

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

73rd Legislative Day

June 27, 1981

Speaker Collins: "The House will come to order and the Members will be in their seats. The Chaplain for today is Reverend John Dittmer from the Trinity Church of the Nazarene located here in Springfield. Reverend Dittmer."

Reverend Dittmer: "Shall we pray. God of our fathers, known of old, we approach Thy throne of mercy today confessing that we are the recipients of rich and manifold blessings too many to enumerate. We pause now to give Thee thanks. Human life within itself is an unspeakable privilege that only eternity will reveal. But we are also faced with the knowledge that this life carries with it a most solemn responsibility. Our American liberty is a wonderful and delightful blessing. It is known and spoken of by mankind everywhere. Within the past few days, a full 10,000 alien persons did complete the naturalization process and accept the oath of allegiance to our Old Glory. But again, with this wonderful blessing of American citizenship, comes further responsibility. Prestige and authority among men is a peculiar blessing. To this special blessing bestowed momentarily upon this Body of men and women by the good providence of God and the electorate of this great state, there comes an added pressure of responsibility. We pray now for this Body of Thy children known as the Illinois House of Representatives. We all acknowledge this morning that the duties of life can press in upon us until we are compelled to cry out to Thee for strength. Our vision will become blurred except Thou will help us. In our bewilderment, we can be tempted to act and speak in weakness or in indecision or in undue haste. We will this day look again to the hills from whence cometh our help. Our help cometh from the Lord who made Heaven and Earth. We beseech Thee, Our Father, to give to us the inward

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assurance of Thine enabling power. A multitude of physical and material blessings of our own choosing without the knowledge of Thy self would leave us still berefted and yet forlorn and inadequate for the day's demands. We stand in need of Thy grace. That grace through Christ hath appeared to all men. It teaches us to deny unGodliness and base passions. It points us all to lives of self control. It is Thy grace that leads us in paths of righteousness for Thy names sake. That grace causes us this moment to believe with assurance that surely, goodness, and mercy shall follow me this day and all the days of my life. May the road this day rise to meet us. May the winds of Thine enablement blow strong at our back. May the sunshine of heaven's world be upon our faces. May the rains of Thy mercy fall soft upon our spiritual fields, and may the God of all strength hold us in the palm of his great hand as we work and plan together to make this great State of Illinois a better place to live, and to nurture, and to rear our children. This we ask through Christ, Our Lord. Amen."

Speaker Collins: "The Pledge today will be lead by Representative Giglio."

Giglio et al: "I Pledge Allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Collins: "The machine is still broken, so we'll hold the Roll Call for Attendance until later. At this time we will go to page 8, Senate Bills Second Reading. Senate Bill 17, Representative Deuster. Out of the record. Senate Bill 143, Representative Barkhausen. Out of the record. Senate Bill 160, Representative Hastert. Out of the record. Senate Bill 169, Representative Greiman. Out of the record. Senate Bill 269, Representative Sanguist. Read

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the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 269 has been read a second time previously. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Schraeder, amends Senate Bill 269 on page 28 and so forth."

Speaker Collins: "Representative Sandquist."

Sandquist: "I move to table Amendment #1. Mr. Chairman, let's take this out of the record."

Speaker Collins: "Take it out of the record. Representative Schraeder."

Schraeder: "Well, Mr. Speaker, it is quite hard for me to take it out of the record, but I would like to make a little statement. This Bill has been on the Calendar. They bypassed it 15 or 20 times. I've been here every time. And now this morning I apparently...the Sponsor thought I wasn't here. I am going to be here when this is called, and I just want everybody to be aware of it. I don't...if you want to defeat it, defeat it right on the face of the...the...rather than wait until I'm gone. Thank you."

Speaker Collins: "Thank you. Senate Bill 294, Representative Vinson. Is the Gentleman on the floor? Take it out of the record. Senate Bill 339, Representative...No, that is an appropriation. Senate Bill 339, Representative J.J. Wolf. Representative Wolf. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 339 has been read a second time previously. Amendments #1 & 2 were adopted in Committee."

Speaker Collins: "Are there any Motions relative to Amendments #1 & 2?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "Floor Amendment #3, Leverenz, amends Senate Bill

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339 as amended."

Speaker Collins: "The Gentleman from Cook, Representative Leverenz. Who's that beautiful lady next to you?"

Leverenz: "It's my 'gomad'. It's my lovely wife from the north, Linda. There's not one from the south that I know about. This Amendment would eliminate a group as soon as we find it we'll run it."

Speaker Collins: "He's got.. Representative Wolf, for what... Proceed, Representative Leverenz."

Leverenz: "Thank you. Amendment #3 would eliminate \$362,836, \$238,000 of which is federal, \$124,000 of which is general revenue funds, for the Illinois Law Enforcement Commission. This is the money that goes to the criminal justice policy and programs part of ILC. This money was eliminated in the fall. It was put in the proposed budget. To my knowledge, it is agreed upon that we eliminate this money from the budget at this time. Answer any questions you have. I would ask that we adopt Amendment #3 to Senate Bill 339. My daughter, Tracey is in favor of adopting the Amendment also."

Speaker Collins: "The Gentleman has moved the adoption of Amendment #3. The Gentleman from Cook, Representative Wolf."

Wolf, J.J.: "We support the Amendment, Mr. Speaker."

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

Clerk Leone: "Floor Amendment #4, J.J. Wolf, amends Senate Bill 339 as amended."

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

Wolf, J.J.: "Mr. Speaker and Members of the House, this reduces the level of funding for four months, to the period of four

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months. The total would be now \$319,699 Federal Criminal Justice Trust Fund. \$127,033 in general revenue... I beg your pardon. The first one was the federal.. yes, the total and it was \$127,000 from the Criminal Justice Fund and \$192,666 from General Revenue Fund. Hopefully, we can transfer the operation of this Commission to the Department of Law Enforcement and let it operate under them. This would give them enough funding to go to the fall so that we can make sure that we get the federal waivers and all the other things that are necessary to do so. And I would move the adoption of this Amendment, Amendment #3. Four."

Speaker Collins: "The Gentleman has moved the adoption of Amendment #4. Is there any discussion? The Gentleman from Cook, Representative Leverenz."

Leverenz: "Inquiry to the Sponsor of the Amendment."

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

Leverenz: "From a technical stand point, should we withdraw Amendment #2 or this replaces that? That did a two month funding and this does a four month funding. Just from a technical stand point should we withdraw #2?"

Wolf, J.J.: "This eliminates what we did in Amendment #2, yes."

Leverenz: "Very good. Support the Amendment."

Speaker Collins: "Is there further discussion? The Gentleman moves for the adoption of Amendment #4. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and Amendment #4 is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #5, Leverenz, amends Senate Bill 339 as amended."

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

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The money that was saved, as I understand it, in

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Amendment #4, \$253,967 that we just eliminated within Amendment #4. Amendment #5 would transfer this money into the local grant line items so that it can go out to the programs throughout the state. I would ask for the adoption of Amendment #5. The Gentleman moves the adoption of Amendment #5. Is there discussion? All those in favor of Amendment #5 will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and Amendment #5 is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

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

Ebbesen: "Yes, Mr. Speaker. While there is a lull here, I would like to help clean up the Calendar. I would like to...leave of the House to move Senate Bill 1049 which is on Second Reading, and I am the principle House Sponsor to Second Reading on the Spring Calendar."

Speaker Collins: "What is that number again?"

Ebbesen: "Senate Bill 1049. It is on Second Reading, read a second time."

Speaker Collins: "The Gentleman asks leave to have Senate Bill 1049 advanced to Second Reading on the Spring Calendar. On that question, Representative Kane."

Kane: "Is the request for it to go to the same place on the Spring Calendar as it is on the Calendar now?"

Ebbesen: "That is correct."

Speaker Collins: "That's right. He did enumerate Second Reading where it is now. Hearing no objections, the Gentleman's Motion is granted."

Ebbesen: "Thank you."

Speaker Collins: "On...on...starting on page...starting on page 12 on the Order of Concurrence, we would like to take only those Motions where the Member wishes to nonconcur."

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Nonconcur. The Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker, on concurrence, wait till I get my glasses on, I would like..."

Speaker Collins: "While we're waiting for you, the Gentleman from DuPage, Representative Schneider."

Schneider: "Would you mind refreshing the memory of those of us who have been here a while and perhaps helping the new Members? When we get to the order of business relating to nonconcurrences, normally we do that, 99% of the time, on an oral vote. Now on the question of a person who challenges a nonconcurrence, can we get that straight? Is that taken as a regular vote and is the Motion put by, for example, do I make a concurrence Motion as a counter to someone who nonconcur, and then we go through the Roll Call? I need that explanation in the event there are Bills that I am concerned about."

Speaker Collins: "Will you stand at ease for just a moment, Representative Schneider? We're refreshing our memories, too. In response to the Gentleman from DuPage, if the Sponsor of the Bill makes the Motion to nonconcur, in keeping with the tradition of the House and the fact that the Sponsor has control of his Bill, that Motion shall be put. If another Member wants to offer a substitute Motion to concur, that Motion is in order as a substitute Motion, and that Motion must be put to a Roll Call vote. The Gentleman from Du...and will require 89 votes obviously. Representative Schneider."

Schneider: "On the matter of control of the Bill then. If I offer a concurrence Motion and that person is in control of the Bill, can he just withdraw his Motion? I mean, can he withdraw his Bill?"

Speaker Collins: "The Sponsor is always in control of his Bill."

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Schneider: "So even though I would offer concurrence, he could withdraw and just say take the Bill out of the record or something....presumption."

Speaker Collins: "We'll take that when we get to it, but I assume you're right. The Gentleman from Kane...from Sangamon, Representative Kane."

Kane: "Yeah, I guess I was going to follow up on that same question. Is...is at that point the Bill in the control of the House or in the control of the Sponsor?"

Speaker Collins: "The ruling was that it is in control of the Sponsor."

Kane: "Even though a Motion has been made and a Motion is pending, the Sponsor would still have the prerogative to pull the Bill out of the record?"

Speaker Collins: "I believe so, but why don't we fight about that when we get to it."

Kane: "Well, except that at this point since it is going to govern a lot of Bills, I think we ought to have a consistent ruling and let us know up front what the posture of the House and the Leadership is going to be."

Speaker Collins: "If we get to that, there will be a ruling which will pertain to any other similar...to any similar ruling or situations."

Kane: "Why..."

Speaker Collins: "Let's not borrow trouble at this point."

Kane: "We're trying to avoid trouble."

Speaker Collins: "I don't want to...Yes, I want to be helpful, but I don't want to be speculative either."

Kane: "Well, now this isn't speculative. This is just straight up. Does the Sponsor have control of the Bill or does the House have control of the Bill?"

Speaker Collins: "You'll have an answer."

Kane: "When?"



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Speaker Collins: "When I am prepared to make it. The Gentleman from Marion, Representative Friedrich."

Friedrich: "Mr. Speaker, with the help of the Parliamentarian, I have helped put together some rather brief papers on concurrence, nonconcurrence, and Conference Committee reports. They do not cover the subject that Representative Kane raised. But if anybody wants them, I have a limited number of copies."

