previous question."

Speaker Collins: "The Lady 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 'ayes' have it. The Gentleman from Lake, Representative Barkhausen, to close."

Barkhausen: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #8 is in some an attempt to strike a balance between the public's right to know and the ability of local governmental Board members throughout the state to conduct their business reasonably and give the kind of notice that is required but without putting an undue burden on our civic minded citizens who are willing to serve in voluntary capacities in our local governments throughout the state. I'm trying to put this Bill in a form which all of us can happily support. And I urge your support of this Amendment."

Speaker Collins: "The question is, 'Shall Amendment #8 be adopted?' The Gentleman has asked a Roll Call vote be taken. All those in favor indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question... Johnson. Somebody push Johnson's button 'no'. On this question... you'll have to come down and put it in writing. On this question there are 61 voting 'aye' and 69 voting 'no'. The Gentleman from Cook, Representative Leverenz, for what purpose do you rise?"

Leverenz: "Just before you announce the vote I'd like to be recorded 'no' from here. Thank you."

Speaker Collins: "Well objections were raised to Representative Johnson. I think you'll have to come down here and do the same thing. Representative Brummer."

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Brummer: "Yes, the Roll Call has not been announced. We regularly allow people to change their vote particularly on a verification. It has occurred several times. They were on and off the Roll Call before the result is finally announced. I certainly don't see any reason why anyone cannot get on the Roll Call before the result is announced. It occurred to me earlier today, I was off the floor during a verification. I came on. I had not been voted. I was allowed to be voted. I think until the result is announced certainly anyone can change their vote or get on or off the Roll Call. I think that is a dangerous precedent. I quite... I just don't think it should be pursued."

Speaker Collins: "Representative Brummer, I think your point is well taken. It was in my zeal not to offend Representative Giorgi or Matijevich that I may have been somewhat precipitous. So if you will, if you will record Representatives Johnson and Leverenz as voting 'no'. How do you want to vote, Representative Brummer? I'd be very happy to dump the Roll Call and take another one. Alright, all those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Giorgi or Matijevich. Which one wants the first shot? Representative Matijevich."

Matijevich: "Well, I sure wish you would erase out of the record what you said about my name. What I complained about this morning was entirely different about this issue. You didn't hear me complain about anybody changing their vote now because the record was not taken and that's entirely different about the issue I brought up this morning."

Speaker Collins: "Well, it's true I didn't want to offend you and I did hear the objections from over on that side. Representative Giorgi."

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Giorgi: "Mr. Speaker, I think the technical question here is, does the Roll Call have to be tampered with by pencil because those are the Roll Calls that we're concerned about? If the Roll Call comes out of the machine and you're going to allow people to vote then, then you've got a tampered Roll Call and you have no more control. If you.. do you follow me?"

Speaker Collins: "It's difficult but I think I do."

Giorgi: "The sheet comes out typed. To correct a Roll Call or to put somebody on it you have to mark the sheet. We want to guard against marking the sheets. Leave the sheets as they are as they come out of the machine. That's my point. A person should vote until that sheet comes out of the machine and then he can't vote any longer."

Speaker Collins: "Okay, take the record. On this question there are 57 'ayes', 92 'nays', one voting 'present' and the Gentleman's Motion is lost. Are there further Amendments?"

Clerk Leone: "Floor Amendment #9, Barkhausen, amends House Bill 411 as amended."

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

Barkhausen: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I'll try to be brief and Mr. Speaker, I would request a Roll Call. This is a variation on the last Amendment. It's somewhat more protective of the public's right to know and that I've taken out the word 'transact' and kept the Attorney General's language 'discuss'. In other words, a notice would be required any time there's a meeting of a quorum for the purpose of discussing public business. Amendment #8 which was just voted down had the word 'transact' in it so that in that case a notice would only have been required when business was actually being transacted. Now, we will be required under Amendment #9



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when any business is discussed as long as a quorum of the members of a public Body is present. And again I feel that the quorum is desirable as over a majority of a quorum for the reasons which were elucidated by myself and other supporters of Amendment #8 in our previous discussion."

Speaker Collins: "Discussion? The Gentleman from McHenry, Representative Klemm."

Klemm: "This then would mean that any Board or any City Council could have a Committee meeting and close it to the public because the Committee of the Board is usually less than a quorum because obviously that's where a lot of the testimony and day to day work goes. So, in other words, what you're saying is that County Boards and municipalities and townships, if they have Committee meetings less than a quorum can be just closed from the public. Is that what we consider opening up the business of the people?"

Speaker Collins: "Representative Barkhausen, to answer the question."

Barkhausen: "If there is less than a quorum there is no potential for conducting any business which would be binding on the public Body and no notice would not have to be given."

Speaker Collins: "The Lady from Kane, Representative Deuchler. The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Mr. Speaker. Again, I would oppose the Amendment. It is not true that only a quorum can bind the Body. A majority of a quorum can do that so long as only a quorum attends the meeting. For exactly the same reasons that I gave on Amendment #8, I would ask for 'no' votes. 'No' votes on Amendment #9."

Speaker Collins: "The Gentleman from Lake, Representative Barkhausen, to close."

Barkhausen: "I won't belabor the point. I ask for your support of Amendment #9 for the same reasons that I did 8. I would

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repeat that Amendment #9 is a modified form of Amendment #8 and that it takes out the word 'transact' and inserts instead the word 'discuss'. I think it ought to be pointed out and it's somewhat relevant that the Open Meetings Act does not apply to the General Assembly. Would we really want the reporters that are sitting at the front of this room in all honesty and absent all hypocrisy to be coming to our, to be coming to all of our caucuses that we have where public business is discussed and where a quorum is present. I think if we're going to be consistent we ought to try to make government at the local governmental level as workable as it is for us here in the General Assembly although to those of us who have been here the last few days. We may wonder how workable our state legislative process is right now. I would again ask for your support of this Amendment and thank the Members for their indulgence."

Speaker Collins: "The question is, 'Shall Amendment #9 be adopted?' All those in favor will indicate by saying 'aye', opposed 'nay'. The Gentleman asked for a Roll Call. All those in favor will indicate by voting 'aye', those 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 42 voting 'aye', 94 voting 'nay' and the Gentleman's Motion is lost. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #10, Barkhausen, amends House Bill 411 on page four and page two in line 29 and so forth."

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

Barkhausen: "I would withdraw Amendment #10, Mr. Speaker and go to Amendment #11 if we can."

Speaker Collins: "The Gentleman withdraws Amendment #10. Are

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there further Amendments?"

Clerk O'Brien: "Amendment #11, Barkhausen, amends House Bill 411 on page two and line 19 and so forth."

Speaker Collins: "Representative Barkhausen."

Barkhausen: "I'm happy to report, Mr. Speaker, Ladies and Gentlemen of the House, that Amendment #11 is an agreed Amendment. Free of controversy. Hopefully I will find the unanimous support for this Amendment. What it does is to, is to make a slight change in the litigation exception to the Open Meetings Act. Right now it is unclear under the present laws. It's been interpreted in what cases and what situations, discussions of litigation by public bodies must be subject to the Open Meetings Act. The Attorney General had proposed that closed meetings only be allowed when litigation was actually on file. And because, not simply of my experience as a lawyer but because of my concern for an ancient common law principal know as the attorney client privilege. I was concerned that members of public bodies have a chance to discuss litigation whether it was actually on file or whether it was probably or eminent which is the language in this Amendment so that they might have the chance to discuss this litigation without necessarily tipping their hand to their adversary and such real or eminent litigation. What the Amendment #11 does is add to the requirement that open meetings be had when cases have been filed to say that or when the public body finds that such an action is probable or eminent. And in those cases they can't simply make an arbitrary finding that litigation is probable or eminent. They'll have to place on the... for the public record of finding a basis for their finding that such litigation is probable or eminent. I think you'll find the Sponsor of this Bill and also the Attorney General in support of this Amendment and I would move for

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its adoption."

Speaker Collins: "The Gentleman from Sangamon, Representative Irv Smith. The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Mr. Speaker. The Gentleman, Representative Barkhausen, is correct. A lot of people for quite a long time now have been trying to figure out a good wording that accomplishes this without damaging the public's right to know. To Representative Barkhausen's credit he has found that wording. I would ask for a favorable vote on Amendment #11."

Speaker Collins: "The question is, 'Shall Amendment #11 be adopted?' All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #12, Reilly, amends House Bill 411 as amended in Section one and so forth."

Speaker Collins: "The Gentle.."

Reilly: "I withdraw Amendment #12."

Speaker Collins: "The Gentleman withdraws Amendment #12. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #13, Reilly, ...."

Reilly: "I withdraw Amendment #13."

Speaker Collins: "The Gentleman withdraws Amendment #13. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #14, Leverenz, amends House Bill 411 as amended in Section 2.02 and so forth."

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

Leverenz: "Thank you, Mr. Speaker. Amendment #14 would add that a requirement of the public notice would include the agenda. I would move for the adoption of the Amendment."

Speaker Collins: "The Gentleman moves the adoption of Amendment #14. All those in favor will indicate by saying 'aye',

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opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #15, Reilly, amends House Bill 411 as amended in Section one and so forth."

Speaker Collins: "The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Mr. Speaker. As Representative Katz had earlier indicated there have been considerable numbers of discussions. A task force appointed by Representative Madigan has been working on this problem to their credit and I want to say publicly to their credit they have not dealt with this in a partisan way. They made a variety of suggestions to us in several meetings as to ways to improve the Act. We did not accept all of those but in the spirit of the effort that was being made we did accept several. This Amendment makes several changes. Mostly technical but also which clarify several matters. We provide for an emergency meeting and we provide that in a practical way. Those things do happen. Emergencies do arise. We make some other corrections in the Bill. Some typos, some mistakes that we had made in some of the Committee Amendments. I would urge adoption of Amendment #15."

Speaker Collins: "Is there discussion? The question is, 'Shall Amendment #15 be adopted?' All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the Amendment #15 is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #16, Leverenz, amends House Bill 411 as amended in Section 2.02 and so forth."

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

Leverenz: "Thank you, Mr. Speaker. Amendment #16 would provide that the public notice and the agenda would be posted for

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the meeting. I move for the adoption of the Amendment."

Speaker Collins: "The Gentleman from Morgan, Representative Reilly."

Reilly: "Representative Leverenz, isn't this the same as Amendment #14? My copy appears to be. I think we've already done what you want to do here. I don't..."

Leverenz: "On a technicality certainly I talked with the Sponsor on Amendment #14 and we agreed to that. With the adoption of Amendment #15 we deleted Amendment #14 and this would simply add back that language. I move for the adoption of the Amendment with the agreement of the Sponsor."

Reilly: "I agree."

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

Katz: "Mr. Speaker, Ladies and Gentlemen of the House, with the spirit of the Amendment I'm all in favor and I'm aware that the Sponsor has indicated no opposition to it. I'm concerned, however, about the situation where an item is not listed on an agenda of a meeting and that is a result, thereof, a court determines that, in fact, the meeting was therefore, illegal and a violation of the Open Meetings Act. I believe that the spirit that Mr. Leverenz has is correct that local units of government ought to let people know what's coming up. But to include it in this way, I believe, imperils the validity of all the action taken at that meeting if, in fact, the agenda isn't correct. So that there ought to be a redrafting of this Amendment that makes it directory rather than preemptory. And I think that, therefore, it would be well if the Sponsor of the Bill would hold it at this point and have a brief discussion so that we could change the form of this and not imperil what is imperiled in the form that this Amendment is now in."

Speaker Collins: "I'm not sure to whom that was directed but

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Representative Leverenz."

Katz: "It was directed to Mr. Reilly. The suggestion that the Bill be.. and also to Mr. Leverenz. I believe that we ought to leave it on Second Reading, that we ought to get together and discuss the problem. I'm afraid that putting the Amendment on in this form is a bad Amendment even though I agree with the spirit of it."

Leverenz: "Well, Representative Katz."

Speaker Collins: "Alright, Representative Leverenz, go ahead."

Leverenz: "Thank you, Mr. Speaker. In keeping with the same spirit that I discussed the Amendment with you earlier about, I think those items that you're talking about that would come up with such short notice that did not appear on the agenda with the emergency provisions it would simply take that item that came up on a moments notice and could be posted for the following day and they would have another meeting on that item in itself within 24 hours. And that does not then bring rise to the problem I think that you point out. And I would not want to hold up the Bill. I renew my Motion to adopt the Amendment."

Speaker Collins: "Alright, the que... Representative Reilly."

Reilly: "Well, I would respond to Representative Katz. There may be some technical questions. I, just because of the lateness of the hour, do not want to hold the Amendment. I think the Amendment is alright. If it turns out to be technically deficient that can be cleared up, it would seem to me, in the Senate. I would hope we would move forward. I do not want to hold the... I don't want to bother Representative Leverenz's Amendment nor do I want to hold the Bill on Second Reading."

Speaker Collins: "The question is, 'Shall Amendment #16 be adopted?' All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it and Amendment #16

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is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Collins: "Third Reading. House Bill 555, Representative Schuneman. Out of the record, Representative Schuneman? 555, out of the record. House Bill 556, Representative Schuneman, out of the record also? House Bill 672, Representative Schuneman. Out of the record. House Bill 829, Representative Stanley. Read the Bill."

Clerk O'Brien: "House Bill 829, a Bill for an Act to create the Suburban Transportation Authority, Second Reading of the Bill. No Committee Amendments."

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

Clerk O'Brien: "Floor Amendment #1, Stanley, amends House Bill 829 on page 34 by deleting line 28 and so forth."

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

Madigan: "Mr. Speaker, could you state under the authority of which section of the rules you moved from House Bill 411 to House Bill 829? My examination of the Calendar and my understanding of the rules would require that after House Bill 411 that you would have called House Bill 555."

Speaker Collins: "I did call 555 and the Gentleman asks to be taken out of the record. I called 556 and the Gentleman asks that that be taken out of the record."

Madigan: "And then 591?"

Speaker Collins: "591 is an appropriation."

Madigan: "Excuse me. It's not highlighted in dark print but it is an appropriation. It states that it is an appropriation. And then 627."

Speaker Collins: "627 was moved to Third earlier."

Madigan: "672?"

Speaker Collins: "672 was called and the Gentleman asks to be taken out of the record."



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Madigan: "Well, let me be the first to apologize."

Speaker Collins: "I never thought I'd hear it. Thank you, Representative Madigan. The Gentleman from Cook, Representative Stanley, on Amendment #1."

Stanley: "I would like to withdraw Amendment #1."

Speaker Collins: "The Gentleman withdraws Amendment #1. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Ted Meyer-Davis-Vinson, amends House Bill 829 on page three and line 29 and so forth."

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

Meyer, Ted: "Thank you, Mr. Speaker. Amendment #2 to House Bill 829 abolishes the RTA and creates in its place a Suburban Mass Transportation Authority. The CTA remains a separate transit agency with the Chicago City Council as the CTA Board and the Mayor as the Chairman. The Suburban Authority includes all the suburban bus districts, all the commuter rail lines and the CTA service in the suburbs there will a purchase of service agreement. There will be 11 member Board in the suburban area which will be elected first. It will be appointed. There will be six members from Cook County, one member from each of the collar counties. In regards to the Suburban Authority, the members of the Board will be paid ten thousand with the Chairman to be paid fifteen thousand. In regards to the CTA, the CTA Board would be replaced by the Chicago City Council. And as I mentioned before the Mayor would be the Chairman. I'd be happy to answer any further questions."

Speaker Collins: "Any discussion? Repre... The Gentleman from Cook, Representative Getty."

Getty: "Mr. Speaker, I question the germaneness of Amendment #2 and I would sight, also I would question and I suggest to the Chair that it violate the Constitutional requirement of

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the single subject. I would point out that the title of House Bill 829 is an Act to create the Suburban Transit Authority and to repeal the Suburban Transit Authority. I would further then point out to the Chair that Amendment #2 attempts without even amending the title to add amendatory provisions to the Illinois Municipal Code which go far beyond the scope of a Suburban Transit Authority and attempt to modify the Chicago Transit Authority and to give bonding powers and to also modify the makeup and governing board of the Chicago Transit Authority. It is clearly violative of both single subject and it is obviously non-germane and does not fit into House Bill 829."

Speaker Collins: "The Gentleman from DeWitt, Representative Vinson, for what purpose do you seek recognition?"

Vinson: "Thank you, Mr. Speaker. To address the question that Representative Getty has placed before the Chair. In each case he is wrong. The Amendment is an Amendment to a Bill to create the Suburban Transit Authority. The Bill dealt with restructuring, reorganizing the CTA and creating a new agency. The Amendment does the same thing. For those reasons, because it's 'inner-growly' related to the scope of the Bill the Amendment is germane and has no problem whatsoever with the Constitutional single subject limitation."

Speaker Collins: "If you'll just bear with us for a few moments. Representative Getty, it is the opinion of the Parliamentarian that the single subject matter of the Constitution is not violated and that Amendment #2 to House Bill 829 is germane to the subject matter of the Bill. Representative Getty."

Getty: "Mr. Speaker, I raised two points, not only the single subject matter but the germaneness issue. Clearly both are violated."

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Speaker Collins: "We responded that it was germane to the subject matter of the Bill."

Getty: "I will prepare and file my dissent. Just one minute. I will prepare and file my dissent, Mr. Speaker, you continue in the same posture. It's a shame that this is done again."

Speaker Collins: "Your dissent will be filed. The Gentleman from Cook, Representative Levin, for what purpose do you arise?"

Levin: "To speak."

Speaker Collins: "I never had the slightest doubt."

Levin: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, I notice that one of the Sponsors of this Amendment is the same Gentleman who is the Sponsor of the Bill that would gut the Civil Service system and provide for increase patronage for Republicans statewide."

Speaker Collins: "The Gentleman from Champaign, Representative Johnson, for what purpose do you arise?"

Johnson: "I would make the point of order that the Gentleman is out of order. I don't know what he's addressing himself to. The Chair's rule. If they want to repeal the ruling of the Chair fine otherwise, Representative Vinson should proceed with his Amendment. And I would make the point of order that Representative Levin is clearly out of order."

Speaker Collins: "Well, I think your point is well taken. Representative Levin, do you wish to address the Amendment?"

Levin: "Yes, that.."

Speaker Collins: "Well, then please confine your remarks to the ..."

Levin: "I think that my comment were very much in order. I have a question for one of the Sponsors. Representative Meyer, I notice that in the Section 505 of your Amendment, you provide that in terms of the initial Board..."

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Speaker Collins: "Representative Levin, if you would hold up again just for one moment. Representative Meyer, for what purpose do you arise?"

Meyer, Ted: "What page in line?"

Levin: "Page six."

Speaker Collins: "We're not getting into the dialogue here."

Levin: "I have a question about..."

Speaker Collins: "Continue. You ask him a question, he'll..."

Levin: "On page six of your Amendment starting on line six, it provides that the initial Board that you set up shall be selected by the Members of the Illinois House whose districts in which at least 50% of the population of the district, transportation district reside. I wonder if you can tell us what districts these include that will have the opportunity to control who the Board Members are."

Meyer, Ted: "Mr. Levin, I don't have a map in front of me but obviously it would be the suburban districts. Not the city districts."

Levin: "Okay. If I may speak to the Bill."

Speaker Collins: "Pro.. to the Bill or to the Amendment?"

Levin: "The Amendment, Mr. Speaker."

Speaker Collins: "Proceed."

Levin: "I think there is an interesting pattern here and as I say if you look at the sponsorship it follows from this. And that is you've got a Bill here that's going to provide that the Board, the initial Board is selected by the suburban Members of the Illinois House almost all of whom are Republican. There's another provision in this Bill that removes protections in terms of employees. It transfers from the RTA the employees of the RTA but it says that there's no protections for pensions and salaries. The result of that is, these.. we've created a situation here of another patronage boon doggle for Republicans whereby

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you could effectively fire the approximately three hundred employees of the RTA that are being transferred over by saying we're only going to pay you a dollar a year. We're going to kill off your pensions. And we can go ahead and appoint whoever we want. I think that's rather interesting. There isn't a pattern here and I don't think mass transportation should become a patronage heaven for either party. As a result, I would urge the defeat of this Amendment. I would also point out there are a couple of other really bad provisions in this Bill. One is, the City of Chicago, the City Council would take over control of the CTA and would have to fund the CTA which would probably mean as Cal Skinner has been pushing for a property tax to pay for the CTA. Now one of the results of a property tax to pay for the CTA is we may very well end up with a surcharge for suburbanites who want to come into the city and ride the CTA. Because if they're not going to be paying the property tax they've got to make up the subsidy that they're not paying for. So I would suggest that for both reasons, reason number one being, we've had enough patronage. We want to get rid of patronage. We don't want to increase it. And number two, we don't want to have to... we don't want to see a surcharge for suburbanites who ride the CTA. That this Amendment should be defeated."

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

Davis: "Thank you, Mr. Speaker. I join with Representative Meyer and Representative Vinson in this Amendment. The State of Illinois, and in particular the northeast county where a great, the northeast six counties, where a great number of us come from and represent and the collar counties and in Cook have for a long time believed there should be a better way to approach the subject of mass transit. There's a great deal of feeling in this General Assembly in this

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House if the issue should be separated. Amendment #2 deals with that separation so that we can take a look and examine the issues surrounding transportation in the northeast section of this state which is so very vital to the economic health of the state in general including the City of Chicago and the CTA, the suburbs and the collar counties and indeed the rest of the state. Now, I suggest to you that the former speaker has put himself into a posture of alarming those of you who view this Amendment as an anti-labor Amendment. Certainly is not that. Everything that's in the Amendment speaks to the notion that everything that is in place now in the new Suburban Mass Transit District would remain in place. Everything that's in the CTA contract would remain in place. It's the new services that are added or detracted in the future after those contracts expire or the new services that are added that would be addresses in a different manner in the Suburban Mass Transit District. Now, we're all aware that the State of Illinois and this General Assembly has been sitting on its hands for reasons unknown to most of us. There are people in forces in this state who refuse to address the notion of mass transit funding except to say more and more and more dollars must be put in to a system that apparently is inefficient and bloated in expense to the point where it cannot control its excesses and its appetite for new dollars. I suggest to you that we're on the brink and everybody agrees it won't be long before the shutdown occurs. And I'm going to tell you this and I hope you're paying attention.."

Speaker Collins: "Excuse me, Representative Davis. Could we have some order?"

Davis: "A ten day transit strike shutdown would cost 1.25 billion dollars in lost wages, retail sales, manufacturing sales

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and taxes. The deferral of the increase of fifteen cents by the RTA Board on April 1st and five cents on August 1st was a major mistake. A dollar fare is the worst thing that can happen to people in the City of Chicago perhaps but the alternative is no fare at all. With the rising cost of transportation the fare of a dollar or higher is unavoidable. While the proposed 5% gross receipts tax would bring 350 million a year for that agency in the northeast section it wouldn't be enough for a long term solution. Other forms of taxes, including those on income property retail sales and private corporations should be examined. The RTA Board should do more to hold down costs by eliminating duplicate transit services and enforcing stricter financial control over the RTA. Now, Ladies and Gentleman, that last few paragraphs are not my words. They are the words of Patrick O'Malley. One of the most respected members of the RTA Board that were published in the Sun Times two days ago. Lou Hill has said, 'we've got to reform the operating costs of the CTA. We've got to have control of the operating costs of the CTA and we're suggesting to you that in Amendment #2 we're going to allow that to happen and allow the City of Chicago in the CTA to develop its own operating cost address and reduce those operating costs and consequently the deficit or will allow the City of Chicago by creating the Council as the CTA Board and the Mayor of Chicago who's sitting on her hands as the Chairman to raise whatever taxes are necessary to continue the inefficiency and the bloat that exists in the City of Chicago's Chicago Transit Authority.' The RTA suburban group is not blameless in inefficiency. We have single.. or busses running all over the suburbs and in Will County with a driver and nobody else. We want to eliminate that. Let us create a Suburban Mass Transit District with

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Amendment #2 and we will eliminate that in the suburbs. We know how to run mass transit in the suburbs and I don't wish to destroy the Regional Transportation concept. I only wish to separate the two who cannot seem to get along one to the other. We'll fund ours. The City of Chicago should fund its or it should address the operating cost deficits that are consistent in that agency. Now, I'll tell you it's a good Amendment. I'll tell you ultimately this separation will be made. The Amendment is silent on other things. It is silent on downstate roads and bridges. That'll be addressed elsewhere at another time later in this Session. We're not trying at this point to destroy labor contracts. That's not what this is all about. If you want to reform your labor contracts in the City of Chicago you'd go ahead and do it but you're taking us to the brink of a shutdown that will cost every taxpayer in the state millions and hundreds of millions of dollars. This is a responsible approach to mass transit and I suggest to you Amendment #2 should be adopted."

Speaker Collins: "The Gentleman from Madison, Representative McPike."

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

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

McPike: "The last speaker indicated that somehow we had mistakenly thought this was an anti-labor Amendment. Perhaps you could explain to me why on page 20 you deleted line six through twenty which says that the employees that will be transferred to this new agency will have the same seniority credit, sick leave, vacation, insurance, pension credits, etcetera, and it goes on to say the authorities shall assume the obligations of any transportation system acquired by with regard to wages, salaries, hours. You've deleted everything that gives the employees their rights."



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Why have you done this?"

Meyer, Ted: "Those rights are already guaranteed by federal law."

McPike: "Well, why do you object to leaving it in the Bill?"

Meyer, Ted: "I don't object to it. It's the superfluous language. You know that. There's federal protection."

McPike: "I see. Well then on the following page could you explain to my why on page 22 you deleted all the language that deals with labor disputes? The present Bill says, 'that in case of a labor dispute you can have the assistance of a mediator. If you cannot mediate the dispute you can submit it to a fact finder. Finally, if you cannot resolve it from a fact finder you can submit it to binding arbitration.' You have eliminated the mediator, the fact finder, and binding arbitration. Why have you eliminated all these and how do you attempt to solve a labor dispute except through patronage if you've eliminated all these protections?"

Meyer, Ted: "Representative MCPike, if you look at the first line. 'In case of any labor dispute not otherwise covered by this Act.' They're covered by other Acts and the federal Act."

McPike: "Then to the Amendment, Mr. Speaker. It's no wonder that we often interpret these Amendments as anti-labor when the Sponsor of the Amendment takes every possible protection in the Bill, every possible protection that employees may have it eliminates those from the Bill. And he says well they're superfluous. They're covered probably by federal law. But we really don't need that. Well, we would tend to disagree. We think that it is important that employees be covered by language in the statutes which guarantees their rights, their pension benefits, their sick leave, their holidays, everything that they have earned over the years. And to say that we can simply eliminate that and

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not only eliminate that but eliminate all the provisions in the Bill that deal with solving labor disputes and then to say that it's not anti-labor flies in the very face of reason. I think it is an anti-labor Amendment. I'd say it was purposely designed to take out every possible protection an employee may have. For that reason, I think the Amendment should be defeated."

Speaker Collins: "Further discussion? The Lady from Cook, Representative Topinka. I'm sorry, the Majority Leader, Minority Leader. The Lady from Cook."

Topinka: "Ladies and Gentlemen of the House, it's delightful to finally be able to see an RTA proposal here that I find I can support and the suburbs can live with and downstate can live with and even Chicago can live with. Certainly makes a lot more sense then sitting around here until three in the morning voting on things that you know are going to go nowhere and are offensive to everyone. What I think is nice about this is it recognizes the fact that the CTA, as long as it stays this independent and irresponsible agency within the RTA and sucks up more resources than it puts out, we're never going to solve the RTA question that's fast coming upon us. And I think we're going to better start looking at it before it does shut down. This does seem to take care of that. If the RTA wishes or if the CTA wishes to run the way it has I've got no objection to that but I also think that the City of Chicago with its home rule powers should indeed take it and operate it and run it and do whatever way you want to do it. I mean you've got the ... the methods to do that. And likewise, we in the suburbs will be happy to contract to it and it with us for various interchangeable services. I think this is a great Amendment. I would urge it's support. I would urge everybody from downstate and the suburbs this is something

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that is very very good. Thank you."

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

Madigan: "Mr. Speaker, Ladies and Gentlemen, I rise in opposition to this Amendment and I ask you to focus clearly on what this Amendment says. This Amendment says that mass transit in Chicago is a Chicago only problem and that Chicago can tax its citizens to pay for mass transit because the mass transit system of Chicago is a concern only for Chicagoans and for no one else. If you subscribe to that view I say to you consider this; last year the Caterpillar Corporation located in Peoria, purchased over nine hundred million dollars of goods and commodities from the Chicago metropolitan area. If the mass transit system of Chicago were to shut down those purchases would not have been possible and the Commerce of Peoria and the Caterpillar Corporation of Peoria would have been severely harmed. So that if you are one of those that subscribed to the theory that the mass transit problem of Chicago is only a concern for Chicagoans I suggest to you that you are wrong and that you should readjust your perspective on this problem. The Constitution of this state as ratified by the people of this state in 1970 specifically provides that the state has a role in the provision of mass transit, not simply in Chicago but throughout the entire state in all of the various urban areas. So that everyone of use as an elected Member of this Body carries a statewide responsibility under the Constitution of this state to be concerned with the provision of mass transit in Chicago. It is not fair to say the Chicagoans tax yourself to keep that system operating so that the employers of downtown Chicago, employers such as the Continental Bank, the First National Bank, Montgomery Ward, Sears, Roebuck and Co., can continue

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to provide jobs for people who live throughout the Chicago metropolitan region. Some of you may think this is a good Amendment. Some of you may think that this is a joke. Some of you may think well, this is a good way to stick it to Chicago. For whatever your reasons, do what you wish but please understand this problem is not a problem solely for Chicago and this problem will not go away. I do not always agree with Governor Thompson but to his credit he had the courage to come before this Body and to propose a statewide tax to solve two statewide problems. I don't think he's given enough effort to convincing Members on your side of the aisle to vote for that tax but at least he had the courage to come in here and to say, 'we need a tax to solve these two problems.' That's the proper approach. The proper approach is not to just stick it to one little area of the state and for those reasons I would recommend a 'no' vote on this Amendment."