Speaker Collins: "I don't know if everyone heard Representative Friedrich, but for the freshman particularly, but I think for all Members, he has prepared a memo regarding Conference Committees which will be instructive and informative, and I think it would do every one of us well to look it over and refresh our memories or for the freshman it will be very informative. The Gentleman from DeKalb, Representative Ebbesen. Could we have some order please?"

Ebbesen: "Yes, Mr. Speaker, I would move to nonconcur in House Bill 197 to Senate Amendment #1. Very noncontroversial."

Speaker Collins: "Right. It has been brought to my attention that we have to establish a quorum so that we can legally conduct business that will require a Roll Call vote. So the Gentleman...if the Members will be in their seats, and we will conduct an Oral Attendance Roll Call. Proceed, Mr. Clerk, with the Attendance Roll Call."

Clerk Leone: "Abramson, Abramson present. Ackerman,..."

Speaker Collins: "Ladies and Gentlemen, please respond loudly. We cannot even clear the Board, so the Clerk is going to have to take the Oral Roll Call, and he is going to have to hear you respond."

Clerk Leone: "Ackerman, Ackerman present. Alexander, Alexander passes. Alstat, Alstat absent. Balanoff..."

Speaker Collins: "Mr. Clerk, put the Speaker on the Roll Call."

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Clerk Leone: "Speaker present. Balanoff absent. Barkhausen, Barkhausen absent. Barnes, Barnes absent. Barr, Barr present. Bartulis, Barutulis absent. Beatty, Beatty present. Bell, Bell absent. Bianco, Bianco absent. Birkinbine, Birkinbine present. Bluthardt present. Boucek present. Bower present. Bowman present. Bradley present. Braun absent. Breslin present. Brummer absent. Bullock present. Capparelli..."

Speaker Collins: "Capparelli is present, Mr. Clerk."

Clerk Leone: "...Present. Carey present. Catania present. Chapman absent. Christensen present. Chapman present. Collins present. Conti present. Cullerton..."

Speaker Collins: "What was that?"

Clerk Leone: "...Present. Currie present. Daniels present....no, Daniels absent. Darrow, Darrow present. Davis present. Deuchler absent. Deuster present. Deuchler present. DiPrima present. Domico, Domico absent. Barkhausen present. Donovan present. Doyle present. Jack Dunn...he was here...present. John Dunn absent. Ralph Dunn present. Ebbesen present. Epton present. Ewell absent. Ewing absent. Farley absent. Fawell present. Findley present. Flinn present. Virginia Frederick present. Dwight Friedrich present. Garmisa absent. Getty present. Giglio present. Giorgi absent. Greiman present. Griffin present. Grossi present. Hallock present. Giorgi present. Hallstrom present. Hanahan, Hanahan absent. Hannig present. Hastert present. Henry absent. Hoffman absent. Hoxsey present. Hudson present. Huff absent. Huskey present. Jackson present. Jaffe present. Johnson absent. Jones present. Kane present. Bartulis present. Piel absent. Katz present. Keane present. Jim Kelley present. Dick Kelly absent. Klemm present. Kociolko present. Koehler present. Kornowicz present. Kosinski

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present. Krska absent. Kucharski absent. Kulas present.  
Kustra present. Laurino absent. Lechowicz present.  
Leinenweber present. Leon present. Leverenz present.  
Levin present. Macdonald present. Madigan present.  
Margulas absent. Martire, Martire present. Matijevich  
present. Mautino present. Mays present. McAuliffe  
absent. McBroom absent. McClain present. McCormick  
present. McGrew, McGrew absent. McMaster present. McPike  
present. Rolan Meyer present. Ted Meyer present. Miller  
present. Mulcahey present. Murphy absent. Neff present.  
Nelson present. Oblinger present. O'Brien, O'Brien  
absent. O'Connell present. Ozella present. Pechous  
present. Peters absent. Piel present. Pierce absent.  
Polk, Polk absent. Pouncey present. Preston absent.  
Pullen present. Rea present. Redmond absent. Reed  
present. Reilly present. Rhem present. Richmond present.  
Rigney present. Robbins absent. Ronan present. Ropp  
present. Saltsman present. Sandquist present.  
Satterthwaite, Satterthwaite present. Schneider present.  
Schraeder present. Schuneman present. Slape present. Irv  
Smith present. Margaret Smith present. Stanley absent.  
Stearney absent. Steczo present. E.G. Steele present.  
Stewart present. C.M. Stiehl present. Stuffle absent.  
Swantrom present. Tate present. Telcser present. Terzich  
present. Topinka present. Tuerk present. Turner, Turner  
absent. Van Duyn absent. Vinson, Vinson absent. Vitek  
present. Watson present. White present. Wikoff present.  
Winchester present. J.J. Wolf present. Sam Wolf present.  
Woodyard present. Younge present. Yourell present. Zito  
present. Zwick present."

Speaker Collins: "Is there anybody now on the floor who is not  
recorded on the attendance Roll Call? Representative  
Mautino. Is he on the. Representative Mautino is present.

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Representative C.M. Stiehl is present. Representative Swanstrom. Alright, and anybody else who wishes to be added later will please come up to the well and have the Clerk add them to the Attendance Roll Call. Mr. Clerk, do we have quorum? Do you have a count? The Gentleman from Cook, Representative Madigan is present."

Clerk Leone: "McGrew present."

Speaker Collins: "There are 136 Members answering present and a quorum is established. Alright, as previously indicated, we are going to the Order of Concurrence for Member's Motion on nonconcurrence only. Representative Ebbesen, is yours first on the list?"

Ebbesen: "Yes, Mr. Speaker, I would like leave by the Attendance Roll Call to have nonconcur in Senate Amendment #1 to House Bill 197."

Speaker Collins: "Well, it doesn't seem to me that that is the first one on the list. I am going right down the list, and if a Member wants to make a Motion to nonconcur, I'll entertain that Motion. The Gentleman from Cook, Representative Getty, I think, was anticipating me. The Gentleman...Representative McClain, was that your point also? Alright, Mr. Clerk, start on concurrence. We will only entertain Motions to nonconcur. House Bill 28. By oral vote unless there is a substitute Motion to concur. 28, out of the record. House Bill 31, Representative Polk, out of the record. House Bill 32, Representative Polk, out of the record. House Bill 46, Representative Wikoff, out of the record. House Bill 49, Representative Bowman, out of the record. House Bill 70, Representative Jaffe, out of the record. House Bill 77, Representative Huskey, out of the record. House Bill 83, Representative Flinn, out of the record. House Bill 93, Representative Deuster, out of the record. House Bill 103, Representative Abramson, out

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of the record. House Bill 109, Representative Ronan, out of the record. House Bill 130, Representative Hallstrom. I see standing next to Representative Hallstrom is our former colleague, Judge Jim McCourt. Out of the record. Not Judge McCourt, the Bill. House Bill 132, Representative Getty, out of the record. House Bill 137, Representative Steczko, out of the record. House Bill 145, Representative Terzich, out of the record. House Bill 158, Representative Giorgi. A nonconcur? No, these are only nonconcurrences. Out of the record. House Bill...House Bill 159, Representative Ronan. I can't see the Gentleman. Do you have a Motion to nonconcur on that? Out of the record. House Bill 187, Representative Barr, out of the record. House Bill 190, Representative Cullerton, out of the record. Representative Terzich, these are only Motions to nonconcur. Do you have such a Motion? House Bill 197, Representative Ebbesen. Pursuant to your request, the Gentleman from DeKalb, Representative Ebbesen, moves that the House nonconcur in Senate Amendment #1. The Gentleman from Sangamon, Representative Kane."

Kane: "To give you a chance to rule, I would offer a substitute Motion to concur."

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

Darrow: "Thank you, Mr. Speaker. Just something very simple. Could the Sponsors of these Motions explain what was in the Bill and what the Senate did to the Bill so we know what we're concurring and nonconcurring? It would make it a lot easier than if the Sponsor just gets up and moves to nonconcur. We ought to have a little...get more information."

Speaker Collins: "Well, that shall be done, and that was going to be done. However, we had a Parliamentary Inquiry that is

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intervening. And we shall ask for explanations of all the Senate Amendments."

Darrow: "I appreciate your..."

Speaker Collins: "The Gentleman from...Yes, we agree with you. The Gentleman from Cook, Representative Yourell."

Yourell: "Yes, thank you, Mr. Speaker. Can the record show that Representative Kelly is here and should be placed on the Attendance Roll Call?"

Speaker Collins: "That is okay with me, but I don't see him."

Yourell: "He's here. Take my word for it."

Speaker Collins: "I do take your word for it. Tell him to come up to the well when he gets here."

Yourell: "I just took him off the floor, Sir."

Speaker Collins: "Representative Kane, in response to your inquiry, it is the ruling of the Chair that the Sponsor is in control of his Bill and under such circumstances as you described, would be allowed to take his Bill out of the record. The Gentleman from Sangamon, Representative Kane."

Kane: "I understand then, from what you're saying, is that even though there is a Motion pending, that the Sponsor has control of the Bill and can take it out of the record, and that request would be honored."

Speaker Collins: "Yes, the Parliamentarian informs me that is a standing tradition of the House, and I...our regulation would be that the Sponsor is in control of this Bill."

Kane: "Thank you, I would..."

Speaker Collins: "Would...would you withdraw your Motion now or was that serious?"

Kane: "I will withdraw my substitute Motion."

Speaker Collins: "Thank you, Sir. The Gentleman from DeKalb, Representative Ebbesen, has moved to nonconcur in Senate Amendment #1. The Gentleman will explain the Amendment and his Motion."

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Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, the Senate Amendment #1 relates to a ma and pa operation of selling live minnows relating to the license fee. It reduces it from \$25 to \$5, and I want to move to nonconcur because there is a problem with the Department of Conservation. We've got to get it straightened out. And if I nonconcur, the Senate Sponsor will take care of it in a Conference Committee."

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

Friedrich: "Mr. Speaker, these concurrences and nonconcurrences are very important. I couldn't hear what Mr. Ebbesen said mostly because the Senator from DeKalb was over here making a lot of noise. And I wonder if you'd quite the House down so we could hear it. It is really important."

Speaker Collins: "Yes, the Gentleman's point is very well taken. And this is important business. Concurrence is final action, and of course, nonconcurrence is refusal on the part of the House to...to accede to the Senate action. I wish the Membership would pay attention. The Gentleman from DeKalb has moved to nonconcur and nobody heard his explanation."

Ebbesen: "That was intentional. No, this...this Bill, the basic Bill passed the House 142 to nothing, and as amended passed from the Senate 56 to nothing. But I don't like the Amendment the Department of Conservation wants to work on. What the Amendment does is deals with people who have to pay a fee for...if it is a fish market or whatever, for \$25. We're talking about this relates to the...somebody who sells minnows, live minnows, and that \$25 for a ma and pa operation is too much. The Department of Conservation wants to rework it, and that is the reason for the nonconcurrence."