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

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, it's obvious that we need mass transit in the metropolitan area. We've done a thorough study of that. We've talked this over a number of times. But let me tell you what I believe the RTA Board wants and the CTA and the City of Chicago. They want to continue to do business as usual and they want us to pump unlimited funds into their system. We had a special Committee of this House which looked into the financial problems of the RTA. I read with interest just recently that the deficit was even going to be more than this Committee uncovered, another fifty million more. In fact, the deficit was going to be as much as the current income from sales tax. I also read with interest one of the most respected Board Members who indicated they should

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have or in all probability should have gone ahead with their fare increase. As you'll remember just two days before our Committee reported to this Body they rescinded or put off a fare increase which had been passed by ordinance of the RTA Board and was to have gone into effect on April 1st. I believe that that had a mark effect on the attitude of this Body. I can tell you for sure it had a marked attitude on the voters in my district. They let it be known in no uncertain terms that they were uninterested in having any tax monies support the RTA if they weren't willing to help themselves. And I'm sorry that the Minority Leader made his little speech and left the floor. It might be well if he would listen because I think there's a unity on this issue that we don't often show and maybe we could get started working on a solution if they'd begin to listen. If they'd begin to realize there won't be any bail out until there's some changes and I mean drastic changes in the way they operate the system in the City of Chicago. It's very good for him to make his little speech and march out the door to his office. Hopefully, he'll at least have his speaker on or somebody can report it. But we've got to change the cancer which is eating at our mass transit system, which is eating up the funds just as fast as we can shovel them in. And until we do there will be no additional state funds. This Bill puts the responsibility exactly where it should be, with the elected officials who control the city and the suburbs and the county. And when the voters up there get sick and tired of paying the tax bill they'll reform the system. This is a good Amendment. It's at least a step in the direction of solving this problem. If you don't vote for it let it shut down but don't blame downstate and suburbia if you have to walk to work."

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

Friedrich: "Mr. Speaker and Members of the House, I heard the Minority make his remarks. I know that he was a delegate to the 1970 Constitutional Convention but also a number of Members on this floor were also delegates and I don't recall any time there ever being a discussion where the people of my district were suppose to pay for the riders on the CTA. Now, let me tell you something. I have a girl that works in my office in Centralia who does a great job but she drives 30 miles each way from Okawville every day to get to my office to do a day's work. I don't hear any plea from the Minority Leader to pay her gas bill to get to my office but he wants her to pay for the ride of the guy that gets downtown Chicago. And I don't think there's anything fair about that any way in the world. And as far as the Continental Bank of Chicago and the First National Bank they wouldn't even be there if it weren't for the correspondent banks and banks in my town have deposits there to keep that bank going. Now don't tell me that we're dependent on Chicago. Chicago's dependent on us."

Speaker Collins: "The Lady from DuPage, Representative Karpziel."

Karpziel: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment I believe gives us the best of both worlds. For all of us that are from suburban areas I represent parts of four counties. All of them are suburban counties. I have part of suburban Cook. For the suburban Cook Legislators, I don't care what side of the aisle you are on. If you are a Democrat or Republican, suburban Cook Legislators, this not only provides a transit system. It provides the continuation of the CTA, the mass transit system but also provides a tax cut for suburban Cook. Now I don't see how anyone in this room who is a suburban

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Legislator no matter what party you're from can vote against this Amendment when it not only includes the suburban transit district, will keep the railroads running, will keep the people going into the City of Chicago to keep the businesses going there. It will also provide a sale I mean a tax cut for those people that live in suburban Cook. And I would like to urge all suburban members to think about this Amendment very carefully before voting because my correspondents have said that the people in the suburban area do not want to bail out the CTA with a gross receipts tax. They don't want any kind of a tax increase. They want the railroads going and they want to see it done by fares and in a fair and equitable way. This is not only fair and equitable. They get a tax cut. They get the railroads going and I do urge all suburban Legislators from both sides of the aisle to vote on this because I think it's what your constituents want and that's who you're down here to represent. Your constituents in your districts, not the City of Chicago."

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

Kustra: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I guess you might call this round two of the RTA crisis. The first round let's not forget was here a few weeks ago when we considered Governor Thompson's transportation package. And on that first Bill those of us who represent suburban Cook in addition to some others were on that Bill on this side of the aisle in support of the Governor's program. Unfortunately, we found those people in the City of Chicago, the Chicago Democrats on the other side of the aisle were not voting for that package. They were not voting for that first Bill and as far as I'm concerned that demonstrated to me that they weren't really

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serious about trying to address the concerns of the transportation crisis as we see it in front of us in the City of Chicago in the suburbs. So here's round two. You didn't like what we offered first. Now we come up with another plan. A plan that provides the Suburban Transportation Authority. A plan that addresses itself to the needs of suburban transit riders. And a plan that tries to address itself to the problem of the CTA and how many times need it be said on the floor of this House that the real problem in this transportation crisis is the CTA. And there's only one reason why the CTA is in trouble and that's because of the political leadership of the City of Chicago. They brought the CTA to where it is today. What this package does is give that problem right back to the CTA. You didn't like it the first way. You didn't like the regional approach so now the Chicago City Council can take the CTA. You can solve your own problem and that's exactly what this package does. I support it entirely and I urge all of my suburban members from Cook to do likewise. Thank you."

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

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

Speaker Collins: "He indicates he will."

Jones: "To my district mate, do the CTA only service the residents of the City of Chicago?"

Meyer, Ted: "No, Sir."

Jones: "Do you know the ridership of the CTA by suburban commuters?"

Meyer, Ted: "No, Sir."

Jones: "So in other words, if you say is only Chicago problem do you realize that a large percentage of the suburbanites who commute to the City of Chicago to work ride the CTA?"

Meyer, Ted: "Yes, Sir, and they would have to enter into purchase



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a service agreement with the Suburban Mass Transit District."

Jones: "Are you in favor of a bedroom tax?"

Meyer, Ted: "What is a bedroom tax?"

Jones: "Well, a bedroom tax is what those individuals who live in the suburbs but work in the city use the services of the city and then return back to the suburbs. Are you in favor of this sort of a tax?"

Meyer, Ted: "If that's the head tax I'm not in favor if it."

Jones: "Then, in other words, what you are attempting to do is suck the blood of the people of the City of Chicago for the benefit of those who live outside the City. Am I correct?"

Meyer, Ted: "No, Sir. For those services that the CTA provides in suburbia, if the CTA chose to provide those services the Suburban Mass Transit District would have to purchase those services from the CTA."

Jones: "You and I represent the same legislative district which covers the City of Chicago and the southwest suburbs. The residents of county, Calumet Park, Evergreen Park, Oak Lawn, they catch the bus at 95th Street or Western Avenue or Halston or 19th Street. They take their cars into the City of Chicago, park them at 95th Street and ride the rapid transit but yet and still you stand before this Body and tell this Body that is a Chicago problem. You cannot draw a Chinese wall around the City of Chicago. Mass transportation belongs to all the people. I'm really shocked that my district mate, that he would come up with a Bill and you live in the city and yet and still you want to suck the blood of the people of the City of Chicago to satisfy a few of your blood suckers in the suburbs. That's ridiculous."

Meyer, Ted: "The Mayor and the City Council could run the CTA."

Speaker Collins: "The Gentleman... the Gentleman from Cook,

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Representative Sandquist."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, and I suppose I should speak mostly to those on this side of the aisle. Because I think it's about time we start being statesmen and stop being our little ole afraid to go back to our districts, what we can do and what we can't do. I'm very happy to join the Minority Leader and I'm very happy to join the Governor to recognize that this is a statewide problem, mass transit. You cannot walk away and just think you're going to sit in your little suburban areas and your downstate areas. The mass transit in Chicago is important and vital to the entire State of Illinois. And the people in Chicago who ride the CTA and the suburbanites who ride the CTA are paying the highest fare of any mass transit in the country. And you cannot solve this problem by picking out one little thing and forgetting about the roads downstate. This is a statewide problem. We've got to be statesmen. We've got to solve it together. I think this Amendment should be defeated."

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

Ewell: "Mr. Speaker, Ladies and Gentlemen, historically this country has survived and thrived around areas that were willing to accept adequate transportation. All you have to do is witness the places that didn't want those dirty little seaports and you can't even find them on the map. Then there were those who said they didn't want that iron engine coming in through their town and you can't even find them on the map. Then there were those who said they didn't want the roads to disturb the tranquility of their little communities and you can't even find them on the map. Transportation has been the cornerstone of the American way of life. I say to you, the railroads were not just free enterprise systems but they were provided for by land

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grants. You and I both know it. Public transportation is exactly that. Public transportation. We cannot solve the problem by talking about the Chicago problem and the downstate problem. At one time the City of Chicago was a mighty giant and it carried the entire state on its back because of its industrial capacity. Yes, the City of Chicago as a young city paid taxes that built all the little places that we have here. Most of the roads, half of the bridges, three quarters of the dams and the City of Chicago paid for you people downstate. They did it because it was a necessity because you couldn't do it for yourselves. We, in the City of Chicago have now grown as they say old. We're no longer capable of carrying an entire burden of the state so now that the younger and more thriving communities would kick out the grandparent, would kick out the father and the mother that nourished you when you were young. That protected you, that sheltered you and that brought you transportation. Yes, it was the taxes of the City of Chicago that funded this particular state. I say to you and you know it. When you look at every tax that's collected, if you look at the sales tax that comes out of the City of Chicago and is distributed throughout the state. You can look at the income tax. That too comes from the Chicago area and is distributed throughout the state. And we can go on and we can talk about the racetracks receipts which you choose to ignore. All of which, basically 86% come from the City of Chicago and the County of Cook and you use it on every little farm and pig sty from one end of the state to the other. I suggest to you that you're wrong. You're wrong in your approach and now you're being a little myopic and you're saying that a grand city that has done so much for you in its hour of need you would cast it out. Ladies and Gentlemen, I

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challenge your integrity to say that you cannot kick your parents out because they're old. The City of Chicago has supported you, cared for you and given the taxes willingly and freely throughout the state. At this time we ask of you a little compassion and a little understanding to realize that we have a problem that cannot be separated by city lines. We do not chop up the districts that way. The motor fuel tax which is collected is essentially collected in Cook County. That's where the money comes from but we spend it in every town, burg and village throughout the state. And it is right. So now, how can you separate transportation of people because that's what it's all about. You cannot separate it. You cannot make the divisions and those of you who choose to make the division between the City of Chicago today and the suburbs are indeed making a bad mistake. Perhaps one day if the Cook County and DuPage County got together it would be too bad for the rest of the state because they have all the votes. Now, I suggest to you, you're going to see a little bit of that here in the last hours of this Session when they start running the Conference Committees through. And you holler and scream that you didn't get what you want. If you want it you've got to be fair and all we ask of you is a little equity and a little concern. And I ask you, the City of Chicago has borne the burden for these many years and now in our hour of need we beseech you to help us and to be fair as we have been fair to you. Thank you."

Speaker Collins: "The Gentleman from Hardin, Representative Winchester."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I want to address my remarks to downstate Democrats and downstate Republicans. This is the one piece of legislation I think that we're all... I hope that we're

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all listening to very carefully because back in our own the big issue has been mass transit in Chicago. Not roads, statewide roads, roads in Chicago and the collar counties and all of southern Illinois but mass transit. This Bill is a separate Bill from roads. It's a Bill for mass transit. It lets the City of Chicago and the collars counties work out their own problems. What our people of southern Illinois have said that they ought to do all along. Listen to what's being said carefully. Break away from the Democratic Chicago control that you have over there and vote for southern Illinois and downstate Illinois. This is the Bill to do it. We may never ever have this opportunity again. It will give us later our roads and give them mass transit. It separates the two issues and I think it's very important that all downstate Democrats understand that."

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

Vitek: "Mr. Speaker, thank you. Ladies and Gentlemen of the House, I think we've heard enough from both sides. I move the previous question on the Amendment."

Speaker Collins: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The Gentleman from DeWitt, Representative Vinson, to close."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There're really three ways that you could end up dealing with mass transit problems in this Session of the Legislature. You can impose a statewide, a statewide tax and put part of that statewide tax revenue to the City of Chicago for the CTA and part of it for the other operations of the RTA. Or you can impose as we did a couple of years ago a regional tax. A regional tax that the city, the Cook

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that the collar counties are going to pay. Or you can go to the core of the problem and you can return the problem to the only people that can solve the problem, the people that control the political power over the CTA. Now, I believe that if they're confronted, if they're confronted with the reality of having to solve the problem they can solve that problem. I don't believe this General Assembly really wants to put itself in the position, in the position of taxing people downstate, people in the suburbs, sending that money to the city and at the same time setting fare rates choosing the lines that the buses and the El's are going to run on, setting the contribution rate that the passenger has to make, being the conductor on the CTA..."

Speaker Collins: "Excuse me, Representative Vinson. Could we have some order, please?"

Vinson: "Do you really want to be the conductor on the CTA. That's a critical issue in this Session of the General Assembly. Now, I was willing a few weeks back to Cosponsor and support the Governor's plan. That was the gross receipts tax plan and it had statewide subsidies for the CTA. I was willing to do that because yes, Mr. Madigan, I do recognize that Chicago is a statewide problem and a problem that we have to contribute to and to help solve. But low and behold when that plan came up on Third Reading when I fought for it, as a matter of fact, I even negatively questioned members of the Farm Bureau, an agency that resides in my district. I negatively questioned them because I didn't think they should be against that plan but when that Bill came up on Third Reading in this chamber and I voted for it and fought for it, gave speeches for it, ask other Members to vote for it you sat on your hands. You sat on your hands, Mr. Madigan, and you kept the Chicago Democrats off of it. You would not provide the votes

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necessary for that tax mechanism. Now, that leaves us with a last alternative to try to keep the trains and the buses running, an alternative that is really the only one left we have. That alternative we deal with today. We deal with it in the fashion of turning it back over, turning the CTA, the cancer, the cost increase in cancer that has infected the RTA. We turned that back over to elected leaders of the City of Chicago. Men who have to go to the public and get elected and determine after that election whether or not they would rather increase fares, increase taxes, or control the inefficiencies, the fraud, the waste in the CTA. I would suggest to you that is a plan which is both responsible and meets the test of political realism, Mr. Minority Leader. Now, another thing this does. It separates the issues. It no longer requires any part of the state to put together a plan to stick it to some other part of the state. Instead, it separates mass transit and we can vote on mass transit on its merits and later we can come back and vote on highways on their merits so that we're not confusing the two, so that we're not stretching people out, so that people are not being compelled to vote on something that's wrong for their district, that's wrong for their conscience and is wrong for government. Finally, I would ask you one last question, Mr. Madigan, and I invite you, I want to invite you to vote for this Amendment to reconsider your position. But I would ask you one last question. Where's your Mayor? She's managed to move into Cabrini Green and to move out of Cabrini Green but she won't come to grips with the CTA. She issues a press release every three or four months. She doesn't do anything to straighten out this problem. And if she won't come to grips with the thing the only thing that's left is for us to vote a plan out. If she won't negotiate we've

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got to vote out a plan. We've got to solve a problem and this is the way to do it. And I urge an 'aye' vote on this Amendment."

Speaker Collins: "The question is... Representative Madigan, for what purpose do you arise?"

Madigan: "Mr. Speaker, my name was mentioned in debate and on a point of personal privilege, on a point of personal privilege I'd like to ask Representative Vinson if he's willing at this very time to be the first Republican to state publically that he will vote for Governor Thompson's tax."

Speaker Collins: "I don't think that's a point of personal privilege. The question is, 'Shall Amendment #2 be adopted?' All those in favor will indicate by saying 'aye', opposed. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Gentleman from Madison, Representative Steele."

Steele: "Well, thank you, Mr. Speaker. In explaining my 'yes' vote, and again I would address by remarks to downstate Legislators of both parties. Think very carefully about this 'yes' vote because it may be the last chance you have to really represent the people of your district. I'm voting 'yes' for two reasons. Number one, it separates the issue and number two it avoids a statewide gas tax. Now the last speaker from the other side of the aisle and I'm quoting said, 'the only alternative, the only way to solve this problem is a statewide tax.' Now to you people in Collinsville or Charleston or Alton or Galesburg or Mt. Olive or Pocahontas, do you want a statewide gas tax to solve the suburban, the problems of subways in Chicago? Is that what you want to put upon your people or do you want to separate the issue? Or do you want to avoid a statewide gas tax? This is the one opportunity that we in southern



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Illinois have to help solve this crisis. It's a good Amendment for all parts of the state. For Chicago it's good. It gives them control. For suburbia it's good. It gives them control and for downstate it also is good because it avoids a statewide gas tax. Who wants an oil tax? Who wants a ten cent increase on gas tax? Who wants a license tax? Who wants a diesel tax? The people of Effingham and Pochahontas and Christopher and Mt. Olive and Quincy and yes, Alton. Those people do not want to pay throughout the state for subways they'll never see and never use. Here's the last chance to vote for a good Bill that separates the issue. Avoids a gas tax for the people of southern Illinois that we represent on both sides of the aisle. And I urge your 'yes' vote."

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

Stewart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm a bit dismayed to see those eighty green votes up there on the Board but I'm not going to appeal to fair play. It appears that the only fair in this chamber is spelled 'f-a-r-e' as in box. But I ask you to consider this. You ask, you appeal to the Members of this chamber to defend their party and their city ecetera. But let's talk about fare in the division of this very chamber that we sit in. For over fifty years this chamber refused to reapportion itself. That's another subject of great interest here. Refuse to reapportion itself because clearly the population was tipping in Chicago's favor. Chicago held the edge and for more than fifty years the citizens of Chicago, the population of which have bludgeon were effectively denied representation in this chamber because the chamber itself being dominated by downstate interest refused to reapportion itself. Well, you're right, Mr. Vinson, and the rest of the side of the aisle.

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It is a statewide problem. Now, this chamber can sit here and try to act as if the City of Chicago is indeed a separate state. Perhaps it should have been all along. I ask you, where would the rest of the state be? We wouldn't have Glenview, Glencoe, Northbrook and the rest of the places where people board the trains every day come in the city and demand services. You demand services that you know there are no jobs and you want to make sure there are police available to protect you when you get off that train and get on that bus and ride downtown, right? Because there are too many big hats with funny colored skin. Well, I tell you, Ladies and Gentlemen, when the fire, the they develop a fire in your office you want a fire department to come there and take care of you. When these problems arise you want the city to take care of you. We say, fine, because you make a contribution to the city. We also ask that you recognize you too have a contribution to make to the economic well-being of that city because, indeed, it is the well-being of which the state is based. Thank you."

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

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's been much said here tonight and as most of you know that have been here a number of Sessions we have been rustling with the problem of mass transportation and the RTA since most of us first came into this chamber. I think that finally we have an equitable and as fair a solution as can possibly find. For years, in fact, since the Constitutional Convention I have been hearing from the people of Chicago how important it is for them to have home rule and to be able to have control of their own destiny and use that home rule to solve their own problems. We have given them that right in this particular Amendment to this Bill. We have also a great need, a new need in the

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suburban areas of Chicago and we also need mass transit. We have been paying the lion's share of the RTA without having very much in return. This particular Bill after much concern, much work and much deliberation finally arrives at what I think to be a very equitable solution to the transportation problem. I urge your 'aye' vote."

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

Henry: "Thank you, Mr. Speaker. I stand to explain my 'no' vote. I'm a little confused here to a degree of all the debate that's been going on but I hear people saying break away from Chicago, break away from the transportation problem but Mr. Speaker, Ladies and Gentlemen, and I wish you would be standing on the west side of the City of Chicago and you see the trains coming by and they're all packed from the suburban area from Western Springs, Riverside, Oak Park, Franklin Park, Melrose Park and they come into the city, they take the jobs and at 9:00 in Chicago, that's 5:00 they take the forty and the fifty thousand year jobs away while the people in the City of Chicago is constantly being taxed without any jobs. So what I'm saying, if you want to break away from Chicago, break away but leave the jobs there for us."

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

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, I'm really kind of surprised to see some suburban members voting 'no' on this since it constitutes a tax decrease... (cut off).. tax decrease for the suburban area. But maybe even some of those thought they could survive single member districts and I certainly thought that those particular individuals could be announcing their retirement after all."

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

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Boucek: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is probably one of the most important votes that we will be making in this Session of the General Assembly. When the situation came up of mass transportation I made a complete opinion survey of my entire district covering some forty-eight thousand homes. The response was tremendous. And it seems to me that I wrote this Amendment #2 because it has everything that was a majority of the people wanted in our 6th Legislative District. And as you know, our Sixth Legislative District covers some of suburban Cook County and DuPage County. Therefore, I follow what my voters want and I'm really pleased and doubly pleased and I hope all of you take mention that the three Representatives from our district are voting green and I would appreciate all of you to follow that vote. Thank you."

Speaker Collins: "The Lady from Lake, Representative Reed."

Reed: "Mr. Speaker, Ladies and Gentlemen of the House, I rarely speak but I would like to point out to my two Democrat colleagues that we in suburbia pay what is called a head tax. My husband works in the City of Chicago and I live in Lake County. The head tax produces twenty-six million dollars per fiscal year to the City of Chicago so that your firemen and your policemen are not unpaid for the services that you provide. Amendment #2 merely leaves each of us to our own destiny, Ladies and Gentlemen, and suburbia will take care of itself and we will pay our share in the city."

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

Yourell: "Just a point. The last speaker who is a dear friend of mine is absolutely wrong about the head tax. The employees don't pay it. The employers pay it."

Speaker Collins: "The Gentleman from Lake, Representative

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Barkhausen."

Barkhausen: "Yes, briefly, Mr. Speaker, Ladies and Gentlemen of the House, I favor what might be called a moderate approach to a solution to the mass transportation crisis in Illinois. There are circumstances under which I will be willing to support a state subsidy for the CTA and the RTA. Chicago's problems are Illinois' problems and I'm not out to erect any Chinese wall around the City of Chicago from which those of us in the suburbs and downstate Illinois, both areas in which I've had a chance to live, would like to isolate ourselves. But there's a fact that's been largely overlooked by the Chicago media in this whole debate and that is the wage rates for the bus drivers of the CTA and some of the other carriers are completely out of line with those in other cities. If any of you had a chance to read as I have the pamphlet that was dis... (cut off)."

Speaker Collins: "Have all voted who wish? Have all... Representative Meyer."

Meyer, Ted: "Thank you, Mr. Speaker. As Mayor Byrne commented on the north loop redevelopment program she said nothing is cast and stone. This Amendment will be adopted. This Bill will pass. It will go over to the Senate and it will be in President Rock's ball court. The Cook County Democratic organization will have to decide what they want to do to solve the problems. We've been here forty-two days. We have yet to see a Democratic Bill introduced. Ladies and Gentlemen, I realize the hour is late but I'm sick and tired of hearing irresponsible statements being made by people who don't really care.. (cut off).. I'm surprised you're not all voting for this Bill for the simple fact it'll give the fifty Ward Committeemen ten thousand more jobs to divide up. And I really think that what that, what

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you folks are care about is government is jobs."

Speaker Collins: "Representative Matijevich."

Matijevich: "I'm voting 'aye' and laying 100 to 1 odds that the final Bill looks nothing like this at all."

Speaker Collins: "Representative Greiman."

Greiman: "Thank you. I just wanted to call to the previous speaker's attention, Senate Bill 854, 855, 856, 857, 858, 859..."

Speaker Collins: "Representative Greiman, refine your remarks to this Amendment."

Greiman: "These are... the previous speaker said there were no Bills that Democrats had presented to this General Assembly."

Speaker Collins: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 98 voting 'aye', 61 voting 'no', 3 voting 'present' and Amendment #2 is adopted. The Gentleman from Cook, Representative Getty."

Getty: "Mr. Speaker, Members of the House, I would just like to make sure that the record clearly indicates that I have filed my dissent from the ruling of the Chair relative to Amendment #2 and that it will be journalized with the journal of May 15, 1981."

Speaker Collins: "Gentleman from Champaign, Representative Johnson, for what purpose do you rise?"

Johnson: "Mr. Speaker, having voted on the prevailing side by which Amendment #2 to House Bill 829 was adopted, I move that vote be reconsidered."

Speaker Collins: "The Gentleman... The Gentleman from Coles, Representative Stuffle."

Stuffle: "I move that that Motion lie on the table."

Speaker Collins: "The Gentleman from Champaign, Representative Johnson, has moved that the vote by which Amendment #2 was adopted be reconsidered. The Gentleman from Coles,

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Representative Stuffle, has moved that the Motion lie upon the table. All those in favor of the Motion to table will indicate by saying 'aye', opposed 'no'. The 'ayes' have it. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "There has been a request for a fiscal note filed. The Gentleman from Cook, Representative Stanley."

Stanley: "The rules indicate that in terms of 829 that a fiscal note is not required because it does not effect state revenues."

Speaker Collins: "For what purpose does the Gentleman from Cook, Representative Bowman, rise?"

Bowman: "Mr. Speaker, to read the statutes to the Gentleman from Cook, Representative Stanley, on this point. It says every Bill except those Bills making a direct appropriation the purpose or effect of which is to expend any state funds or increase or decrease the revenues of the state, to require... Now, here we go. To require the expenditures of their own funds by or to increase or decrease the revenues of units of local government, etcetera. I read to you from Chapter 63 42.31. I believe a fiscal note is in order."

Speaker Collins: "The Gentleman from Cook, Representative Stanley, to respond."

Stanley: "Yes, Mr. Speaker, according to the rules if the person requesting a fiscal note has to have a majority of those voting with him to request that fiscal note. That's the way I interpret those rules."

Speaker Collins: "Pursuant to Chapter 63, Section 42.33, the question is whether a fiscal note is applicable. Those in favor will indicate by saying 'aye', those opposed. The 'nos' have it. Third Reading. For what purpose do the two Gentlemen from Cook rise? Representative Bowman."

Bowman: "Mr. Speaker, I'm surprised that you can't guess for what

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purpose I rise. That ruling was an egregious abuse of power of the Chair. The statutes are very clear on this point and I would point out that a Roll Call at least deserves to be held on the question because an 89 vote majority is required in case there is a dissent from the ruling of the Chair. You cannot do that."

Speaker Collins: "Those..."

Bowman: "Mr. Speaker, I request that you move it back to the Order of Second Reading."

Speaker Collins: "The Bill is on Second Reading. The majority of those who think a fiscal note is required... Those who think a fiscal note is required will vote 'aye', those opposed by vote 'no'. Representative Bowman, to explain his vote."

Bowman: "Mr. Speaker, I wish you'd recognize Representative Levin. He informs me that the rules do not even..."

Speaker Collins: "Alright. Representative Levin."

Levin: "Mr. Speaker, as the person that filed the fiscal note, it is very clear under our rules that Rule 32E, 'if a fiscal or judicial note has been requested by any Member, the Bill shall be held on the Order of Second Reading until the note has been supplied to determined to be inapplicable'. This Amendment clearly imposes new taxes, new financial obligations on local jurisdiction. The Fiscal Note Act is clearly applicable."

Speaker Collins: "Representative Levin, I quoted the statute which clearly supercedes the rules. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 58 voting 'aye', 77 voting 'no', 1 voting 'present' and the Gentleman's Motion is lost. Third Reading. House Bill 1220...Wait...House Bill 1003, Representative Birkinbine. Read the Bill, Mr. Clerk."



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Clerk Leone: "House Bill 1003, a Bill for an Act to amend the  
Worker's Compensation Act."

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

Clerk Leone: "House Bill 1003, Second Reading of the Bill.  
Amendment #1 was adopted previously."

Speaker Collins: "Are there any Motions relevant to Amendment  
#1?"

Clerk Leone: "No Motions filed."

Speaker Collins: "Third Reading. The Gentleman from Cook,  
Representative Getty, for what purpose do you rise?"

Getty: "Mr. Speaker, I had my light on."

Speaker Collins: "I apologize for that."

Getty: "I was seeking recognition before you moved that to Third  
Reading. I would appreciate your moving it back to Second  
Reading so that I can place my Motion."

Speaker Collins: "Are you speaking of the last Bill that we just  
moved, 1003?"

Getty: "That's correct, Mr. Speaker. My light was on. I was  
waving my hand before you said 'Third Reading'. I was  
seeking your attention and I'd appreciate it if you'd put  
it back and recognize me."

Speaker Collins: "We're not aware of any Motion you have up  
here?"

Getty: "Mr. Speaker, I intend to make a Motion to question the  
germaneness of this Amendment."

Speaker Collins: "The Amendment had previously been adopted."

Getty: "It was still on Second Reading. In accordance with prior  
ruling of the Parliamentarian at any time on Second Reading  
germaneness may be questioned. That was clearly  
established last week."

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

Birkinbine: "Thank you, Mr. Speaker. The germaneness of this

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Amendment was questioned by Representative Darrow when it was presented two days ago and the Chair ruled that it was germane, and the Amendment was then adopted and moved back to Second Reading, First Legislative Day at Representative Darrow's request. It is now moved on. You have put it on Third Reading. I wish it to stay there."

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

Getty: "Mr. Speaker, if that was previously questioned and it was ruled on by the Chair, then I would withdraw my request at this time. I was not aware that it had been..."

Speaker Collins: "Afraid that neither you nor I was aware of that. I did not see your light."

Getty: "Alright. Thank you, Mr. Speaker."

Speaker Collins: "Priority of Call, Third Reading, Short Debate. We'll take up where we left off on this Order, Representative Madigan. The first Bill is House Bill 723, Representative Peters. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 723, a Bill for an Act to amend the Pharmacy Practice Act. Third Reading of the Bill."

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

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 723 was introduced at the behest of the Illinois Pharmacist Association of the State of Illinois and addresses itself to a requirement in the law concerning apprenticeships. The present time allowed in the law or required in the law is a 1500 hour apprenticeship. What this Bill would do is it would remove that lengthy requirement and, in fact, supplan for it the apprenticeship requirements that are now part of the curriculum of the various or of the various pharmacy schools so that, while an individual is at the school, he fulfills the apprenticeship requirement as defined by that school under

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the supervision of the school and the pharmacist for which he is working at the time. The Illinois Department of Registration initially opposed this Bill but now supports it because of an Amendment which was added, an Amendment which deals with the approval of certain programs rather than being approved by the Board. The present language remains saying approved by the Department. As I indicated, the pharmaceutical Illinois Pharmacists Association supports this. The Department of Registration and Education now supports it. It is an attempt to take out of our statutes one of those long time and ancient requirements which calls for 1500 hours or over one year of apprenticeship, and, frankly, in the minds of many, including the Pharmacists Association of Illinois, is no longer needed and no longer required. I would solicit your 'yes' vote on House Bill 723."

Speaker Collins: "Is there any discussion? The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', those 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 133 voting 'aye', 16 voting 'no', 5 voting 'present' and this Bill having received the Constitutional Majority is hereby declared passed."

Peters: "A virgin Bill. Thank you."

Speaker Collins: "House Bill 778, Representative Rigney. Read the Bill."

Clerk Leone: "House Bill 778, a Bill for an Act concerning public utilities. Third Reading of the Bill."

Speaker Collins: "The Gentleman from Stephenson, Representative Rigney."

Rigney: "Mr. Speaker, House Bill 778 came out of the Public Utilities Committee as I recall on a unanimous vote. What

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it does, is to amend the Public Utilities Act to require that public utilities that furnish water to the public must provide individual water meters for the consumers. Now keep in mind that public utilities, by definition, do not include municipalities nor do they include mutual water companies. The Commerce Commission is in support of this and in fact, in most cases they will order these various private companies to furnish meters to their customers."