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Speaker Collins: "Further discussion? The Gentleman moves that the House nonconcur in Senate Amendment #1 to House Bill 197. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the House does nonconcur in the...Senate Amendment #1 to House Bill 197. The Gentleman from Knox, Representative McGrew, for what purpose do you rise?"

McGrew: "I am sorry, Mr. Speaker. Are we going straight down the Roll Call, or are we just asking Members that want to nonconcur?"

Speaker Collins: "I have been going straight down the Roll Call, entertaining only Motions to nonconcur."

McGrew: "Okay, I have a nonconcur, but it is on down."

Speaker Collins: "House Bill 198, Representative O'Brien, out of the record. House Bill 209, Representative Giglio. Are you nonconcurring on all these Amendments?"

Giglio: "Well, Mr. Speaker, I really don't know. I haven't heard from my Leader, Representative Madigan, as of this point, so I really don't know what to do. So I guess maybe we better take it out of the record."

Speaker Collins: "I think we better hold it up. Out of the record. House Bill 218, Representative Friedrich, out of the record. House Bill 239, Representative Davis, out of the record. House Bill 241, Representative Davis, out of the record. House Bill 242, Representative Yourell, out of the record. And I do take your word Representative Kelly is here. House Bill 249, Representative Yourell, out of the record. House Bill 252, Representative Yourell, also out of the record. House Bill 256, Representative J.J. Wolf, out of the record. House Bill 284, Representative C.M. Stiehl, out of the record. House Bill 289, Representative Stuffle, out of the record. House Bill 293, Representative Satterthwaite, out of the record. House



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Bill 305, Representative Swantron, out of the record.  
House Bill 308, Representative Jaffe, out of the record.  
House Bill 319, Representative Leverenz, out of the record.  
House Bill 322, Representative Daniels, out of the record.  
House Bill 337, Representative Mautino, out of the record.  
House Bill 339, Representative Lechowicz, out of the record.  
House Bill 341, Representative Deuster, out of the record.  
House Bill 349, Representative Jaffe, out...nonconcurrency? Out of the record. House Bill 366, Representative Greiman. Only nonconcurrency. Out of the record. House Bill 368, Representative Robbins, out of the record. House Bill 373, Representative Sandquist, out of the record. House Bill 377, Representative Hudson, out of the record. Representative...382, Representative Stuffle, out of the record. House Bill 385, Representative Schraeder. I know the Gentleman's here. Out of the record. House Bill 386, Representative Davis, out of the record. Representative 39...or House Bill 393, Representative Catania, out of the record. House Bill 403, Representative Levin, out of the record. House Bill 405, Representative J.J. Wolf, out of the record. House Bill 411, Representative Reilly, out of the record. House Bill 415, Representative Grossi, out of the record. House Bill 419...419, Representative Lechowicz. Read the Bill."

Clerk Leone: "House Bill 419, a Bill for an Act to amend the Business Corporation Act. Senate Amendment #1."

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

Lechowicz: "Thank you, Mr. Speaker. I move that the House nonconcur in Senate Amendment #1. It is a technical defect in Senate Amendment #1. It does not delete the entire sentence. For that reason, I move that the House not concur and a Conference Committee be appointed."

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Speaker Collins: "The Gentleman has moved that the House nonconcur in Senate Amendment #1. Is there discussion? All those in favor of the Gentleman's Motion will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The House does nonconcur in Senate Amendment #1 to House Bill 419. House Bill 437, Representative Lechowicz...Leverenz, out of the record. House Bill 438, Representative Ryan, out of the record. House Bill 441, Representative McGrew, out of the record. House Bill 447, Representative Telscer, out of the record. House Bill 455, Representative Vinson, out of the record. This is a rather time consuming process. With leave of the House, I would like to ask any Members who would like to offer Motions to nonconcur on their Bills to please rise, and then we would take them in numerical order as they appear on the Calendar. Is that acceptable to you, Representative Getty? I know you are. Alright, Representative Zito, what is your Bill?"

Zito: "House Bill 1263."

Speaker Collins: "All right. We'll make a list. House Bill 1263. Representative Sam Wolf? Representative Ronan."

Ronan: "Thank you, Mr. Speaker. You're now requesting Bills that you want nonconcurrence from the Sponsor?"

Speaker Collins: "That's right."

Ronan: "House Bill 1127."

Speaker Collins: "11..what?"

Ronan: "1127."

Speaker Collins: "1127. Are there any others? Representative Jones?"

Jones: "House Bill 858."

Speaker Collins: "858. Representative Reilly."

Reilly: "909."

Speaker Collins: "909?"

Reilly: "Yes."

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Speaker Collins: "Representative Peters."

Peters: "985."

Speaker Collins: "985. Representative Currie. 975. Are there any others? Representative Neff."

Neff: "House Bill 753."

Speaker Collins: "House Bill 753. So far that's the first one on our list. Representative Cullerton."

Cullerton: "House Bill 1359."

Speaker Collins: "1359. Representative Yourell, did you have something? No. Representative McGrew."

McGrew: "1719."

Speaker Collins: "1719. We've already got that I believe. No. Is that it? All right. The first one on the list is House Bill 753. Representative Neff."

Neff: "Thank you, Mr. Speaker. I do not wish to concur with House Bill 753 (sic, Senate Amendment). We've had a little problem with this. This is sponsored by the Legislative Audit Commission and in order to satisfy the Track Station Study Commission and trying to satisfy also DOT. We've had some problems with it and I'd like you to work out where all three parties are satisfied and I believe if we do not concur and go into a Conference Committee, we'll be able to accomplish this."

Speaker Collins: "All right. The Gentleman has moved that the House nonconcur in Senate Amendments 1 and 2 to House Bill 753. Is there discussion? Those in favor of the Gentleman's Motion will signify by saying 'aye', opposed 'nay'. The 'ayes' have it. The House does nonconcur in Senate Amendments 1 and 2 to House Bill 753. House Bill 858. The Gentleman from Cook, Representative Leverenz?"

Leverenz: "Are you putting the Bill numbers on the wall?"

Speaker Collins: "Well, we're trying to but I'm not sure we can."

Leverenz: "Oh, I never saw Bills that high."

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Speaker Collins: "The way we're going you will. House Bill 858, Representative Jones."

Jones: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House nonconcur in Senate Amendment #1 to House Bill 858. The Amendment, as it is drafted does not really conform with the School Code Act which we passed two years ago and I ask that a Conference Committee be set up to deal with this problem."

Speaker Collins: "Is there any discussion? The Gentleman has moved that the House nonconcur in Senate Amendment #1 to House Bill 858. All those in favor will indicate by saying 'aye', opposed 'nay'. I don't think either side has it. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the House does nonconcur in Senate Amendment #1 to House Bill 858. House Bill 909, Representative Reilly."

Reilly: "Thank you, Mr. Speaker. House Bill 909 dealt with...deals with school psychologists. The Senate Amendment is technically incorrect so I move that the House nonconcur in the Amendment to House Bill 909."

Speaker Collins: "Is there any discussion? All those in favor of the Gentleman's Motion will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. And the House does nonconcur in Senate Amendment #1 to House Bill 909. House Bill 547. Ladies and Gentlemen, if I could have your attention? We'd like to test the printer this time. Would everyone press their green button so we can get a print out? ..Can be a verified Roll Call. All right. Take the record, Mr. Clerk. All right. In the meantime proceed with House Bill 547, Representative Wolf."

Wolf: "Thank you, Mr..."

Speaker Collins: "You bet you."

Wolf: "Only for over there, only for the whimps. Thank you, Mr."

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Speaker, Members of the House. The Senate by Amendment has ..has made a number of substantive changes in the investment authority of the teachers retirement system. I had talked to 'Sandra Goldstien', the actuary for the Pension Laws Commission. He believes that in Amendment #2 the two systems...it provides the systems with the investment authority of the State Board of Investments which is okay, but in addition to their own investment authority, which would result in much confusion. He believes that the Bill should be amended so that it is either their own investment authority or that which is given to the State Investment Board and perhaps we should put other people under the same thing for the sake of uniformity. For that reason I would move to nonconcur to the Senate Amendments to House Bill 547."

Speaker Collins: "The Gentleman moves that the House nonconcur in Senate Amendment #1 to House Bill 547. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. And the House does nonconcur in Senate Amendment #1 to 547. House Bill 975. Representative Currie."

Currie: "Move to nonconcur in Senate Amendment #1 to House Bill 975."

Speaker Collins: "The Lady moves to nonconcur. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the House does nonconcur in Senate Amendment #1 to House Bill 975. House Bill 985. Representative Peters."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, I would move to concur...to nonconcur in Senate Amendment #3 to House Bill 985. That is the Act that we passed relating to adoptions. I have since discussed it with Senator Rock and a few other Senators in the Senate, and they've asked that we move to nonconcur so they can come back and recede from

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the Amendment."

Speaker Collins: "The Gentleman from Cook, Representative Getty. I think we're talking about the same thing up here."

Getty: "Just a procedural thing. I just want to make it clear that if we nonconcur as to one Amendment, that does not constitute any final action as to any other Amendment. I suppose, theoretically, it could go back to the Senate and the Senate could recede. The Senate could then send it back to us. It would still take final action as to any other Amendment. But at this point by nonconcurring in one Amendment, any one Amendment, that would not put you in the posture of having concurred in the other Amendment, because it would take a record Roll Call vote in order to have that be final action as to any other Senate Amendment. So you're getting into a little procedural problem where it might be clearer to...if the intention of the Sponsor is to concur in every other Amendment, but to nonconcur as to just one or two of the Amendments, that we not take action on it until we can be sure that there is concurrence as to those other Amendments."

Speaker Collins: "Representative Peters."

Peters: "Mr. Speaker, it is my understanding that in making the motion that if we would move to nonconcur in Senate Amendment #3, that it would end up going back to the House, or back to the Senate, and the Senate then would either recede or refuse to recede in which case then it would come back here for final action."

Speaker Collins: "Representative Peters, I think you're right as far as it goes, but traditionally we have moved to concur in the Amendments that you wish to concur in and then we're going to..."

Peters: "I would move to concur, then, in Senate Amendments #1 and 2 and nonconcur in #3. Is that what you're after?"

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Speaker Collins: "The problem is that that requires a Roll Call vote. And we are not in position right at this point to take a Roll Call. Why don't we pull this out for the time being and come back to it. The Gentleman from DuPage, Representative Schneider."

Schneider: "I found this on my desk. Can you tell me what it is?"

Speaker Collins: "I understand that you would not know what that is, but it is commonly called a neck tie or a cravat."

Schneider: "Inquiry of the Chair. This is a neck tie?"

Speaker Collins: "Yes, and I have a suggestion what you may do with it."

Schneider: "Alright, thank you."