Speaker Collins: "Is there any discussion? The question is, 'Shall this Bill pass?' All those in favor will indicate by voting 'aye', those opposed by voting 'no'. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 146 voting 'aye', none voting 'no', 1 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 814, Representative Ralph Dunn. Read the Bill."

Clerk Leone: "House Bill 814, a Bill for an Act to add Sections to the School Code. Third Reading of the Bill."

Speaker Collins: "The Gentleman from Perry, Representative Dunn."

Dunn: "Thank you, Mr. Speaker and Members of the House. Back in July of 1977 we grandfathered in people who worked in school district known as the Chief Business Officer or the Chief School Business Official and the intent of the Bill then was to grandfather them in to say that anyone who didn't have a degree but was employed in this system could have that position. It was inadvertently left to mean that they could only be employed and work in the district that they were then employed in. Representative Mulcahey was the Sponsor of the Bill at that time and he joins me as Chief CoSponsor in this to say that they're grandfathered in in the system so that they can move from one school district to the other and that's the entire content of the

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Bill. I'd ask for a favorable Roll Call. I'd be glad to answer any questions."

Speaker Collins: "Is there any discussion? The question is, 'Shall this Bill pass?'. All those in favor will indicate by ... I beg your pardon. The Gentleman from Peoria, Representative Schraeder."

Schraeder: "Just one question. Is this mandatory that school boards hire a business manager? Is that what this does?"

Dunn: "No, it doesn't mandate. It's just a lot of schools districts do have Chief School Officials and business managers and this allows those who were serving in 1977 and who are grandfathered in under that Act to be able to move from one position to another in the school district or in the school system."

Schraeder: "Then, is the..."

Dunn: "It's not mandatory to have one in every school."

Schraeder: "... is the Digest wrong then? The Digest says it requires school boards to employ a Chief School Business Official and defines his duty. That's what the Digest says."

Dunn: "That is not right and we amended it by Amendment #1 to say that the school board states their duties if they hire a Chief School Officer. It's not mandated."

Speaker Collins: "The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', those 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 142 voting 'aye', 2 voting 'no', 1 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 860, Representative Rigney."

Clerk Leone: "House Bill 860, a Bill for an Act concerning fees and salaries. Third Reading of the Bill."

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Speaker Collins: "The Gentleman from Stephenson, Representative Rigney."

Rigney: "Mr. Speaker, 860 was put in at the request of the Illinois Sheriffs Association. They do have a Constitutional problem now with their fee system in that it is based upon a percentage of the sale when they are handling any type of a sheriff's sale. Apparently this was corrected for Cook County last year when they went to a flat fee system and what we are doing under the terms of 860 is merely adopting the fee system that is now in place for Cook County and making it apply to the downstate counties."

Speaker Collins: "Is there any discussion? The question is, ...The Gentleman...No, wait a minute. This is Short Debate. Are both of you in opposition? Well, you know the rules of Short Debate. The ...If you want to open it up that's another thing. The Gentleman from Lake, Representative Deuster."

Deuster: "I would like to open it up and I would ask that...particularly I'm reading the Amendment that says something about sheriffs demanding all their fees in advance for service of process. I'm a little confused and I think we ought to have the answer."

Speaker Collins: "The Gentleman asks that this be taken off of Short Debate. Is he joined by ten Members? You've only got eight. There is a sufficient number of Members now supporting the Gentleman. This is now open to full debate."

Rigney: "Well, the question about getting their fees in advance; this is the way the law is right now. Unfortunately, as the Bill was drafted, they struck that provision out. That, as I understand, was nothing more than a drafting error and a misunderstanding. So what we did, in order to

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get that provision back into the law, we had to come back with a special Amendment to do so."

Speaker Collins: "Representative Deuster."

Deuster: "Representative Rigney, the Synopsis' description refers to sheriffs' fees. Are you talking about fees only related to the sale of property? Or are you talking about seas (sic), fees, rather, for the service of process? For example, normally when I file a complaint we send it over to the Circuit Court Clerk. She sends it to the sheriff. The sheriff goes out and either serves the person or finds that they can't serve it and then I get a little postcard with a bill in the mail. And if they serve, it's so much. If they don't serve it, it's only three dollars. And it's normally customary in Lake County, as far as I know, that you pay after you get the bill. Is that what we're talking about here?"

Rigney: "We're talking about specifically the following items: \$600 would be the new established fee for the sale of real estate, for execution of judgments up to \$1,000 would be \$75.00, judgments over 1,000 up to 15,000 would be \$150.00, for judgments over 15,000, \$300. Those specifically are the items that we are inserting into the statute and, as I say, this is the system that is already in place in Cook County."

Deuster: "So just to be clear, this does not apply to..generally to the service process ..."

Rigney: "..No.."

Deuster: "..And do I understand that it leaves it permissive or optional with the sheriff that he may demand these fees in advance or not? The staff analysis says that it..it deletes the authorization for sheriffs to demand advance payment."

Rigney: "Yes. Okay. That was prior to the Amendment. The

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Sheriffs Association has pointed out to me that if they don't get their fees in advance, in many cases they're never able to collect and that's why they were quite concerned when this was inadvertently struck out."

Deuster: "I appreciate the answers. And I support the Bill. Thank you, Representative Rigney."

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

Yourell: "Yes. I don't...I have no objections to the Bill. The Bill was heard in Counties and Townships. But there is a Bill that is exactly identical to this Bill, now that the Rigney Bill is amended. Jim Kelley's Bill, Representative Kelley's Bill, is House Bill 1239 which now is identical to House Bill 860. And I think one of you should table the Bill to save the time of the House. 1239 is exactly identical to 860."

Speaker Collins: "The Gentleman from Perry, Representative Ralph Dunn. The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Mercifully, move the previous question, Mr. Speaker."

Speaker Collins: "Well, there was only one more and it was Representative Darrow. You want to hold? All right. The Gentleman has moved the previous question..."

Mulcahey: "...That's all right. I withdraw the Motion. I withdraw it."

Speaker Collins: "Representative Darrow."

Darrow: "Thank you, Mr. Speaker. I know we're all rather tired this evening, but I have a couple of questions for the Sponsor."

Speaker Collins: "Indicates he'll yield."

Darrow: "Representative Rigney, on a foreclosure sale of residence, the sheriff oftentimes sells that real estate. Am I correct in this analysis that the fee for the sheriff



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will go from \$400.00 to \$600.00?"

Rigney: "No. I think you're incorrect there, Representative Darrow. What we are changing from was a percentage system. And, that is what has been struck out and we've gone to the flat fee concept."

Darrow: "Well, according to our analysis, at the present time the fee for sale of real estate cannot exceed \$400.00. Under your legislation, the sale is subject to a \$600.00 fee."

Rigney: "Yes. There was formally the \$400.00 cap that was under the old percentage system that is unconstitutional."

Darrow: "Well, are you saying then that there's not a minimum fee of \$600.00?"

Rigney: "I'm saying yes, that there is a fee of \$600.00 for the sale of real estate.."

Deuster: "...Within their..."

Rigney: "It shall be made by virtue of any judgment of a court."

Darrow: "So in other words, there's a \$200.00 increase."

Rigney: "Yes, there could be that effect, yes."

Darrow: "All right. I'd like to address this Bill. Ladies and Gentlemen of the House, what we have often times is a situation where an individual cannot make his mortgage payments. Foreclosure then occurs following which the sheriff sells that property. Often times a bank will bid in to buy that property and they will then pay the sheriff the fee. What will occur are two things: #1, a deficiency judgment will be taken against the poor fellow who can't make the mortgage payments. Under this legislation, not only will he have to make up the difference, but he will have to pay an additional \$200.00. So you have a situation where the fellow can't make his mortgage payments; he loses his house and under this legislation he will then be subject to an additional \$200.00 judgment. On the other hand, if he cannot make the payments and if he's a complete

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deadbeat, so to speak, or has left the area, the financial institution that is bidding in the property, the bank or the credit union or the savings and loan would then have to pay an additional \$200.00. I feel that this is rather a steep increase in the fee, even though we have our old friend, Joe Mudd, lobbying for legislation such as this. I have to oppose it and solicit a 'no' vote. Thank you."

Speaker Collins: "Representative Rigney to close."

Rigney: "Well, my only response to the last speaker is that if we felt this fee is excessive here in 1981, I guess the question is why did we not feel it was excessive at the time that we passed it last year for Cook County and gave them precisely the same fee schedule that we're calling for now in the downstate counties? This wasn't any rabbit that was pulled out of the hat. It was just simply doing for the downstate counties what has already been done for Cook. And on that basis, I solicit your 'aye' vote."

Speaker Collins: "The question is, 'Shall this Bill pass?' All those in favor will indicate by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Wikoff, yes, you are voting 'aye'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 103..107 voting 'aye', 34 voting 'no', 3 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 975, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 975, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

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

Currie: "Thank you, very much, Mr. Speaker, Members of the House. House Bill 975 provides for regular permanent teacher certification in the bilingual program. In effect, it

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tightens the requirements and the program for bilingual teaching and it has the support of the State Board of Education and also of the bilingual community. I would appreciate your 'aye' vote."

Speaker Collins: "Is there any discussion? The question is, 'Shall this ... I beg your pardon. The Gentleman from Will, Representative Davis."

Davis: "Mr. Davis... Mr. Speaker. I'm Mr. Davis. You're Mr. Speaker. Mr. Speaker Collins, I rise in support of this Bill. I think this is... and that may sound a little strange coming from me as I'm known as a frequent critic of bilingual education, but I think it's a very good Bill and I enthusiastically endorse it."

Speaker Collins: "I would remind the Gentleman we are in Short Debate. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 144 voting 'aye', 4 voting 'no', 6 voting 'present' and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 985, Representative Peters. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 985, a Bill for an Act relating to adoption. Third Reading of the Bill."

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

Speaker Collins: "Gentleman from Cook."

Peters: "House Bill 985 is the product of about one year really of meetings and work by a number of Legislators who were brought together on both sides of the aisle, Senate and House, by the Taylor Institute to study and discuss really the problems of family and children in our society today. One of the problems we wanted to address is that revolving around adoption and there will be a number of Bills

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presented for your consideration by Members of both sides of the aisle on this topic. This, in a sense, is the lead Bill and what we hope to accomplish by the passage and implementation of this piece of legislation is to make adoption easier for those couples who want to adopt children, to free the courts of a lot of the ancient, so to speak, and legalistic kinds of proceedings they have to end up going through and to make it easier for the various child care associations to bring together the parent or the prospective parents, the adoptive parents and the child they want to end up adopting. And what we want to accomplish by this Bill and do with this Bill is one, to give foster parents who have cared for a child for a period of 12 months first priority in adopting that child. We want to make it a little bit more difficult although we honor and respect the common law right of people to bring the objections of fraud and duress when they sign an order giving up a child, but we want the court, in making a decision on whether fraud or duress was involved in a lady signing away rights to the child, whether or not, in fact, the child's best interests are served so that a person three, four, five, six, seven, ten, fifteen years after the adoption does not come in with proceedings to break up what is we hope to be a good environment and an atmosphere for that child. What we want to do is place more duty on the parent to show that, in fact, he cares for the child and wants to be reconciled with the child and we want the Department of Children and Family Services under this Act to attempt to bring the child and the family back together, but the parents have got to be willing. We don't think that it's right for the judge to say to the Department you haven't gone out and hired a cab, you haven't gone out and brought the person in from another state on an airline

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ticket in order to bring the parent and the child together. This is a very serious kind of matter, in my estimation and in the estimation of those who have worked on this, and, Mr. Speaker, just in terms of the record I think thanks to this Body should go to the Members who were on the Committee, to the Taylor Institute, to Bob Rawls of the Child Care Association, to Reverend Don Hallberg of the Lutheran Social Services, Jimmy 'Lougo' from the Catholic Conference and all of those individuals, including Senator Rock who participated very much and Director 'Kohler' in the formulation of this legislation as well as Mike McClain and a lot of other Members on this side of the aisle. I'd be happy to answer any questions."

Speaker Collins: "Is there any opposition? The Gentleman from Champaign, Representative Johnson?"

Johnson: "I just want to ask a couple questions."

Speaker Collins: "Proceed."

Johnson: "Representative Peters, first of all, does it lower the standard of proof necessary to terminate natural parents' rights in every case or only in cases where the child's placed with an agency?"

Peters: "I didn't catch the last part of your sentence, Representative."

Johnson: "I'm saying, the first line of the analysis says that the Bill lowers the standards of proof for terminating parental rights for finding a parental unfitness from clear and convincing the proponderants. My question is, is that standard changed only for children who are placed in foster homes and agencies or is it true across the board for termination of parental right?"

Peters: "Representative, I'm sorry. Did you say across the board?"

Johnson: "Yes."

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Peters: "Yes. The answer is yes."

Johnson: "Mr. Speaker, Members of the House, I realize there's been a lot of work go into this Bill and I also realize after five years when a Bill's going to pass and when it isn't. But I feel really constrained. You know, I know the Sponsor and the other Members of the Committee have worked hard on this Bill, this concept. To point out what we're doing here, there's always been a presumption in our system of law for 2000 years that a natural parent is the proper party to have care and custody and control of a child, and when you're lowering the standard across the board, it's a cart blanche change from clear and convincing, which seems to be a reasonable standard, to simply a preponderance of the evidence to forever terminate a natural parents right to be a parent of a child that that's not a change we ought to make. I think the majority of this Bill is very good. There's eight parts of it and I think, for the most part, the Bill makes some constructive changes that probably are long overdue in the area of adoption, but I think in doing that we're using a meat ax where a scapel would be more appropriate. I don't think it's necessary to make those vast changes in standards generally that have a real potential ramification on the family and on parents. I realize that in most of these cases the parents are ones whose rights are at least potentially terminateable, but I think to make the general standard change is a mistake and I would hope that when this Bill gets out of the House, which it undoubtedly will, they'll take that part out or at least make it limited and limited applicability over in the Senate so we don't face the risk of about seven or eight different standards for termination being able to apply to anybody and only having a simple preponderance of the evidence standard to meet.

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For those reasons, I'm not going to vote for the Bill and I would urge people to be very careful about what we're doing here."

Speaker Collins: "Representative Greiman, we are on Short Debate. Do you wish to knock it off?"

Greiman: "Mr. Speaker, I do not wish to knock it off. However, because I don't want to take the time of the House. I don't want to ask people to do it, but there are a few questions that I might ask if we could. I don't want to knock it off particularly. The question is,.. Pete..."

Peters: "If the Gentleman wants to knock it off Short Debate I'll join him."

Speaker Collins: "I'm advised by the Parliamentarian that these Bills on Short Debate, if there are questions as to legislative intent, they are clearly in order, but other than that the debate is restricted to two minutes for one proponent and two minutes for one opponent."

Greiman: "I suppose this is a matter of intent then."

Speaker Collins: "I think to save time, we better have you ask your questions."

Greiman: "Thank you. Firstly, what about the situation, Pete, where the mother signs away her interest in a child and she's a minor. We're plagued with minor... pregnancy of minors. Is she forever barred after an 18 month period despite fraud, despite the fact of her minority?"

Peters: "No. What we are saying is that after that period of time what we want the court to consider along with the persons right to bring the question of fraud and duress the best interest of the child."

Greiman: "So that you're saying though that she could be barred if the child was seen with another family and..."

Peters: "No, she's not barred. She can bring it in 18 months, 6 years, 10 years, 15 years later. She is not barred from

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that common law right."

Greiman: "I see. If there was fraud."

Peters: "Fraud or duress. That's correct."

Greiman: "I see. Okay. How about the issue of where the parent has not visited the child within 12 months. What does the Bill provide with respect to a parent whose in the armed forces, for example, serving over seas. Some other inability to keep the kind of contact that we all want that sensitive parent-child relationship."

Peters: "The problem that this Bill addresses, Representative Greiman, is not the situation where a person is away because of service in the armed forces or because of sentence to a penitentiary or because a person is in a mental health hospital or in that kind of situation. What we are talking about basically is children who are abandoned by parents, who are left by parents who are not cared for by the parents and to this point the judges have interpreted the present statute on the books to put the total burden of reuniting the child and the parent on the social services agencies of the state. So that, in any proceedings for termination, the.... my understanding is the court asked what has the Department done? Has the parent shown interest and we have had cases on the books are on the records, so to speak, where the social worker will come in with the attorney seeking termination and the question is, did you make an attempt to reunite the parent and the social workers will say yes. We had the meetings set up. We were going to the restaurant. The mother never showed up. We tried it once, three times, four times, the mother never showed came. The judge then says, how far did you extend yourself? Did you send the cab to pick them up? Could you have gone to pick them up yourself? And that is the thing that we are trying to solve in the law by saying



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the Department has the first responsibility of attempting to bring the natural parents and the children back together, but the law cannot say and should not say that that total, total reasoning should be or total activity should be on the part of the social service agencies, that the parent must show and have some kind of responsibility and show some kind of responsibility in this area. We have also had cases, Representative, where a parent has sent a child a Christmas card. Once a year a card and those kids in the foster care and child care system are referred to as Hallmark children. Courts have said the sending of one Christmas card is evidence that the parent still cares and, in the meantime, we have 11,000 children in foster care in the State of Illinois. What we're trying to do is break that cycle."

Greiman: "But the question from a legal standpoint, are you saying that if the parent does not contact this child for a year there is a presumption which is rebuttable?"

Peters: "Yes."

Greiman: "So that the parent could come in and say, I was indeed in jail. I was indeed in Korea or Vietnam or wherever I was and that's why I wasn't there."

Peters: "Absolutely."

Greiman: "And so that that is a rebuttable presumption."

Peters: "Absolutely."

Greiman: "Thank you."

Speaker Collins: "Representative Peters, to close on this Bill on Short Debate. The questi... For what purpose does the Gentleman, Representative Bradley, rise?"

Bradley: "I wish the Gentleman would just rephrase those last remarks. I didn't get all of it. As long as we're on Short Debate, Pete, would you give me a shot of that last explanation?"

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Peters: "In terms of the rebuttable?"

Bradley: "I'm not serious. I just meant... If we're on Short Debate, I think we ought to be trying to move this thing along. I want to vote for your Bill."

Peters: "I'm sorry. I sometimes get rapped up in things that have to do with kids, as you well know, Representative."

Speaker Collins: "Representative Peters, do you wish to close?"

Peters: "Just to ask the support of the House, Mr. Speaker..."

Speaker Collins: "The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 149 voting 'aye', 1 voting 'no', 6 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 986, Representative Barnes. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 986, a Bill for an Act in relation to child and family welfare services. Third Reading of the Bill."

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

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, this is also part of the package and what it does inserts into law the basic goals of the Department of Children and Family Program; child protection, family preservation, family reunification, adoption and use development. Requires a case plan for each Department client placed by DCFS with a six month review and update, establishes a case tracking system designed to monitor and evaluate services, requires services aimed at family preservation to be either unsuccessful or inappropriate in order for DCFS to place a child outside his home in addition to being in the best interest of the child, requires a finding by the court that

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services aimed at family preservation have been inappropriate or unsuccessful prior to a finding that it is in the best interest of the minor to have a guardian or legal custodian named for the minor, replaces annual court reports with six month updates of the case plan for every child placed under a dispositional order and reduces the current 24 month court review to 18 months and allows for an administrative panel, appointed or approved by the court, to satisfy the requirement for the 18 month review."

Speaker Collins: "Is there any discussion? The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', those 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 148 voting 'aye', none voting 'no', 2 voting 'present' and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 988, Representative Ronan."

Clerk O'Brien: "House Bill 988, a Bill for an Act to amend Sections of the Juvenile Court Act. Third Reading of the Bill."

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

Ronan: "Thank you, Mr. Speaker, Members of the House. This Bill is the third Bill in the package that Representative Peters so articulately described. It's from the research we did with the Taylor Institute. It's a very simple process. It's amends the Juvenile Court Act. Requires parents or guardians to pay for the care of their child who is placed with a legal custodian. Payments may not exceed support standard under an Act created by the Department. The payments are not severe. There has been a problem in the past with the collection of these payments and this will help the Department and also make a reasonable program. I

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move for its adoption."

Speaker Collins: "Is there any discussion? The Gentleman from Cook, Representative Conti."

Conti: "I know this is the impact..., but Mr. Speaker, Ladies and Gentlemen of the House, I noticed that the impact last year cost 10 million dollars because of the loss of collection. Has any corrections been made on that? They only collected 150,000 dollars."

Speaker Collins: "Are you asking me or the Sponsor."

Conti: "Sponsor."

Speaker Collins: "Representative Ronan."

Ronan: "This will obviously help that problem that you just brought up, Representative Conti."

Conti: "Will it help it or did it do any good at all? Did we collect any of the nine million..."

Ronan: "That's the purpose of this legislation, Representative Conti, so that we can start collecting that money and put some teeth in the collection process. That was the whole problem. The Department wasn't collecting anything and that's why we're got the legislation. This is going to help it. It's going to make it better. We're going to get that money."

Speaker Collins: "The question is, 'Shall this Bill pass?'. The Gentleman from Cook, Representative Jaffe, for what purpose do you rise?"

Jaffe: "Just to ask a question, if I may, Mr. Speaker to get some legal intent over here."

Speaker Collins: "I couldn't hear you. I'm sure the Sponsor could."

Jaffe: "I want to ask a question to see what the legal intent is over here. We're not talking about foster kids are we, Al, or are we? Representative Ronan?"

Ronan: "Yes. Yes."

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Jaffe: "We're talking about foster kids?"

Ronan: "No, we're not."

Jaffe: "What type of kids are we talking about? What does legal custodian mean? I just want to know what that..."

Ronan: "Kids who are placed in institution or group homes."

Jaffe: "Who are placed in institutions or what was the other thing?"

Ronan: "Placed in institutions and group homes."

Jaffe: "And group homes and the parents have to pay for that? What if the parents are indigent?"

Ronan: "If they're unable to pay, they obviously don't have to pay. There's a level, if you look at the Democratic analysis, you can see what the levels are set. If the parents income ranges under 7,000 dollars, it's five dollars a month. And if they can't pay it, they don't pay it."

Jaffe: "Will the state then go against them for the money that they haven't paid? Is there a cause of action then?"

Speaker Collins: "For what purpose does the Gentleman from DeKalb, Representative Ebbesen, rise?"

Ebbesen: "Yes, Mr. Speaker, if we are on Short Debate, the last two situations here. We get into this dialogue. We're defeating the very purpose for which it's created and I would think that the Chair would get back to the general format in Short Debate."

Speaker Collins: "We've tried to be leanient, but I think your point is very well taken. Representative Jaffe. Representative Ronan, do you wish to close?"

Ronan: "My only closing remarks is that goal of this legislation is not to raise revenue. The goal is to keep the parents involved with their kids, their responsibility. Obviously, the goal of the state is not to go after parents who aren't in any position to pay, but to keep the parents involved."

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It was part of a package that we worked very hard for the last year on, and I move for its adoption."

Speaker Collins: "The question is, 'Should this Bill pass?'. All those in favor will indicate by voting 'aye', those 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 154 voting 'aye', 1 voting 'no', 4 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1030, Representative Donovan. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1030, a Bill for an Act in relation to the Medical Practice Examining Committee. Third Reading of the Bill."

Speaker Collins: "The Gentleman from Macon, Representative Donovan."

Donovan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. House Bill 1030 does exactly what the synopsis says. It recodifies the Medical Practice Examining Committee under the Medical Practice Act instead of the Civil Administrative Code as it is at this time. It also enables the members to qualify for compensation the same as authorized by the Department of Registration and Education as the Medical Disciplinary Board. These increases will be paid by the Medical Disciplinary Board Fund which is generated by physicians license renewal fees. That's all the Bill does other than we added an Amendment just the other day which expanded the Medical Examining Committee membership to add one person from Southern Illinois University School of Medicine. We expanded the Committee by one. This Bill is supported ... come out of Committee 15 to nothing. It's supported by the Department of Registration and Education, Illinois State Medical Society

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and SIU School of Medicine. I don't know of any opposition and I'd be glad to answer any questions."

Speaker Collins: "There are two Gentlemen seeking recognition. We only allow one opponent. Representative Stearney and Representative Preston. Who wants to take it. The Gentleman from Cook, Representative Stearney."

Stearney: "Would the Gentleman yield to a question?"

Speaker Collins: "He indicates he will."

Stearney: "Why are you transferring the provisions relating to this Medical Practice Examining Committee from the Civil Administrative Code to the Medical Practice Act? What is the purpose, the justification for doing so?"

Donovan: "Yes, Representative. My understanding of the Civil Administrative Code right now is being paid in line items out of the general fund. When we move it over to Medical Practice Act it isn't and we save some money that way."

Stearney: "You mean it only refers to funding, appropriations and no substantive language?"

Donovan: "No, the money was the main reason that brought this Bill about, but what we're doing is bringing the Committee from... the Medical Practice Examining Committee that is from the Civil Administrative Code under the Medical Practice Act."

Stearney: "And what would be the effect of this change? Only to who funds the Committee?"

Donovan: "I'm sorry, Representative. What was the question?"

Stearney: "Would the only effect of this change be as to who funds this?"

Donovan: "That's basically it. Yes. It will help the general fund, quite frankly. No legal ramifications, Representative."

Speaker Collins: "The Gentleman from Peoria, Representative Tuerk, for what purpose do you seek recognition?"

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Tuerk: "I just wanted to get some clarification, Mr. Speaker, about Short Debate Calendar."

Speaker Collins: "We've been trying."

Tuerk: "I wish you'd refresh my memory because I haven't been here very long and I just don't know how we proceed on these Short Debate."

Speaker Collins: "Well, for you new kids, the provision is for one opponent to speak... proponent to speak two minutes, one opponent to speak two minutes and there is a provisions of questions of legislative intent are in order. I know we have abused it continually and I don't know how to avoid it."

Tuerk: "That's what one of the freshman Legislators told me a while ago and I thought that was it, but I just wanted to be reminded."

Speaker Collins: "I'm glad you brought the point up and it's very well taken. Representative Donovan, do you wish to close?"

Donovan: "I just move for the adoption..."

Speaker Collins: "The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? On this question there are 157... 163 voting 'aye', none voting 'no', and this Bill, having received the Constitutional Majority, is hereby declared passed. You want to leave this Order of Business now? House Bill 1041, Representative Conti."

Clerk O'Brien: "House Bill 1041, a Bill for an Act concerning employment inquiries made by units of local government and School Districts. Third Reading of the Bill."

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

Conti: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Exactly what the Bill ...the Digest says, inadvertently most municipal officials and School District officials have



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illegally been requesting personnel records because of the pressure put on them ..employees with previous records. Right now, the Department of Law Enforcement Agency refuses to give that information out. And when they go through the Police Department, they get this information to protect yourself on the employees that you do hire, that they don't have a criminal record. On that particular investigation, that employee goes for five or six jobs, at the end of the year might have five criminal investigations on his application. So this will legalize what we're unintentionally and inadvertently doing illegally. And we had Amendment #1 put on it by the request of the Department of Law Enforcement Agency and I see no opposition to this Bill and I request the affirmative vote on the House Bill 1041."

Speaker Collins: "Is there an opponent? The Gentleman from Lake, Representative Barkhausen."

Barkhausen: "Representative Conti, I don't believe I'm an opponent of this Bill, but I do have a question. I'm an attorney and I've worked in the area of labor law to some extent and I'm a little bit familiar with EEOC regulations. I just..."

Speaker Collins: "Mr. Barkhausen, I see Representative Ebbesen and Representative Tuerk arising and I know..I can anticipate their objections. We've just tried to clarify the provisions of Short Debate. Representative Ebbesen?"

Ebbesen: "Mr. Speaker, if we're going to move all this legislation out of here by midnight Monday...We're on Short Debate; let's follow the way Short Debate should be run and do it accordingly and not have questions."

Speaker Collins: "Thank you. Your point is very well taken. Representative Barkhausen."

Barkhausen: "In the absence of a question I would simply ask the

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Members to see whether this Bill is directed to arrest records or conviction records because if it's directed to arrest records, such questions are illegal under the EEOC regulations."

Speaker Collins: "Representative Vitek, for what purpose do you arise?"

Vitek: "Well, under Short Debate, I noticed the last three Bills were always questioned by lawyers. I wish they'd wake up."

Speaker Collins: "Amen, Brother. Representative Conti, to close."

Conti: "Yes. I think I can answer the questions in closing. This will be strictly directed at 'for employment only' and it will so show on the record. When we make an investigation now it will be for employment only. Now, the problem with this and the reason that prompted this Bill is that after making five or six applications, someday some attorney might go after some of these mayors and school officials by creating a criminal investigation record maybe five or six or seven pages long. So this is only a correction for employment only. And the Department of Law Enforcement Agency does not have that right to do so now. Under this Bill, this will give them the rights to do so."

Speaker Collins: "All right. Representative Preston, for what purpose do you arise?"

Preston: "Mr. Speaker, I would ask that nine of my colleagues join me in taking this Bill off of Short Debate."

Speaker Collins: "I don't believe your request is timely. Representative Conti was recognized to close. The question is, 'Shall this Bill pass?' All those in favor will indicate by voting 'aye'; those opposed by voting 'no'. The Gentleman from St. Clair, Representative Flinn, to explain his vote."

Flinn: "Mr. Speaker, while they're voting on this Bill, I would

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like to remind all the people here that all the Bills on this blue sheet were looked over by all the Committee Chairmen, all the Minority Spokesmen. And they've all been approved as being noncontroversial. Now, if we want to stay here and stay and not do anything, make all the Bills behind the ones we are talking about now lose, fine. That's all right. I got one. I'll give up. But now, look at all the controversy. We're talking about one twelve minutes a while ago, 135 'yes' votes. Either we're going to move the Bills or we're not. Let's make up our minds."

Speaker Collins: "Thank you for very a succinct explanation of vote. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 130 voting 'aye', 27 voting 'nay', 4 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 339, which is Representative Lechowicz's Bill, will be handled by Representative Getty. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 339, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

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

Getty: "Mr. Speaker, Members of the House, House Bill 339 is a Bill which amends Section 1261 of the Criminal Code. It provides that a person who, by force or threat of harm, causes another to join an organization that is formed for illegal purposes is guilty of a Class 4 felony. This addresses itself to a very severe problem, especially in the City of Chicago where gang membership is compelled by force of threat and eminent bodily harm and other sorts of duress. I know of no opposition to it. It received strong support from law enforcement agencies. It passed out with substantial support from the Committee and I would ask for your affirmative vote."

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Speaker Collins: "Could we have a little order, please? Is there opposition to the Bill? The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', those 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 157 voting 'aye', none voting 'no' and this Bill, having received a Constitutional Majority, is hereby declared passed. Is Representative Vinson... Representative Vinson, one of Daniel's Bills. You were going to handle them? House Bill 503. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 503, a Bill for an Act to amend Sections of the Code of Criminal Procedures. Third Reading of the Bill."