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

Getty: "Well, I...just for the record. The first time that that sort of action was done, I think, was on the Bill before Representative Peters. And I would just like to have the record clear. I don't disagree that in a theoretical sense you could send it back having nonconcurred in only one of the Amendments and have the Senate recede and then send it back to us for concurrence. And I just want to be sure that the Membership knows and that we have an understanding of what we're doing, and that the Sponsor of the prior Bill where this sort of technique was attempted understands that also. And I think we ought to have a policy one way or the other, either get your concurrences on whatever Amendments you want to have the concurrences, and then your nonconcurrences has been the, I think, preferable position because the Sponsor cannot assume that this House will concur in all of the Amendments. And you might then be put in the position of having nonconcurred in one, have it go back to the Senate, have them recede, come back and move to concur, for example, in two and three and have this Body

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refuse to concur then have to send it back again for additional Senate action. So it just wouldn't be as clear a process if you did it that way."

Speaker Collins: "Well, you're absolutely right. And I don't think we've set a policy. We just asked the Gentleman to accede to a request to pull it out of the record for the time being. Representative Peters."

Peters: "Mr. Speaker, I'll accede to your request to the Chair. But it seems to me that a definite policy has got to be established. If I move to nonconcur with one Amendment, it does not indicate final action on Amendment #1 or 2. It may go back to the Senate and we may never hear of it again. It may come back. How many final actions can you have on a Bill?"

Speaker Collins: "Well, that could be, but traditionally we have had Roll Call votes on the Motions that you want to concur in the Amendments. We are not able to take a Roll Call, so in light of our difficulties, I think this is the best policy at the time for the time being anyway. The Gentleman from Marion, Representative Friedrich."

Friedrich: "Well, I was just going to confirm what Representative Getty has said that if we're going to nonconcur in some and concur in others, a concurrence needs to be done now. But the other thing I would like to point out to the Membership that if we nonconcur in an Amendment and it goes to Conference Committee, you may not....their action is not confined to that one Amendment, and it could rewrite the whole Bill. So they should be aware of that too."

Speaker Collins: "Well, I would remind everybody, too, that the mere fact that we nonconcur doesn't mean that it goes to the Conference Committee automatically. The Senate can recede and avoid that problem also. So let's proceed. Repre...the next Bill...House...House Bill 1127 is



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Representative Ronan. Representative Bradley, for what purpose do you rise?"

Bradley: "Inquiry of the Chair. Could you give us some kind of an indication of how the test results are of the green lights that we put up there? Are we making any headway or were the results good, bad, or indifferent?"

Speaker Collins: "They are still testing it, and they haven't told us anything anything either. Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I move to nonconcur in Senate Amendment #1 to House Bill 1127."

Speaker Collins: "The Gentleman moves to nonconcur. All those in favor will indicate by saying 'aye', opposed 'nay'. The Gentleman...1127, Representative Darrow would like you to explain what it is, Representative Ronan."

Ronan: "Thank you, Mr. Speaker. To enlighten Representative Darrow, it is a Senate Amendment that I feel might be inappropriate to my Commission, so that is why I am not concurring to it."

Speaker Collins: "All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the House does nonconcur in Senate Amendment #1 to House Bill 1127. House Bill 1263, Representative Zito."

Zito: "Mr. Speaker, just a point of information. I cannot move to concur on Amendments that I would like to keep and then nonconcur in an Amendment I would like to discard of. Is that correct?"

Speaker Collins: "Not at this time. Better hold that."

Zito: "I'll take it out of the record."

Speaker Collins: "Thank you. House Bill 1359, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move to nonconcur on Senate Amendments #1 and 2 to House Bill 1359. Senators deleted

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the...they changed the title and killed the House Bill, so I would like it to go to a Conference Committee. I move to nonconcur to Senate Amendments #1 and 2."

Speaker Collins: "The Gentleman moves to nonconcur. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'nays' have it...the 'ayes' have it and the House does nonconcur in Senate Amendments #1 and 2 to House Bill 1359. Representative Mulcahey, what purpose do you rise?"

Mulcahey: "Mr. Speaker, for the purpose of an introduction. In the gallery to our left is Doctor Gloria Bullock, wife of Representative Bullock, and his son, Ricky, is right here with us next to Representative Bullock. Also, Mrs. Floy 'Eastwell', mother-in-law, and Mrs. Eleanor 'Wicks', sister-in-law, and her family of Mr. Bullock. Welcome to the Capital City."

Speaker Collins: "Welcome. Glad to see you here. This is the last on our list. House Bill 1719, Representative McGrew."

McGrew: "Thank you, Mr. Speaker. I move to nonconcur on Senate Amendment #1 to 1719. The Senate Sponsor, incidently, who is not assigned by me, took the Bill and deleted everything after the enacting clause and came up with another Bill, and I would move nonconcurrence."

Speaker Collins: "The Gentleman moves to nonconcur. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the House nonconcur in Senate Amendment #1 to House Bill 1719. For the record, there are now 157 answering 'present' on the Attendance Roll Call. Anyone that is not on that Roll Call and wishes to be added will please come up to the well and inform the Clerk. The Gentleman from Cook, Representative Sandquist."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I would like, now at this time, to go...ask leave to go back to 269 which we were on and there weren't many

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people here. I think we're ready to go with it now. It is on Second Reading."

Speaker Collins: "Senate Bill 269, Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 269 has been read a second time previously. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Schraeder, amends Senate Bill 269 on page one and so forth."

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

Schraeder: "Thank you, Mr. Speaker and Members of the House.

This Bill was called a little earlier and there was lack of attendance, so it has been taken out and brought back. I have two Amendments, and I want to point out that this is an extremely important Bill to everyone on this House floor, and so you should pay very close attention. Now whether you support the two ensuing Amendments, of course, is your own prerogative, but I think it is very important that you don't be misled. These deal with salaries of the Legislature, the Judiciary, and the Executive branch of government. This is the Compensation Commission. So be very aware of what you vote on and make a wise choice. Amendment #1 removes from the Commission's purview the setting of salaries for Members of the General Assembly and the additional amounts received by officers of the General Assembly. It removes from the jurisdiction of the Commission the salaries, as I said, from the judges and the Executive Board. And also you have to take by General Assembly action, an affirmative vote on salary increases rather than what's proposed in the current legislation, non-occurrence within 60 days it becomes law. This is mandatory that affirmative action must be taken by the

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General Assembly before these wages to become effective. And with that, I would be more than happy to answer any questions. I would certainly ask for an affirmative vote so that our constituents will know that we are on their side of the fence. Thank you."

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

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

I move in opposition to this Amendment. First of all, as far as taking out the Legislature from the Advisory Board, that is something we can all consider and you can consider that as part of it when we're voting on Third Reading. In addition, as far as taking out the fact that we must have affirmative approval, that really makes it advisory only for this Commission Board, and it seems to me if we're going to give them the power to look into this and when...on Third Reading I'll go into all of the standards which are in there which create the Board and which they must consider before they make a recommendation. Then it seems to me that there is no point in having the Board. And we do have under the Bill, as you'll see on Third Reading, we do have the opportunity to disapprove of anything, and I think that is the way we should leave it. But more important, if you really look at this Amendment, what it does, it takes out on page ten the entire Section concerning the payment of Members of the General Assembly. If this went through in this manner, we would have no pay at all. And you may think...some people may think we're getting too much. I don't happen to agree with that, but I certainly don't want to come down here and work without any pay at all, and that is what this Amendment would do. And therefore, I would ask a 'no' vote."

Speaker Collins: "The Gentleman from Cook, Representative

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Leverenz."

Leverenz: "Would the Sponsor yield to a couple of questions?"

Speaker Collins: "He indicates he will."

Leverenz: "Well, what exactly now,...you're eliminating the General Assembly by this Amendment. Is that correct?"

Schraeder: "Yes, Sir. It...the General Assembly would be limited or removed."

Leverenz: "You're removing it from the so-called Salary or Compensation Commission?"

Schraeder: "Yes. The General Assembly salary would not be under the jurisdiction of the Salary Commission Board, better known as the Compensation Review Board."

Leverenz: "Thank you, Mr. Speaker."

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

Friedrich: "Mr. Speaker, would the Sponsor yield?"

Speaker Collins: "He indicates he will."

Friedrich: "Did I understand you also took away from them the right to fix judges' salaries?"

Schraeder: "Yes."

Friedrich: "Then on the Amendment, Mr. Speaker. This Commission is a cop out. And I think everybody sitting around here knows it. They want a salary increase, but they haven't got the intestinal fortitude to vote for one. Now you know that a couple of years ago when we had such a Commission as a recommendation, they put the salaries way up there, and I am sure that that might be nice for some of the Members of the General Assembly. But I am telling you that is a responsibility of this Body. I don't want to see it removed from this Body and put in some outfit that you can't get to. So I think if you really think that the Members of the General Assembly ought to have this responsibility and authority, then you better vote for

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this...you better vote for this Amendment."

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

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

Speaker Collins: "He indicates he will."

Birkinbine: "Fred, do I understand now that you've taken out Legislators and judges as well or are judges the only ones left in?"

Schraeder: "I beg your pardon. I want to make a correction. My second Amendment has the judges. This one has the Members of the General Assembly and the officers of the General Assembly. The judges are in the second one. I apologize to Representative Friedrich."

Birkinbine: "So this Amendment..."

Schraeder: "So just General Assembly Members are out."

Birkinbine: "And that's all this Amendment does as well as calling for an affirmative vote?"

Schraeder: "Yes, and it calls for an affirmative vote of both Houses of the General Assembly before any increases to take effect. And that is the direct opposite under this plan where the Compensation Board would be final action unless we disapprove of that action."

Birkinbine: "Thank you."

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

Giorgi: "Mr. Speaker, I wonder if the Great American, Dwight Friedrich, would tell us where he was hiding the last time we voted for the last pay raise. Where were you hiding that day? You were marked as absent on the last pay raise vote."

Speaker Collins: "Those remarks are out of order. The Gentleman from Marion, Representative Friedrich."

Friedrich: "I tell you where I was. I was over at the hospital

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in the emergency room because I had a little problem. But I came back, and stood up and voted, and had it recorded that I voted 'no'. Now, anything else you want to know about that? Go check it."

Speaker Collins: "Alright, to the Amendment. The Gentleman from Vermillion, Representative Miller."

Miller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Amendment. I think that we need to have the responsibility on this very sensitive subject. I think the taxpayers regard us as one big conspiracy in Springfield, and if this Commission will be something...will be nothing more than a mere extension of our own selves if we allow them to have the final action on our salary. It is not a very pleasant task to set your own salary, but I think that the taxpayers are going to be protected in the long run if we do it ourselves because a Commission like this is going to give us far more than we would ever have the courage to give ourselves. Vote for the taxpayer and vote for this Amendment."

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

Schuneman: "Question of the Sponsor, Mr. Speaker."

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

Schuneman: "I am a little confused now about who's in and who's out. As I understood this Bill originally, the Commission would set salaries for the State Constitutional Officers. It would set salaries for the judicial system, and it would set salaries for the General Assembly. Now if we adopt your Amendment, who would be taken out?"

Schraeder: "Members of the General Assembly and other additional amounts received by officers of the General Assembly."

Schuneman: "Okay, so..."

Schraeder: "And then we would have to approve that action."

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Schuneman: "Alright, now does your Amendment, Representative, provide that whatever action the Commission took as respects...Does your Amendment provide that whatever action the Commission took as respects salaries of Constitutional Officers and the judicial system, that those salaries would automatically become effective or would we have to take affirmative action on those salaries?"

Schraeder: "Under the Bill as drafted and as now in the form, non-affirmative action would have to be taken. It would be automatic within the time frame. And I believe that after 60 days they automatically become effective. Under this Amendment, affirmative action must be taken by both the Senate and the House in order to approve those increases."

Schuneman: "Okay. Thank you. I would like to speak to the Bill...or the Amendment just briefly, Mr. Speaker."

Speaker Collins: "Proceed."

Schuneman: "I think all of us here are struggling and have struggled over the years with the question of salary ranges for Constitutional Officers, judges, and Members of the General Assembly. We would all like to have this issue go away. But this won't accomplish that. The people back home are still going to expect you and me to use our judgment when we establish salaries for state officials. You're not going to accomplish the intent, in my opinion, if you adopt this Bill in its present form. I rise in support of Representative Schraeder's Amendment. I think it then leaves the Commission in the posture of being an advisory to this General Assembly. The Assembly would then have to take affirmative action. I think that is the way it ought to be. I think that is the way the taxpayers back home expect that we would operate this House, and I urge support of the Amendment."



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Speaker Collins: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "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 'nay'. The 'ayes' have it. The Gentleman from Peoria, Representative Schraeder, to close."

Schraeder: "Thank you, Mr. Speaker. Just a couple of things, and I am not going to belabor the point. I think most of us know it, so you have it perfectly clear what we're doing and what we're not doing. This covers Members of the General Assembly and the officials of the General Assembly in additional amounts of compensation. It does not cover the rest. It does require both the Senate and the House to have affirmative action on recommended changes in the salaries, either they are up or down. It doesn't make any difference. It is affirmative action by both Members of both Houses. The question was raised by the Sponsor of the Bill in opposition to this legislation that salaries, then, would be removed completely from the statute, and that is quite erroneous under Section...Chapter 63, Paragraph 14 of the current statute would remain in effect. It is not changed, deleted, or anything. The salary would then, at this point in time, remain as it is of today at \$28,000. In order for that to change, there would have to be affirmative action either by this new Commission Board or by the General Assembly. So all this does is delete Members of the General Assembly and the officials of the General Assembly, and, Mr. Chairman, I would move for the adoption of the Amendment."

Speaker Collins: "The Gentleman moves the adoption of Amendment #1. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'nays' have it, and the Amendment is

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lost. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, Schraeder, amends Senate Bill 269 on page two and so forth."

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

Schraeder: "Mr. Speaker, I heard the message, but I am going to go with Amendment #2. I think it is just as important as the other one. I think we ought to be up front. And, Mr. Speaker, on this Amendment before...Mr. Speaker, I think you ought to hear this because you're going to make the ruling. Mr. Speaker, I would ask that...and I am not going to object to a Roll Call...or non-Roll Call vote because the Board is down, but I would ask leave that those who were in opposition have 24...make it an hour after this vote is taken to record their vote at the well so they can officially be recorded as 'yes' or 'no'. Otherwise, I would be more than happy to accept a voice vote. Amendment #2 basically strikes the judges, it strikes the Executive branch and those from coverage under the Compensation Board. It does no more and no less, and it does again go into the question of affirmative action in order for those pay increases to take affect, and I would move the adoption of Amendment #2."

Speaker Collins: "The Gentleman from Cham...yes, the Gentleman from Champaign, Representative Johnson."

Johnson: "Mr. Speaker, Members of the House, I am standing in support of this Amendment as I did in favor of the first Amendment. I see no reason why the Judicial branch of the government should continually be immuned from any kind of...any kind of public scrutiny at all. Obviously, the lack of requirement that they vote on their salaries immunizes them to some extent from any public scrutiny. To turn this over to a Commission as Representative

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Sandquist's Bill does would absolutely convince the public that the judges didn't get any salaries at all. We have to stand here, and if this Bill is defeated, as we do now, we have to stand here and vote 'yea' or 'nay' on a variety of benefits for ourselves whether it is salaries, or pensions, or anything else, whether you favor or oppose those generally. And I see no reason at all why we shouldn't have the same constitutional responsibility to make determinations on judicial salaries. They're a third branch of government. Sometimes they are the only branch of government in terms of the decisions they make, and it seems to me that in light of their salaries which are going up, and up, and up, as a matter of fact, if one Bill would have passed here, they would be at a salary level almost three times what Members of the General Assembly are. I see no reason why we shouldn't have the opportunity and the citizens through their elected Representatives shouldn't have the responsibility and the right to vote on those salaries. And I don't know about Representative Schraeder's...he's being kind. I would ask him as the Sponsor of the Amendment to ask people to join him in asking for a Roll Call vote on this. Judges sure as hell should have to be subject to the same scrutiny as anybody else. I urge a strong 'yes' vote on this Amendment."

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

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I'll make the same argument I made on the other, and I would ask for a 'no' vote on this. We do have the right to come back. We can argue this on Third Reading of the whole thing, and all this does is saying on judges alone we would have to come back and specifically approve. It seems to me that we have the opportunity. There is time involved, and

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as you'll see on Third Reading, it has to be at a time when we're in Session so that if the Compensation Review Board comes back with something we don't like, we can act. But this is...this is the way it should be done, and I will not get into the whole thing about the judges and why good judges are leaving. That is on Third Reading. I would ask a 'no' vote."

Speaker Collins: "The Gentleman from Henderson, Representative Neff."

Neff: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment should be supported. What we're doing here is passing the buck on something we should have the responsibility of. And we should have the guts to go ahead with it. And therefore, as long as, I am sorry, the first Amendment should have been adopted also, but this Amendment I do hope we will adopt."

Speaker Collins: "Further discussion? The Gentleman from Peoria, Representative Schraeder, to close."

Schraeder: "Mr. Speaker, I will be very brief again. I...there has been a Roll Call asked for this, and I am not going to ask for it, but I am going to ask again to be given the courtesy of those who want to be recorded 'no' for the official record since we don't have a machine operation this morning, to give them that opportunity for an hour at a time. However, let me speak to the Amendment..."

Speaker Collins: "Excuse me, Representative Schraeder. For what purpose does the Gentleman from Cook, Representative Sandquist arise?"

Sandquist: "Yes, Mr. Speaker, Parliamentary Inquiry. In reading the Amendment, I think on lines five and six are not underlined. I don't believe this Amendment is in order."

Speaker Collins: "Well, let us check it. The...on lines five and six of the Amendment, the language is not underlined, and

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this is insertive language. Therefore, the Amendment is improperly drafted and out of order. The Gentleman from Peoria, Representative Schraeder."

Schraeder: "Well, Mr. Speaker, that is quite alright to raise that objection, but I would like leave to amend it on its face and underline those words. If you're not going to...if you want to kill the Amendment, you can kill it on a vote, and I would ask leave to amend it on its face as we've done so many times in the past."

Speaker Collins: "The Gentleman asks leave to amend the Amendment on its face. This will take unanimous consent. Does he have leave? Objection has been noted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Vinson, amends Senate Bill 269 on page one, line 28 and so forth."

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

Vinson: "Thank you, Mr. Speaker. Amendment #3 has a technical flaw in it. Amendment #4 is the Amendment I would prefer to go with. I would like to withdraw Amendment #3 and..."

Speaker Collins: "Withdraw Amendment #3."

Vinson: "And have Representative Ackerman open on Amendment #4 and I will close."

Speaker Collins: "Amendment #3 is withdrawn. Read Amendment #4."

Clerk Leone: "Amendment #4, Vinson, amends Senate Bill 269 on page..."

Speaker Collins: "The Gentleman from Tazwell, Representative Ackerman."

Ackerman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 to Senate Bill 269 would do two things. It removes the Legislature from the pay Commission, so if Senate Bill 269 would pass, the Commission could not raise legislative salaries. The

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second thing this Amendment would do, it prohibits legislative perdiem during the months of July, August, and September. We should get the peoples' business done by June 30 and not be further rewarded with perdiem if we don't. The constituents of my district have clearly demonstrated in the past election that they wish that Representatives could be directly responsible for their pay raise actions. And I also believe they should be. I would ask for your favorable support on this Amendment, and would also ask that Representative Vinson be given the opportunity to close. Thank you."

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

Sandquist: "Mr. Speaker and Ladies and Gentlemen of the House, this is the same thing that we had...basically the same thing we had in Amendment #1. I think that all of this should be considered together, the Executive, the Judicial, and the Legislative. We certainly should not be taken out of it, and in addition, the fact that perdiem should not be paid, I think for all the time that we put down here if we have to be down here on the peoples' business, we certainly should have the perdiem, and I would ask for a 'no' vote."

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

Kosinski: "Mr. Speaker, that...the Amendment was a little unclear to me. I don't know whether I am having a hearing problem or what, but I didn't quite understand what the Amendment did."

Speaker Collins: "Good. Okay, the Gentleman from DeWitt, Representative Vinson, to close."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. So that Representative Kosinski may thoroughly understand the Amendment, I'll explain it to him. What the

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Amendment does, it removes the jurisdiction of the Pay Commission over legislative salaries. They make no recommendation, they do not fix, they do not do anything with the legislative salaries. The Pay Commission, if the Amendment were adopted, would only deal with Executive branch and Judicial branch salaries. I contend that that is appropriate. We ought to deal with those salaries in a Pay Commission, Executive and Judicial branch. We ought to deal with them because there is hard severe, competition in the private sector for the skills that are dealt with there. When we choose a Director of Mental Health, we ought to know that there is an adequate salary for that Director to attract a good Director. When we choose a judge, we ought to know that, and there is competition in the private sector for judges. I contend that the Legislature is something that salary makes very little difference to. As a matter of fact, I would argue for a significantly lower salary for the Legislature. I think the product would be better. I think we would be in Session less. I think the people would be much more pleased with what we did because we did much less. I would argue for that. This accomplishes that objective. In addition, it accomplishes one more objective. It implements the intent of the Constitution that the Legislature deal with its problems before June 30. What we do right now in recent years is we spill over into July. And in this year in particular, I think you can see where we may spill over into July, and August, and September. So what the second part of the Amendment does is to remove per diem for Legislative Session days in the months of July, August, and September. To implement the Constitutional intent that we get out of here June 30, that we not prey on the people any more past June 30, and I would argue for

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adoption of the Amendment."

Speaker Collins: "The Amendment moves...or the Gentleman moves the adoption of Amendment #4. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'nays' have it, and the Amendment is lost. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "Third Reading. Stand at ease for a few moments. Representative White, for what purpose are you seeking recognition? The Gentleman from Cook, Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to have leave to move House Bill 547 to Third Reading. I held it on Second Reading because a Member on the other side of the aisle wanted to add two Amendments to the Bill. He has since withdrawn those Amendments and I would like to have leave to advance to Third Reading."

Speaker Collins: "Those Amendments have been withdrawn?"

White: "Yes, they have."

Speaker Collins: "All right. Whose Amendments are they?"

White: "Representative Stanley."

Speaker Collins: "Representative Stanley and McAuliffe. Representative McAuliffe, these Amendments are to be withdrawn on 547?"