Speaker Collins: "Representative Peters in the Chair."

Speaker Peters; "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The effect of the Bill is to provide for the use of photographs of stolen property as evidence in criminal invest... in criminal trials. The photograph could be admitted for prosecution of theft, retail theft, deceptive practice, robbery, armed robbery or burglary if the photograph demonstrates the nature of the property and is otherwise admissable. The purpose of that is to let retail stores, basically, which have photographic equipment that constantly reviews and records what's going on in the store to let them get that information, transfer that affirmation.. information to the prosecutor and let that information be admissable in court in those kinds of cases. I would urge an 'aye' vote."

Speaker Peters: "Anyone in opposition? Representative Katz."

Katz: "Mr. Speaker, I am not in opposition, but I did want to make one point. In the appearance of this matter when it

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came up in Judiciary II Committee the association that brought it agreed to place an Amendment on that would give the right to a judge in the event that the attorney for the defendant felt that he wanted the original exhibit into evidence that he would have the right to get that. I think purely by inadvertence they failed to do so. They have assured me that they will add the Amendment when it gets to the Senate, but I did want the record to note that, at this point, the Bill is devoid of that Amendment and there is a commitment to add such an Amendment in the Senate."

Speaker Peters: "Representative Vinson, to close if he wishes."

Vinson: "Solicit an 'aye' vote, please."

Speaker Peters: "I'm sorry. Representative Greiman."

Greiman: "I stand in opposition to this Bill."

Speaker Peters: "Proceed."

Greiman: "Thank you. I have some misgivings about this. There is something about seeing the physical evidence. Was it dirty? What was the condition of it? Was it torn? What was the size? What Department did it come from? What label did it have on it? Was it a Marshall Fields label or a Carson Piere Scott label? If I read the synopsis right and listen to the Bill, we are to give a jury... is that right? We're to give a jury in the prosecution of a case a picture and I'm not sure if I understand this correctly that there will be appropriate safeguards. Perhaps in closing the Sponsor can explain that."

Speaker Peters: "Representative Vinson, to close."

Vinson: "Yes, and in particular response to Representative Greiman. It is appropriately in the discretion of the judge. That's the solution to the problem in case there is the situation where the evidence might be distorting or might mislead the jury. I would urge adoption of this Bill... passage of this Bill. I think all of you have

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talked with retailers and have understand the enormous problem that retailers face with such things as shoplifting, and the only real way of coming to grips with that is through the modern technology of photography and submitting that to the judge. What we would be saying if we rejected this is that one of the most effecient devices for deterring shoplifting would be passed up and I would urge an 'aye' vote.'

Speaker Peters: "The question is, 'Shall House Bill 503 pass?'. Those in favor will vote 'aye', those opposed 'no'. Voting is open. Representative Yourell, to explain his vote."

Yourell: "Mr. Speaker, I'd like to move in lieu of repeated acts in violation of the rules on Short Debate Calendar that all Bills on the Short Debate Calendar be removed at this time."

Speaker Peters: "Representative, we'll take that up as soon as we clear this. On this Motion there are 135 voting 'aye', 16 voting 'nay', 11 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I move that that Motion lay on the table."

Speaker Peters: "The Gentleman has moved that all the Bills on Short Debate be taken on Long Debate. Representative Conti moves that that Motion lie on the table. All those in favor will signify by ... Representative Katz."

Katz: "Mr. Speaker, I believe that I would move to divide the issue. I do not want to vote on the whole issue. I have a right to vote on individual Bills and I'm moving that we divide the issue and that I be permitted to vote. That's an appropriate..."

Speaker Peters: "On every Bill?"

Katz: "No. No. I mean, in other words, the Motion is that all

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Bills be voted on as an entity. As I understand it, everyone will be voted on as an entity."

Speaker Peters: "Do you want that Motion taken on one Bill at a time. Advise the Chair how to proceed."

Katz: "We may proceed, but I was concerned. We may proceed with the Motion to table and then if that loses, I want to be recognized."

Speaker Peters: "Representative Conti."

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

Speaker Peters: "... I think there's a curse on my head here today."

Conti: "As I understand the Motion and I'm looking at Mr. Yourell. Mr. Yourell is questioning the fact that each and every Short Debate Bill has been debated and he made a Motion that all Bills that are on Short Debate be taken off of Short Debate and I'm asking to lie that Motion on the table. The Members still have the prerogative of asking ten Members to join them to take a Bill off of Short Debate. I'm talking of one Bill at a time."

Speaker Peters: "I think you've made your point. I think Representative Yourell has made his point and he withdraws the Motion. House Bill 735, Representative DiPrima. Read the Bill."

Clerk O'Brien: "House Bill 735, a Bill for an Act in relation to veterans. Third Reading of the Bill."

Speaker Peters: "Representative DiPrima."

DiPrima: "Yes, Sir, Mr. Chairman(sic, Speaker), Ladies and Gentlemen of the House, I hope everything is serene now while I go through this short Bill. This Bill, as amended, House Bill 735 puts the disabled veterans in the order of their respective standings, as well as the widows or surviving single parents of veterans killed in action or who died from a service connected disability. The Bill also

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permits recipients of the Congressional Medal of Honor or distinguished Service Cross or the Navy Cross to apply for appointment to a code of position without examination. In addition, the Amendment relates to that woman I was talking about the other day that was married to a paraplegic and then he died and then she remarried and ... I will take an affirmative vote. House Bill 735. Thank you."

Speaker Peters: "Anyone in opposition? If not, the question is, 'Shall House Bill 735 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Peters 'aye'. Veteran's preference. Have all voted who wish? Will someone vote Representative Vitek and Representative Polk? Take the record, Mr. Clerk. On this question there are 147 voting 'aye', 16 voting 'nay', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 746, Representative Frederick."

Clerk O'Brien: "House Bill 746, a Bill for an Act to amend Sections of the Public Community College Act. Third Reading of the Bill."

Speaker Peters: "Representative Frederick."

Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 746 was voted out of Committee on the Consent Calendar and somehow along the way it's been placed on Short Debate. It amends the Public Community College Act to correct a redundancy in the language on line nine of Chapter 122, paragraph 103A. It simply removes the word school which is unnecessary. I'm asking for an 'aye' vote."

Speaker Peters: "Anyone in opposition? There being none, the question is, 'Shall House Bill 746 be adopted... be passed?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. Voting is open. Have all voted who wish? Peters 'aye'. Have all voted who



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wish? Take the record, Mr. Clerk. On this question there are 156 voting 'aye', none voting 'nay', 1 voting 'present' and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 753. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 753, a Bill for an Act in relation to planning by the Department of Transportation. Third Reading of the Bill."

Speaker Peters: "Representative Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 753 is a Bill that had been recommended by the Legislative Audit Commission. What we have done in this legislation, we have eliminated the requirement that the Illinois Department of Transportation prepare a 20 year master plan for transportation every five years. This is something that's been on the books for years and hasn't been accomplished and we...In this legislation we're requiring them to, Department of Transportation, to submit a more detailed highway program to the General Assembly and I think this will make them more responsive to the General Assembly. I might add, there's a very similar Bill to this, House Bill 3105. It passed out of the House two years ago with 144 to 1 vote against it and got held up in the Senate as the last Bills did. I would appreciate a favorable vote."

Speaker Peters: "Anyone in opposition? Representative Schneider."

Schneider: "Thank you, Mr. Speaker and Members of the House. Not necessarily in opposition but I'm kind of concerned that this Bill teamed up with Representative Neff's previous Bill which allowed the Legislature to establish, I think, based on my understanding of it about a week ago, based on the notion that the Legislature can establish the

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priorities for highway construction and development, creates for me a very serious concern. That is to say that I don't think we, as a Legislative Body with our pork barrel instincts, ought to be developing or establishing statewide programs or master plans. It seems to me that one of the reasons we have a Department of Transportation, love John Kramer or leave him, is that their obligation is to establish a program of long range concern and endurance. I would like to raise for all of you the question of whether or not we trust one another on the priorities of transportation. This one speaks to a master plan. The prior Bill, which went out of this House without any debate at all if I recall, seems to me to establish priorities. So, if we do 753, the Bill before us now and the Bill in prior hearings a couple of weeks ago, I think we're pretty well taken the Department of Transportation out of business. If I'm wrong I'd certainly like the Sponsor to correct me on that."

Speaker Peters: "Representative Neff, to close."

Neff: "In answer to the Representative, that is wrong because we're not taking away any of the power that they have now. It's still left up to them, Representative. All we're doing here is they must submit a more... a little more detailed plan, but as far as the prerogative of how they lay this out is still left up to them and we have no intention of taking that out. And as far as I know, they are agreeable with this and to my knowledge there's no opposition to it whatsoever of any Department."

Speaker Peters: "The question is, 'Shall House Bill 753 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Representative Friedrich, to explain his vote? No. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 137 voting 'aye', 19

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voting 'nay', 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Collins. We'll take that out temporarily. I believe he's in the room in the rear. House Bill 757, Representative Friedrich."

Clerk O'Brien: "House Bill 757, a Bill for an Act to amend the Illinois State Auditing Act. Third Reading of the Bill. Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the Legislature, this series of Bills are a product of the Legislative Audit Commission. This particular Bill was passed in another Session but it was vetoed by the Governor because at that time it was in conflict with IRS and since that time that has been cleared up and the Governor had said at that time he would have signed it but for that. At the present time, it is impossible to audit the Department of Revenue and this would provide for the examination by a specified person of income tax returns to see that those funds actually get into the State Treasury. As far as I know, there's no opposition."

Speaker Peters: "Anyone in opposition? There being none, the question is, 'Shall House Bill 757 pass?'. Those in favor will vote 'aye', those opposed 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative Polk votes green. Take the record, Mr. Clerk. On this question there are 145 voting 'aye', 14 voting 'nay', 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 572, Representative Deuster. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 572, a Bill for an Act to amend Sections of the Juvenile Court Act. Third Reading of the Bill."

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Speaker Peters: "Representen...I'm sorry, Ted. We'll get right back to yours. Representative Deuster."

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 572 came out of the Judiciary II Committee unanimously. I happen to think it is a very important juvenile crime Bill. What this Bill does is to clarify that when the juvenile court judge finds that juvenile to be delinquent that the judge may detain that minor for 30 days and combine that order of detention with any of the other dispositional orders such as probation, release of the parents or requirement of drug treatment and so forth. What this does do is clarify that after a minor has been detained or held in the juvenile home for up to 30 days that, when the minor is released, for example, the judge could order probation. I've discussed.... This was recommended by our late county juvenile court judge and it has the support of the probation officers that I've discussed it. I think it's a good Bill. I appreciate the Committee's support and I would appreciate a favorable vote of the House of Representatives. Thank you."

Speaker Peters: "Anyone in opposition? There being none, the question is 'Shall House Bill 572 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 151 voting 'aye', none voting 'nay', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the proceeding page the Chair will go to House Bill 759, Representative Leverenz. 759, Leverenz. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 759, a Bill for an Act to repeal an Act in relation to persons employed to provide protection

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and safety in connection with state governmental buildings and facilities. Third Reading of the Bill."

Speaker Peters: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. House Bill 759 would repeal a part of the law that provides that different agencies that are in the State Office Building send annually a list of the number of security type personnel that are strictly in the City of Springfield in that agency in that building. The reports come in annually. No one has ever asked for it. There is no reason to have it now since most of those agencies have moved out. I ask for an 'aye' vote on 759."

Speaker Peters: "Anyone in opposition? There being none, the question is, 'Shall House Bill 759 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, the voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Zito, to explain your vote. On this question there are 156 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 755, Representative Collins. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 755, a Bill for an Act to amend Sections of the Illinois State Auditing Act. Third Reading of the Bill. Representative Collins."

Collins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 755 is another one in the series of Bills introduced by the Legislative Audit Commission. 755 is generally a clean up Bill and does a number of things among which is to conform the rule making to the Illinois Administrative Procedure Act. Puts federal audit requirements into separate and new Section of the Act, restores audit language which was inadvertently admitted

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during the passage of Public Act 80.532. Makes some spelling corrections, clears up some effective dates and more importantly, it abolishes the State Auditor Advisory Board and the reason for that is the State Auditor Advisory Board never meets. I would ask for a favorable consideration of this Bill."

Speaker Peters: "Any discussion? Anyone in opposition? There being none, the question is, 'Shall House Bill 755 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 162 voting 'aye', none voting 'nay', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 756, Representative Collins. Read the Bill, Mr. Clerk."

Clerk O'Brien: "<sup>House</sup>~~Senate~~ Bill 756, a Bill for an Act to amend Sections of the Illinois State Auditing Act. Third Reading of the Bill."

Speaker Peters: "Representative Collins."

Collins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill also is part of the series of the Audit Commission Bills. This Bill would strike the requirement that the Deputy Auditor General be a CPA and would instead require that the financial audit program can be delegated only to an employee who is a CPA. I would ask for favorable consideration of the Bill."

Speaker Peters: "Anyone in opposition? There being none, the question is, 'Shall House Bill 756 pass?'. Those in favor will vote 'aye', those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 164 voting 'aye', none voting 'nay', none voting 'present'."

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This Bill having received the Constitutional Majority is hereby declared passed. House Bill 670, Representative Huskey. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 67..."

Speaker Peters: "Representative Huskey."

Clerk O'Brien: "... a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Huskey: "Mr. Speaker, will you take this Bill out of the record?"

Speaker Peters: "Out of the record. House Bill 732, Representative Robbins. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 732, a Bill for an Act to amend Sections of the Civil Administrative Code. Third Reading of the Bill."

Robbins: "This Bill here is to empower the Department of Agriculture to control the starlings which is causing a great deal of damage in southern Illinois. I request an 'aye' vote."

Speaker Peters: "Anyone in opposition? Representative Cullerton."

Cullerton: "Clide, how do you kill the starlings?"

Speaker Peters: "The question is, 'Shall House Bill 732 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? On this question there are 136... Take the record, Mr. Clerk. On this question there are 137 voting 'aye', 23 voting 'nay', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 781. Representative McPike asks leave to handle the Bill for Representative Lechowicz. There objections? There being none, House Bill 781, Representative McPike. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 781, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of

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the Bill."

Speaker Peters: "Representative McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 781 as amended, will provide for reduced automobile insurance premiums for senior citizens provided they take a eight hour classroom course in safe driving. It's the same as the National Safety Council Defensive Driving Course and present a certification of this to the insurance companies. The insurance companies can provide reduced rates to seniors for this. This is based on the National Safety Council's model legislation. It will lead to reduced rates for all seniors over 55 that complete this course. I think it's good legislation and ask for an 'aye' vote."

Speaker Peters: "Anyone in opposition? Representative Ropp."

Ropp: "Yes, Sir, Mr. Speaker. I have a question. If we are mandating that the insurance rates be reduced, Representative McPike, who's going to pick up the cost then?"

Speaker Peters: "Representative McPike."

McPike: "The actuaries of the companies will determine how much the rates should be reduced because of better drivers that are resulting from this course. This is left up to the insurance companies to determine how much the rates will be reduced. I don't think there will be additional costs."

Ropp: "I think you and I will probably pick up the cost."

McPike: "But not if we're over 55 and if you are, I'm not."

Speaker Peters: "The question is, 'Shall House Bill 781 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Voting is open. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 125 voting 'aye', 28 voting 'nay', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby



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declared passed. I'm sorry, Representative Pullen. I'm sorry. I'm sorry. I did not notice your light on."