White: "Representative Johnson is aware of the fact that the two Amendments are to be withdrawn."

Speaker Collins: "Yes, Representative McAuliffe indicates that they are to be withdrawn. The Amendments are withdrawn. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, Stanley-McAuliffe..."

Speaker Collins: "No, that was withdrawn. The two Amendments were withdrawn."

Clerk Leone: "No further Amendments."



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Speaker Collins: "Third Reading. The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, I..."

Speaker Collins: "For what purpose do you arise?"

Stuffle: "I would like leave to table Senate Bill 469 on page nine, Second Reading."

Speaker Collins: "469 and ...Oh, just one Bill?"

Stuffle: "Yes, on page nine..."

Speaker Collins: "You're the principle....You're the House Sponsor of that Bill?"

Stuffle: "Yes. Yes."

Speaker Collins: "The Gentleman asks leave to table House Bill..House Bill 547...Senate Bill 457...."

Stuffle: "No, no. That was the last Bill. Senate Bill 469."

Speaker Collins: "Senate Bill 469, the Gentleman asks leave to table. Is there objection? Hearing none, the Bill is tabled. At ease for a few moments and I can report that they think they're getting close to repairing our machine so hopefully we'll be back in operation. Representative Getty, for what purpose do you arise?"

Getty: "Well, I thought maybe you might want to go to the Order of removing Bills to the Spring Calendar or tabling them or something like that in the interests of moving things along. As the principle Sponsor of Senate Bill 542, I'd ask to have it removed to the Spring Calendar."

Speaker Collins: "That's an excellent suggestion. The Gentleman asks leave to put Senate Bill 542 on the Spring Calendar. Does the Gentleman have leave? Leave is granted. The Gentleman...The Gentleman from Lake, Representative Deuster."

Deuster: "Yes, Mr. Speaker, I rise for this point. On the Calendar I have filed a Motion which provides that whenever the deadline does come along, that all of the Senate Bills

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that are remaining on the Calendar at that time would be put on the Spring 1982 Calendar. At sometime during the course of the day, I would hope perhaps now or perhaps later the Chair might entertain that for this reason. The rank and file individual Members, maybe even the Leadership too, don't know how many Bills we're going to deal with today, where we're going to drift around the Calendar or how many verifications we might have or what's going to happen and I think an orderly procedure would be, just as a safeguard, or sort of an insurance policy for all of the Members, to have the opportunity to treat the Senate Bills the same way we treated the House Bills and that is to have a blanket Motion that all of the Senate Bills remaining at the time of the deadline would be put over onto the June...I mean onto the Spring 1982 Calendar. Mr. Chairman, I know...Mr. Speaker, I know you didn't recognize me to place that Motion, but I do make that entreaty of the Chair as to whether or not this might be a nice time, rather than to have Members coming down one at a time and then some of them find that maybe their Bill might be called and they had already made the mistake of putting it on the next Spring's Calendar. I think none of us know how much we're going to deal with by midnight and the only fair way is to say whatever is left over at midnight is beyond our individual control no matter what side of the aisle we're on or whether we're in or out of Leadership, and that I would like to move ...to be recognized to move to place that Motion so that everything left at midnight could..that hasn't been called, could be just put over as the House Bills were to the Spring '82 Calendar."

Speaker Collins: "Thank you, Representative Deuster. I think this may be premature. A lot depends upon what the result of repair work is and we'll try to get back to such

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suggestions later. Are there individual Members who wish to make Motions on their Bills for the Spring Calendar or for tabling? Representative Kulas, the Order of the Mushroom."

Kulas: "Thank you, Mr. Speaker. I'd like leave of the House to place Senate Bill 1147 on the Spring Calendar."

Speaker Collins: "What was that Bill again?"

Kulas: "Senate Bill 1147."

Speaker Collins: "The Gentleman asks leave to have Senate Bill 1147 advanced to the Spring Calendar. Does he have leave? Hearing no objections, leave is granted. And I would suggest to any Members who wish to protect their Bills in such manner that they move now to make their Motions to advance to the Spring Calendar. When you make your Motions, if you will indicate to the Chair where it appears on the Calendar, we would appreciate it. The Gentleman from Cook, Representative Rhem."

Rhem: "Yes, Mr. Speaker, I'd like to have leave to table House Joint Resolution 41 on page 23."

Speaker Collins: "The Motion is to table?"

Rhem: "Yes, Sir."

Speaker Collins: "All right. The Gentleman asks leave to table House Joint Resolution 41. Is there objection? Hearing none, the Gentleman...leave is granted and the Resolution is tabled. The Lady from St. Clair, Representative Younger."

Younger: "Yes, Mr. Speaker, I have four matters which are on the Motion Calendar and I'd like leave to take over to the Spring Calendar, on page 24 House Bill 832, on page 25 House...Senate Bill 482 and 483 and on page 26 Senate Bill 1221."

Speaker Collins: "Your Motion is that these four Bills would appear on the Spring Calendar on the Order of Motions. The

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Lady has moved that House Bill 832, Senate Bill 482, Senate Bill 483 and Senate Bill 1221, those are the Motions concerning those Bills, would be advanced to the Spring Calendar and those Motions would appear on the Spring Calendar on the Order of Motions as they do on our Calendar. Is there objection? Hearing none...Hearing one, Representative Jaffe."

Jaffe: "No, I just wanted to put one thing on the Spring Calendar, Mr. Speaker."

Speaker Collins: "Let me just dispose of this first. Hearing no objections, the Lady is granted leave and the Motions will appear on the Spring Calendar. Representative Jaffe, the Gentleman from Cook."

Jaffe: "Yes, Mr. Speaker, on page 7, Senate Bill 1077, I would move to put that Bill on the Spring Calendar."

Speaker Collins: "Senate Bill 1077...The Gentleman has leave to advance that to the Spring Calendar. Is there objection? Representative, on this Bill? Representative Jack Dunn."

Dunn: "Mr. Speaker, I'd like to ...like leave to place Senate Bill 250 on.."

Speaker Collins: "Oh, I thought you were talking about Representative Jaffe's Bill, Representative Dunn. I'm sorry. Is there objection to Representative Jaffe's Motion? Hearing none, leave is granted and Senate Bill 1077 will appear on the Spring Calendar. Now, Representative Dunn."

Dunn: "I'd like leave to place Senate Bill 250 on the Spring Calendar."

Speaker Collins: "Where is that? It's on Third Reading on page three. The Gentleman asks leave to have Senate Bill 250 advanced to the Spring Calendar. Does he have leave? Hearing no objection, leave is granted and the Bill will appear on the Spring Calendar. The Gentleman from St.

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Clair, Representative Flinn."

Flinn: "Mr. Speaker, I would ask leave to take from the Table Senate Bill 1120 and place it on the Study Calendar. Mr. Speaker, it's on top of page 26 if you're looking for it on the Calendar."

Speaker Collins: "Representative Flinn, your Motion to take from the Table would require 107 votes and since our machine is not working, that would be virtually impossible to do..."

Flinn: "I withdraw it. I withdraw the thing until such time as we get the machine fixed."

Speaker Collins: "Thank you, Sir. The Gentleman from Cook, Representative Capparelli, for what purpose do you arise?"

Capparelli: "Just for announcement, Mr. Speaker, to let you know that our little team today beat the lobbyists 13 to 5 with Jesse White being...13 to 8. I'm sorry. Jesse White hit the home run with two on the bag there and I want you all to give Jesse White a good hand for helping us out there. And our game against the Senate will be tomorrow at 5:00 o'clock. Thank you, Mr. Speaker."

Speaker Collins: "You're optimistic, but I hope it is. The Gentleman from Cook, Representative Ewell, for an entertainment I believe."

Ewell: "That's correct. Mr. Capparelli has not met my terms yet and I may not play and that may be of concern to them. I'm waiting for my 25 year contract."

Speaker Collins: "Exercising the prerogative of the Chair, I declare you a free agent. Speak up, Representative Matijevich. We can't hear you."

Matijevich: "I thought you out bid us. You already signed Ray Ewell up."

Speaker Collins: "Agreed Resolutions, Representative Conti."

Clerk Leone: "House Resolution 431, Virginia Frederick, 432 Topinka, 434 Madigan-et al, 436 Kociolko, 437 Emil Jones,

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438 Madigan-et al, 440 Kulas, 441 McClain-et al, 442 Pechous, 443 Bower, 447 Dick Kelly, 448 Winchester-et al, House Joint Resolution 44 Madigan-Ryan, House Joint Resolution 45 Hudson-et al."

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

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, House Joint Resolution 44 by Madigan and Ryan, formed by the Chicago Civic Leaders, this is a community enterprise to bring the city of Chicago and the State of Illinois the World's Fair in 1992. House Joint Resolution 45, 'Enos Brukner and William T. Brukner', Hinsdale, Illinois celebrate her 100th birthday June 18th, 1981. House Resolution 431 by Virginia Frederick, 'Ted Gavins' of Lake Forest, Illinois has recently received a distinguished service award of the American Camping Association. House Resolution 432 by Topinka, August 10th, 1981 will mark the golden wedding anniversary of George and...George Martinez, residents of LaGrange Park. House Resolution 434 marked by Madigan et al, the Honorable Michael H. McDermit, a former Member of this Body, will become an octarian on ...it's supposed to be the final day of this Legislative Session. House Resolution 436, Kociolko, John P. Kimbark has had a distinguished public career for more than six decades. He has been chosen by the voters of the town of Cicero to hold that office in nine consecutive elections. House Resolution 437, Jones, United National Auxiliary Convention UNAC of the Church of God and Christ will be held in Chicago June..July 6th through July 12th, 1981. House Resolution 438, Madigan-et al, our deep concern for the health and that we express our deep concern for the health of our esteemed friend and former colleague, John Touhy, the former Speaker of this House, who had open heart surgery and we wish him a full, speedy recovery from his

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operation. House Resolution 440, Kulas, the Ukranian American Community in Illinois marks its 40th anniversary of the Proclamation of Restoration of Independence of the Ukraine. House Resolution 441, McClain-et al, Robert E. Meyer of Quincy, Illinois will be retiring as Assistant Superintendent of Quincy Public Schools on July 31st, 1981. House Resolution 442 by Pechous, that we were graciously invited to the Third Annual Tusker Roast held in their honor by the Illinois State Troopers Lodge #41 of the Fraternal Order of Police on May 13th. House Resolution 443 by Bower, the Marching Eagles Band again has brought honors to the city of Newton in the State of Illinois when they were successful in qualifying for the finals in the national competition before eventually being named the Fifth Best Band in the United States. House Resolution 447 by Dick Kelly, Mr. and Mrs. Joseph Karpinski of Bosen, Illinois will celebrate their 60th wedding anniversary on July 26th, 1981. House Resolution 448 by Winchester, et al, in recognition of Clyde Robbins, a stock...stocks a desk top of strawberries, summer sausage, junk food and fruit juices on the House floor, commonly known as deli...'Clyde's Deli'. Mr. ...Can I have leave to include House Resolution 450 and ..yes, House Resolution 450, that was not read off. I was just handed this and that is by Representative Griffin, the institution of marriage is one of the cornerstones that society is built on. Robert Hutchenson of Oak Park will celebrate their golden wedding anniversary on June 27th, 1981."