Pullen: "That's alright, Mr. Speaker. It's now that I want to speak. I wanted to welcome Mr. Madigan to the Gang of Four."

Speaker Peters: "We didn't hear it up here. Did you want to repeat it?"

Pullen: "I just wanted to welcome Mr. Madigan to the Gang of Four. Everyone looks so cozy up there."

Speaker Peters: "Did you leave me out?"

Pullen: "The Gang is always the group behind."

Speaker Peters: "Someone was left out. The story of my life. We have a slight problem we are attempting to resolve here and we ask for your indulgence for about 30 seconds and we ask each of you in the quiet of your heart to say a prayer that this works. House Bill 787, Representative Woodyard. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 787, a Bill for an Act in relation to diseases and parasites harmful to bees, Third Reading of the Bill."

Speaker Peters: "Representative Woodyard."

Woodyard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the famous honey bee Bill. I think it's only fitting since we just passed a bird Bill out of the House that we should pass a honey bee Bill. This piece of legislation was in response to the Honey Bee Keepers Association of the State of Illinois because they have little mites that are coming up from Mexico attacking them. And this Bill basically will put into the present existing Act parasites in addition to diseases in the honey bee Act."

Speaker Peters: "Anyone in opposition? There being none, the question is, 'Shall House Bill 787 pass?' Those in favor

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will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 157 'aye', 2 voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 886, Representative O'Brien. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 886, a Bill for an Act to add Sections to the Housing Authorities Act. Third Reading of the Bill."

Speaker Peters: "Representative O'Brien."

O'Brien: "Yes, Mr. Speaker and Members, I'd like to have leave to bring this Bill back to Second Reading for the purposes of an Amendment that will be offered by Representative Emil Jones."

Speaker Peters: "The Gentleman asks leave to bring House Bill 886 back to the Order of Second Reading for the purpose of an Amendment. Does the Gentleman have leave? Leave is granted. Hearing no objections, leave is granted."

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

Speaker Peters: "Second Reading."

Clerk O'Brien: "Amendment #2, Emil Jones, amends House Bill 886 on page one by deleting line 16 through 20."

Speaker Peters: "Representative Jones."

Jones: "Thank you, Mr. Speaker. This is an agreed Amendment with the Sponsor of the Bill. As the Clerk read, it just deletes lines 16 through 20 on the Bill and I move for its adoption."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Amendment 2 to House Bill 886 be adopted?'. Representative Fawell."

Fawell: "Would you mind just telling me... Will the Gentleman leave for a question? I'm tired."

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Speaker Peters: "Representative Jones."

Fawell: "What are you doing? What are you deleting?"

Jones: "Do you have the Amendment? The Amendment..."

Fawell: "All it says is you're deleting lines."

Jones: "Okay. If you have the Bill, what it does is, what it does is actually delete a Section... It deleted a Section in the Bill that there is no way for it to be applicable and this particular Amendment takes that particular Section out. That's all it does. It's not adding anything to the Bill."

Speaker Peters: "Further discussion? There being none, the question is, 'Shall Amendment 2 to House Bill 886 be adopted?'. Those in favor will signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. The Amendment's adopted. Third Reading. Representative O'Brien, on House Bill 886. Representative O'Brien."

O'Brien: "Yes, Mr. Speaker and Members, I would move for suspension of the rules so that we can have House Bill 886 heard now and I believe it would take the required 107 votes. With the Amendment on the Bill, I can very briefly explain the Bill to you. It takes about..."

Speaker Peters: "In six sentences. The Gentleman asks... The Gentleman moves to suspend the appropriate rule so that House Bill 886 can now be heard. Does the Gentleman have leave to use the Attendance Roll Call? Leave is granted. Representative O'Brien on House Bill... Excuse me. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 886, a Bill for an Act to amend Sections of the Housing Authority Act. Third Reading of the Bill."

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Speaker Peters: "Representative O'Brien."

O'Brien; "Thank you, very much, Mr. Speaker and Members. Now, with the Amendment by Representative Jones all the Bill does is prohibit the Chicago Housing Authority from constructing anything higher than five stories unless it is for senior citizens housing exclusively."

Speaker Peters: "Any discussion? The question is, 'Shall House Bill 886 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. This is on the Bill. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 126 voting 'aye', 25 voting 'nay', 6 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Yourell, for what purpose do you rise?"

Yourell: "Thank you, Mr. Speaker. I ..."

Speaker Peters: "Representative, excuse me. Let's wait till the machine stops here. I have a tough time hearing here. House Bill 961, Representative McBroom. Pardon? Out of the record. House Bill 995, Representative Smith, Margaret Smith. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 995, a Bill for an Act to amend Sections of the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Peters: "Representative Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. A defendant charged with a forceable felony has been admitted to bail and while out on bail is found to have committed another forceable felony. This Bill, 995, simply provides that the court may, on its own Motion, increase or revoke bail or alter the conditions of a bail bond. Presently, the defense and the prosecution can make the Motion for bail. This legislation is recommended by the Supreme Court."

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Since this is my first Bill, I certainly ask for a favorable 'aye' vote."

Speaker Peters: "Anyone in opposition? Does anyone stand in opposition? The question is, 'Shall House Bill 995 be adopted?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Voting is open. Have all voted who wish? Take the ... Take the record, Mr. Clerk. On this question there are 150 voting 'aye', 1 voting 'nay', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1224, Representative Mays. Out of the record. House Bill 1362, Representative Ronan. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1362, a Bill for an Act to amend Sections of an Act in relation to the operation of vending facilities on public and private property by blind persons. Third Reading of the Bill."

Speaker Peters: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. This is a very simple concept, this legislation. What we're trying to do here is help out blind vendors by giving them the first priority where appropriate to vend their wares in state facilities either in new construction or lease facilities. This is basically legislation that exists in 21 other states. The Bill is an Amendment we adopted recommended by the Department of Administrative Services. I move for the passage of this legislation."

Speaker Peters: "Anyone in opposition? Representative Nelson. Do you seek recogn... Your light is on. Anyone in opposition? If not, the question is, ...If not, the question is, 'Shall House Bill 1362 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Voting is open. Have all voted who wish? Have all

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voted who wish? Take the record, Mr. Clerk. On this question there are 151 voting 'aye', 2 voting 'nay', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1371, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1371, a Bill for an Act in relation to the control of alcoholic liquor in park districts. Third Reading of the Bill."

Speaker Peters: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1371 is a permissive Bill that would permit the sale or delivery of alcoholic liquor in park district buildings pursuant to the approval of the governing board of that particular park district. This is the very same grant of authority that was given to the Chicago Park District during the last General Assembly and House Bill 1371 would put all park districts in the same footing. It should be noted too that park districts do not receive revenue sharing. Park districts receive no state aid but are dependent on user fees and local taxes, and this Bill would provide something that's necessary not only for park districts, but for people who are looking for convenient places to have various kinds of events and celebrations. I ask for your favorable vote."

Speaker Peters: "Any opposition? There being none, the question is, 'Shall House Bill 1371 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 136 voting 'aye', 21 voting 'nay', 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1483, Representative

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Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1483, a Bill for an Act to amend Sections of the Non-Public Health Care Service Plan Act. Third Reading of the Bill."

Speaker Peters: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends the Non-Profit Health Care Service Plan Act otherwise known as the Blue Cross Enabling Act and the Bill, as amended in Committee, is supported by the Department of Insurance. Very briefly, under existing law, where somebody leaves a group and we're under Blue Cross coverage, they have a right to go on, to convert to direct pay. There are two forms of direct pay that are currently provided for by Blue Cross. One is called conversion. There's another one which is simply direct pay which is cheaper. Blue Cross has had a policy of only notifying persons that are more expensive. This Bill, as amended, simply requires that where there are two options people be told."

Speaker Peters: "Anyone in opposition? There being none, the question is 'Shall House Bill 1483 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 125 voting 'aye', 16 voting 'nay', 8 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Mulcahey."

Mulcahey: "Mr. Speaker, my switch did not work that time and could I be recorded 'aye', please?"

Speaker Peters: "Add Representative Mulcahey to the list and fix his switch and Representative Watson wishes to be recorded as 'no' and fix his switch and Representative Donovan's

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switch was also malfunctioning. Vote him 'aye'. Did I announce this? Did I announce this? Speaker Ryan in the Chair. Representative Peters back in the Chair. I like it here. House Bill 1495, Representative Sandquist. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1495, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Peters: "Representative Sandquist. Read the Bill, or go ahead."

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1495 is one that came out of the Insurance Committee with 16 to nothing vote. What it does is encouraging for companies to write in the fare plan so that we can have more coverage there. It gives them a credit now. Under the current law, they get a credit if a new policy is written in there, and what this does is extends it so those who have a renewal in the area of the fare plan also get a credit. And I ask an 'aye' vote."

Speaker Peters: "Anyone in opposition? Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker. This Bill is something of a sleeper and I and several other people have reservations about it. I would like to take it off the Short Debate Calendar. If you want to hear it tomorrow, fine, but off the Short Debate."

Speaker Peters: "There's ten people. Alright. Representative Birkinbine, proceed."

Birkinbine: "What this Bill does is simply line out the language that says, 'upon risk which they do not insure prior to the effective date of this Amendatory Act'. In other words, a Bill that was set up to be an incentive for companies to go into marginal areas to write business, those companies



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would then get a break on the fare plan. By taking out this language, you're saying that companies that have gone in and already taken relatively safe, good business from these marginal areas they're now going to be able to get credit on the fare plan instead of leaving the Bill as it is to encourage them to go in and write new business. The entire purpose of the Act, which was written a year or two ago, was an incentive for companies to go into these marginal areas. If we adopt this amendatory language, we're taking away the incentive for some companies which have built up a supply of business that they wrote in relatively safe business a few years ago. I would recommend against it."

Speaker Peters: "Representative Schuneman."

Schuneman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The last speaker was absolutely right. This Bill was representative of one that would encourage companies to write business in the area of the fare plan but the fact of the matter is just the opposite. What this does is give credit for business that companies had written in those areas prior to the time that the fare plan was established. Now I suggest to you that the only reason those companies were writing that business was not to be good guys particularly, but because they think they could make money in that area. I think this is a bad Bill and I urge a vote against it."

Speaker Peters: "Representative Sandquist, to close."

Sandquist: "Yes, Mr. Speaker, you know, it's very odd that certain people, they don't want to give credit to somebody who's staying in an area. All I'm doing with this Bill is to give credit for renewals because if those renewals are not taken it's going to come out of the fare plan, and I think this is an important thing. It has the support of

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the Department and the support of most people in the industry and I urge an 'aye' vote."

Speaker Peters: "The question is, 'Shall House Bill 1495 pass?'. Those in favor will signify by voting 'aye', those opposed voting 'nay'. 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. Gentleman asks the poll of the absentees. Let me do this. Can we clear this and do this once more. Alright. Clear it. I see some lights on. People are looking to change here. Question is, 'Shall House Bill 1495 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. Have all voted who wish? Representative Deuster, to explain his vote."

Deuster: "The only people in the insurance industry I've heard from are against this Bill. I don't think it is a good Bill. It's a technical Bill that benefits some companies at the expense of others, and I urge more 'no' votes."

Speaker Peters: "Representative Friedrich, to explain his vote."

Friedrich: "Well, we've had difficulty getting insurance to go into some... companies to go into some of these areas and now that we have, we want to keep the incentive there for other companies to come in."

Speaker Peters: "Representative Schuneman, you spoke in debate. Have all voted? Did we take the record? Take the record. On this question there are 61 voting 'aye', 73 voting 'no', 24 voting 'present'. This Bill having failed to receive the Constitutional Majority is hereby declared passed. House Bill 1608, Representative... Lost. This Bill having failed to receive the Constitutional Majority is hereby declared lost. House Bill 1608, Representative Keane."

Clerk O'Brien: "House Bill 1608, a Bill for an Act creating the Local Accounting Task Force. Third Reading of the Bill."

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Speaker Peters: "Representative Keane."

Keane: "Thank you, Mr. Speaker. This is a Bill that came out of the Local Government Finance Study Commission. It creates a task force to study and improve local accounting and reporting procedures among units of local government and school districts. It came out the Cities and Village 11 to 1. I'd ask for a favorable Roll Call."

Speaker Peters: "Anyone in opposition? Representative Schneider."

Schneider: "Just a question on the... I'm looking at the synopsis, Jim. It's a question of who creates the task force?"

Keane: "The task force is... there are members that are named, the Comptroller, the State Superintendent of Education, the Auditor General, the Director of Commerce and Community Affairs and six persons appointed by the Governor."

Schneider: "They recommend to local governments procedures and proper accounting..."

Keane: "That's right. Yes. We have a problem between the different, the public CPA's and the private sector and it's an attempt to resolve many of the problems between those who deal in government accounting and auditing and reporting and those in the private sector."

Schneider: "Alright. Thank you."

Speaker Peters: "The question is, 'Shall House Bill 1608 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 134 voting 'aye', 19 voting 'nay' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1682, Representative Ropp. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1682, a Bill for an Act to amend

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Sections of the Vital Records Act. Third Reading of the Bill."

Speaker Peters: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. What this Bill does is now permits someone who has passed away a spouse or a defendant to secure a birth certificate for them with the word deceased written across the top of it. I urge your favorable vote."

Speaker Peters: "Anyone in opposition? The question is, 'Shall House bill 1682 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 153 voting 'aye', 1 voting 'nay', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Speaker Ryan in the Chair."

Speaker Ryan: "What do you got? We're going to take an hour off. Be back at midnight. One Committee Report."

Clerk Leone: "Representative Huskey, Chairman from the Committee on Motor Vehicles, reported the following Bills for introduction. House Bill 1898, an Act to amend Sections of the Illinois Vehicle Code. Action taken May 14, 1981."

Speaker Ryan: "One Introduction and First Reading of House Bills."

Clerk Leone: "House Bill 1898, Committee on Motor Vehicles, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill."

Speaker Ryan: "Change of vote. Change of vote. Representative Madigan."

Madigan: "Mr. Speaker, in your absence today there was a serious allegation made regarding the change of vote procedure. The temporary Speaker told us that you were diligently working on the investigation."

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Speaker Ryan: "He was absolutely right."

Madigan: "I would simply suggest, Mr. Speaker, that it might be a good idea to suspend this procedure until we do get an answer to the inquiry."

Speaker Ryan: "Representative Yourell."

Yourell: "I have a Motion filed, Mr. Speaker. The one I filed earlier, not the one that caused you a great deal of..."

Speaker Ryan: "Read the Motion."

Clerk Leone: "Motion: 'I move to object to any change of vote or addition to any name, to any Roll Call once the Roll has been taken and announced on this Calendar date.' Representative Yourell."

Speaker Ryan: "And that takes care of that. Representative Telcser."

Telcser: "Mr. Speaker, I move the House stand adjourned until 10:00 a.m. tomorrow morning."

Speaker Ryan: "Representative Henry, did you have an announcement?"

Henry: "Mr. Speaker, there seems to be some confusion about on Tuesday. I'm asking for a point of..."

Speaker Ryan: "We will be here on Tuesday."

Henry: "Thank you."

Speaker Ryan: "Wednesday, Thursday and Friday. And maybe Saturday and Sunday. I don't know. We'll all see how it works. At the salary you guys are getting, you got to spend some time here. The Gentleman moves the House stand adjourned until 10:00 a.m. tomorrow. All in favor signify by saying 'aye', all opposed by saying 'no'. The House now stands adjourned."

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