Speaker Collins: "Mr. Clerk, read the Resolution that was just referred to that was not read by you."

Conti: "450."

Clerk Leone: "House Resolution 450, Whereas the institution..."

Speaker Collins: "Just read it.."

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Clerk Leone: "Griffin."

Speaker Collins: "The Gentleman moves the adoption of the Agreed Resolutions. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the Resolutions are adopted. General Resolutions."

Clerk Leone: "House Resolution 433, Rhem-Henry-Huff, House Resolution 439 Virginia Frederick-Stewart, House Resolution 444, Rhem-Henry and Huff, House Resolution 446, Matijevich and J.J.Wolf."

Speaker Collins: "Speaker's Table. Death Resolutions?"

Clerk Leone: "House Resolution 445, Terzich, in respect to the memory of Reverend Mathew Mulligan, House Resolution 449, Alexander, in respect to the memory of Reverend Dr. Robbin Willy Skyles."

Speaker Collins: "Representative Conti moves the adoption of the Death Resolutions. All those in favor indicate by saying 'aye', opposed 'nay'. And the Resolutions are adopted. Messages from the Senate."

Clerk Leone: "A message from the Senate by Mr. Wright, Secretary: Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the House Bills of the following titles; House Bills 108, 112, 120, 291, 439, 491, 494, 536, 567, 663, 674, 774, 785, 733, 761, 795, 805, 823, 852, 979, 991, 1019, 1048, 1252, 1253, 1313, 1365, 1438, 14...correction 1356, 1438, 1447, 1503, 1535, 1614, 1620, 1630, 1632, 1789, 1812, 588, 591, 697, 621, 766, 811, 945, together with attached Amendments hereto and adoption of which I'm instructed to ask concurrence of the House to wit; passed the Senate as amended June 26th, 1981. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary, Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with



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the House in the passage of Bills of the following title to wit; House Bill 215, passed by the Senate June 26th, 1981. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary; Mr. Speaker, I'm directed to inform the House of Representatives..."

Speaker Collins: "Mr. Clerk, Representative Kosinski is having trouble hearing you. Would you slow down and speak up a little bit?"

Clerk Leone: "A message from the Senate by Mr. Wright, Secretary; Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a Bill of the following titles to wit; House Bill 1353, a Bill for an Act to amend Section 18-8 of the School Code, approved March 18th, 1961 as amended, passed by the Senate June 26th, 1981. Kenneth Wright, Secretary of the Senate. A message from the Senate by Mr. Wright, Secretary; Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the passage of Bills of the following titles to wit; House Bill #302, a Bill for an Act making appropriation to the Environmental Protection Agency; House Bill #495, a Bill for an Act making appropriations of funds from the Common School Fund and of certain federal funds to the State Board of Education; House Bill 499, a Bill for an Act to amend Sections 14-1.10 of the School Code, approved March 18th, 1961 as amended; House Bill #607, a Bill for an Act to create the Illinois Farm Development Authority and define its powers and duties; House Bill 673, a Bill for an Act making appropriations to the Department of Transportation; House Bill 722, a Bill for an Act to amend Section 3A-12 of the School Code, approved March 18th, 1961 as amended; House Bill #794, a Bill for an Act to amend Sections 16-133.1 and

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16-136.1 of the Illinois Pension Code, approved March 13th, 1963 as amended; House Bill #1022, a Bill for an Act to amend Sections 31 of the Illinois Banking Act, approved May 11th, 1965 as amended; passed by the Senate June 26th, 1981. Kenneth Wright, Secretary of the Senate. A message from the Senate by Mr. Wright, Secretary; Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of House Bills of the following titles; 319, 349, 366, 405, 411, 437, 447, 487, 492, 493, 503, 537, 566 together with attached Amendments hereto and the adoption of which I'm instructed to ask concurrence of the House of Representatives to wit, passed the Senate as amended June 26th, 1981. Kenneth Wright, Secretary."

Speaker Collins: "...Inquire. Is there anybody that did not answer the Attendance Roll Call earlier that is now in attendance? ..Absentees. Add Representative Hoffman to the Attendance Roll Call."

Clerk Leone: "Hoffman present'. Representative Daniels, is the Gentleman here? Daniels present. Representative Garnisa absent. Laurino present. Representative Hanahan, is the Gentleman present? .... absent. McBroom, is the Gentleman here? Preston present. ...present. Pierce? Is the Gentleman present? Polk? Polk present. Redmond absent. McBroom present."

Speaker Collins: "Representative Schuneman in the Chair."

Speaker Schuneman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we have visiting us today, two young people who were formerly employed on the House Republican staff and while you and I were busily working here last year in the late hours of the night, they were finding better things to do and romance budded here in our House and Terry Hemstead and Cecil Pierce were married this spring

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and...unbeknownst to them a few weeks ago this House passed a Resolution congratulating them and so it's my pleasure to present it to them here today in person. Cecil and Terry, we're happy to see you back and congratulations. Long happy life together."

Speaker Collins: "Congratulation Cecil and Terry. For what purpose does the Gentleman from Cook, Representative Conti, arise?"

Conti: "Well, Mr. Speaker, while we're waiting around, there's an old Resolution that got misplaced somewhere down the line and I'd like to have leave if we can adopt this Agreed Resolution."

Speaker Collins: "The Gentleman asks leave to offer Resolution as an Agreed Resolution."

Conti: "As I was saying, House Resolution 339, Macdonald and Margaret Smith, Whereas the Federal General Accounting Officer reported nationwide only three vocational educational programs are available to women in prison for every ten such programs available to male prisoners. They are doing that now. They would like to continue it and they're asking this to go on the Agreed Resolutions. For some reason or another, it was misplaced for the last month. I move for the adoption of the Resolution."

Speaker Collins: "The Gentleman moves the adoption of the Agreed Resolution. All those in favor will indicate by saying 'aye', opposed 'nay' and the Resolution is adopted."

Clerk Leone: "Robbins present."

Speaker Collins: "It can be noted by the applause. Presently the deli is open. The Gentleman from Cook, Representative Leverenz, do you seek recognition?"

Leverenz: "Thank you, Mr. Speaker. I understand that part of the provisions of the contract with the Secretary of State's Office is that the Rath Skeller will be open while we're in

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Session. But I understand one of the reasons they were not open at 11:00 this morning was for the health, welfare and safety of the Members. Could you confirm that?"

Speaker Collins: "I would concur that if the Rath Skeller is closed it probably is beneficial to the health of the Members."

Leverenz: "Well, there's then no doubt in my mind, as well as other Members on the floor, that Representative Robbins has a corner on the market and should be given due consideration to have access to that contact."

Speaker Collins: "You bring the cash. He'll bring the provisions. Representative Ropp."

Ropp: "Yes, Mr. Speaker and Members of the House, today we are honored to have the Chairman of the Agricultural Committee. He's celebrating a birthday. Now, he's been hiding on the floor...off the floor here. He's up here behind the Speaker with his family. He does have a small kink here and I don't whether it's all going to go around or not, but I think we ought to wish him a happy birthday. Harlan Rigney."

Speaker Collins: "Happy birthday, Harlan. Gordon, how old is he?"

Ropp: "I don't know, but I think he's a year older than he was yesterday."

Speaker Collins: "How old are you, Harlan?"

Ropp: "Forty-five? 25? Twenty-five twice I think."

Speaker Collins: "Representative Ewing, for what purpose do you arise, in Representative Deuster's seat?"

Ewing: "Yes, Mr. Speaker, after looking at that cake and the size of it, it must be just for his friends."

Speaker Collins: "I say it might be a little large. The Lady from Cook, Representative Topinka, for what purpose do you arise?"

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Topinka: "... (audio difficulty on floor) .."

Speaker Collins: "You're sounding better, Judy. When did she get it fixed? Why don't you try... Try Representative Jackson's microphone or Representative McCormick's microphone."

Topinka: "Mr. Speaker, I know that Representative McCormick's microphone always works. But anyway, this is in regards to Representative Rigney's birthday. I was wondering if that cake will be big enough for all the tall female Representatives in the House and if so, would he please let us know."

Speaker Collins: "One's going to jump out of it shortly. The 'Grand Visere of the Order of the Mushroom', Representative Kulas."

Kulas: "Thank you, Mr. Speaker, since we are on the Order of fertilizing the mushrooms, I'd like to make an announcement that tomorrow evening immediately following the womens' ham and egg contest, you're all invited to a salute to the mushrooms night which will take place in the dark at the State House Inn. All the mushrooms, beer and wine will be provided so I had Judy Topinka check all the mushrooms out. She's a real Bohemian and there aren't any poison mushrooms, so don't worry."

Speaker Collins: "Judy's bringing the 'ohovies'. The machine appears to be working. We are cautioned by the workmen that it may work for one, two, three Roll Calls. We don't know, but we're going to attempt to get back to business and we... Go to the Order of House Bills..er..Senate Bills, Third Reading. Starting where we left on the Order of Senate Bills, Third Reading, Senate Bill 788. The Gentleman from Coles, Representative Stuffle."

Clerk Leone: "Senate Bill ..."

Speaker Collins: "Just a minute. For what purpose does the Gentleman from DeKalb, Representative Ebbesen, arise?"

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Ebbesen: "Well, Mr. Speaker, on a serious note, I really think when we've got one of these appropriation Bills that's on Second Reading, I think we ought to, as a Body, consider hanging enough money on one of those Bills so that we have two full time engineers that sit..that babysit for these and know these backwards and forwards so that we never get into this set of circumstances again, whether any of us are here, but for the future. I really think we ought to do that in the interest of what could happen in the Senate and/or again here in the House. And I would ...I mean that very seriously."

Speaker Collins: "As soon as we say that Ronan will have two that are qualified. Representative Coles...I mean, Representative Stuffle, the Gentleman from Coles."

Stuffle: "Well, I hope this Bill doesn't again break the machine for the sake of the Membership. But Senate Bill 788, sponsored by myself, provides within the School Code that school boards are empowered to enter into agreements with their employees in order to resolve disputes by arbitration. Now, I know that immediately hearing that, some people say that they're opposed to arbitration with regard to labor management situations in school districts. But for the record, the reason that the Bill is in is because, and I don't see Representative Schneider on the floor, but in the Committee on Education, I asked him to verify that there are indeed situations in the state where school districts have been told that they do not believe that they can enter into arbitration proceedings because there's a lack of a standard in the Statutes to permissively allow them to do so. That's why the Bill is in. It simply allows permissively for school boards to enter into arbitration proceedings with their employees and it's because, as I said, we put the Bill in because some

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boards have actually entered into arbitration proceedings and then been told by lawyers that they question whether or not they can accept the decisions of an arbitrator. And I would ask for a favorable Roll Call and be glad to answer questions on the Bill."

Speaker Collins: "Before inviting discussion, the Bill has not been read a third time. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 788, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Collins: "All right. Is there discussion? The Gentleman from Cook, Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker. Question of the Chair. How did we get to this Bill?"

Speaker Collins: "This was the last Bill called on the Order of Third Reading."

Birkinbine: "When were we last on Third Reading? Yesterday, we were bouncing around on special orders of business and were never on Third Reading."

Speaker Collins: "I can't give you the day, but the Clerk advises that this was the point to start on Third Reading. The Lady from Cook, Representative Braun."

Braun: "Mr. Speaker, Representative Birkinbine has raised the same concern that I have. When we left off on Third Reading, this was not the next Bill in order. I have it marked on my Calendar. It's not on the Priority of Call. It's some...I haven't counted, but it looks like 15 Bills down from the Priority of Call on the Calendar. It bypasses some Bills. I don't have an objection to Representative Stuffle's Bill being called, but at the same time, I...at the same time, I think that, you know, it would be in the interest of all the Members to know where we are, what Order of Business we're on and how the Chair intends to proceed."

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Speaker Collins: "Apparently Representative Cullerton can enlighten you. We're on page five of the Calendar."

Braun: "I'm sorry. I didn't know my..."

Speaker Collins: "Representative Stuffle, do you care to answer that question or speak to the Bill? You're going to close."

Stuffle: "No, to answer the question. I think there was confusion last night as to..the Minority Leader's question as to where we were and where we had been on the Priority list. We indeed stopped before this Bill some time ago, in fact, probably over a week ago on the Regular Calendar. I think you're on the right Order of Business so long as you stay here."

Speaker Collins: "I'm not even sure of what you said. The Gentleman from Peoria, Representative Tuerk, on the Bill, yes."

Tuerk: "Well, Mr. Speaker, Members of the House, the Sponsor of this Bill labels this as strictly permissive and I presume that's true. However, the permissiveness is such a great consequence that I think that the people in this chamber ought to be alerted. It calls for binding arbitration whether it's permissive or not and regardless of how he labels this Bill, school boards now would have any particular permissiveness related to it if it wants to enter into any kind of an agreement with the teachers in a particular area. It has that right now because in my School District back home they have an agreement with the bargaining agent and they go to the bargaining table and so forth and so on. So, regardless of how he labels it, it's still a binding arbitration part of this total permissiveness of which he speaks. I would suggest to you that it's a bad idea. I think that school boards in general would oppose it. I think the Educational



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Association, no matter where you would go throughout the state, would favor it. I particularly oppose the Bill and so invite you to vote 'no' on the issue."

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

Darrow: "Thank you, Mr. Speaker. 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 'nay'. The 'ayes' have it. The Gentleman from Coles, Representative Stuffle, to close."

Stuffle: "Yes, briefly. The Bill is not in to try and pull the wool over someone's eyes. The Bill is in very specifically because of a problem that we have that is not addressed by Representative Tuerk's remarks. The fact is, specific example that I mentioned, which was brought up in our Committee, that school boards have entered into arbitration proceedings with their teachers on a permissive basis which this allows. We've had situations in the state and I cite the one that Representative Schneider brought up in Committee where the board and the teachers entered into an agreement and then their lawyer told them, he questioned whether or not in the absence of a law that allowed them to accept an arbitrator's opinion that they could, or that if they did, it could later be challenged. This simply says that they may enter into arbitration proceedings which would validate that type of proceeding and eliminate a cause for problem in that type of situation. That's all it does. The Bill came out of Committee on a 17 to 4 vote. It had a full hearing and for the reasons I've cited and notwithstanding what Representative Tuerk said that we are doing this in some places, it's necessary I think as I've indicated to codify this so there's no question that where

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the two parties sit down and reason together and agree to this, that they can accept the decision of the arbitrator. I ask for an 'aye' vote."

Speaker Collins: "The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', 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 Bill there are 107 voting 'aye', 48 voting 'nay', and this Bill, having received the Constitutional Majority, is hereby declared passed. Now we want to wait and check this Roll Call out. The Clerk advises that it looks like we have a bonafide Roll Call. Senate Bill 794, Representative Terzich?"

Clerk Leone: "Senate Bill 794, a Bill for an Act to amend an Act in relationship to campaign financial disclosure. Third Reading of the Bill."

Speaker Collins: "The Lady from Lake, Representative Frederick, for what purpose do you rise?"

Frederick: "I don't believe you announced a Roll Call on the last Bill."

Speaker Collins: "Yes, I did. I declared it passed. Representative Terzich, I hope you get to the fires quicker than you get into your safe. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 794, a Bill for an Act to amend the law in relationship to campaign fund disclosure. Third Reading of the Bill."

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

Terzich: "Yes, Mr. Speaker, I was wondering if I could call this Bill back to Second Reading for purpose of an Amendment."

Speaker Collins: "The Gentleman asks leave to... the Gentleman asks leave to return this Bill to the Order of Second Reading for the purpose of an Amendment. Do I hear

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objection? Objections have been heard. Representative Terzich, there's objection to returning it to Second Reading. What do you want to do?"

Terzich: "We'll go ahead. This is my first election Bill so I'd be more than happy to. This is a good citizens Bill. The Bill ...it permits the State Board of Elections to impose civil penalties not to exceed a thousand dollars on persons found in violation of Campaign Financing Act who fail to refuse to comply with the Board order directing that the violation be ceased and corrected. It provides civil penalties imposed by the Board shall be enforced by the Circuit Court and forwarded to the State Treasurer. This is a good citizens Bill. It's approved by the State Board of Elections and the ...all better government people. And I would move for its adoption."

Speaker Collins: "Is there discussion? The Gentleman from Cook, Representative Barr."

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

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

Barr: "Yes, Representative, I'm a little concerned about what appears to be a right we're giving to an administrative agency to impose fines on citizens. I wonder if there are any other areas in Illinois law where we've given that right to an administrative agency."

Terzich: "Well, I really couldn't tell you that."

Barr: "You're not aware of any. Is that correct?"

Terzich: "I really don't know. I'm not really aware, I just don't know."

Barr: "Well, I understand."

Terzich: "There's a lot of agencies in the state."

Barr: "Well, that's certainly true and I'm concerned about giving this agency what is really a judicial power. Let me ask you this question. If, under your Bill, if the State Board

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of Elections were to impose a fine on a citizen, what right would that citizen have to contest that fine?"

Terzich: "Well, from what I understand that he can appeal the decision and take it through the regular procedures which would be through the court system."

Barr: "Does the Administrative Review Act apply in this case?"

Terzich: "Yes, that's correct."

Barr: "So he could, if the State Board of Elections imposed a fine, he could go into the Circuit Court, could he, under the provisions of the Administrative Review Act?"

Terzich: "That's...from what I understand, that's correct. He does have a right of recourse to take it to the courts."

Barr: "And your Bill, unfortunately I don't have the Bill in front of me. I've only got an analysis. Our analysis does not say that but you're telling us that the Bill does specifically incorporate the provisions of the Administrative Review Act."

Terzich: "I said that's my understanding that it does."

Barr: "Thank you."

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

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

Speaker Collins: "He indicates he will."

Preston: "Representative Terzich, against whom would this fine be levied in the case of a failure to comply? Would it be levied against the office holder or against the Chairman of his Campaign Committee or against whom?"

Terzich: "If you'd just wait one second I'll have to check with Mr. Epstein on that. Epstein. Epstein."

Speaker Collins: "Representative Terzich."

Terzich: "It's against any person or Committee who violated the Act."

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Speaker Collins: "Representative Preston."

Preston: "Well, Representative Terzich, I'm getting at if a report has not been filed is it your intent that the Board would levy a fine or have the power to levy a fine against the office holder or against the Secretary of the campaign or Treasurer of the Campaign Committee who has not filed that report?"

Terzich: "From what I understand the duty to file is on the Treasurer of the Committee."

Preston: "So then the Treasurer of the Committee could be the person who's fined by the Board and not the person who is the office holder."

Terzich: "It's possible because it is the duty of the Treasurer to file the report."

Preston: "And Representative, I'm looking at the Bill and the Amendments to the Bill and I don't see wherein it says that the Administrative Procedure Act applies here. Could you point that out to me?"

Terzich: "The Board of Elections is now subject to the Administrative Procedures Act."

Preston: "And that's pursuant to what? Who says so?"

Terzich: "Existing Statutes, I believe, it's Section 20D Act."

Preston: "Alright, so then under the provisions of this Bill any.. before there could be a fine levied by the Board of Elections there would have to first be a hearing after notice having been given to the individual who is allegedly in violation."

Terzich: "Well, there would be three steps even before that. There would be the hearing on the complaint, a compliance order and a failure to obey the compliance order and then a suit for the fine in the Circuit Court."

Preston: "Thank you, Representative."

Terzich: "Knowledge is no burden."

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Speaker Collins: "The Gentleman from Perry, Representative Dunn.  
(Ralph)."

Dunn, Ralph: "Thank you, Mr. Speaker. I wondered if the Sponsor  
would yield to a question."

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

Dunn, Ralph: "Representative Terzich, if I understood the  
previous questioner why you said that the Treasurer of your  
Campaign Committee would be liable for a thousand dollar  
fine if he didn't file in a timely fashion or failed to  
file correctly?"

Terzich: "No, what the Bill provides that if the Committee  
refused to file the report after being duly notified in  
order to file the report."

Dunn, Ralph: "I have a volunteer Treasurer and I think if he  
found out about this he'd probably resign..."

Terzich: "No, because he's still subject to action by passing it,  
I believe, through the State's Attorney. He has to comply  
with the Campaign Disclosure Act. He has to file the  
report and he's also subject to a criminal penalty right  
now."

Dunn, Ralph: "That's what I was going to say. That's the present  
law isn't it that he.."

Terzich: "That's correct. He's subject to a criminal penalty  
right now if he does not file the report."

Dunn, Ralph: "How does this change it? This makes it easier or  
makes it harder or makes it more...you know, is it a severe  
penalty now or is this an easier method of doing it?"

Terzich: "It allows the Board to enforce this directive rather  
than passing it on to a State's Attorney for criminal  
action."

Dunn, Ralph: "I see. That would be something like the Pollution  
Control Board who can now levy fines on people who burn or  
pollute the air. I think Representative Barr asked and I

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don't know what other organizations do, but I'm sure the Pollution Control Board...And I'd hate to see the State Board of Elections get the power the Pollution Control Board has."

Terzich: "Well, again they are properly notified. I understand this is a good Bill and certainly would give them the discretion to see that these Committees are in compliance with the, you know, the Financial Disclosure Act."

Dunn, Ralph: "Representative Terzich, one more question. These penalties wouldn't be levied or wouldn't be assessed until after notice had been given to the Treasurer and to the..."

Terzich: "Yes, it's a three step notification. It's also a right of regress that they can appeal it through the administrative procedures."

Dunn, Ralph: "I thank you. I wonder if this Bill was addressed to one particular Legislator that might have had trouble over filing facing an election as for this?"

Terzich: "No, it's not for any particular Legislator. It's for Committees that have not filed their report and this is to bring them into compliance without having to go through the State's Attorney's system."

Dunn, Ralph: "Thank you. To the Bill, Mr. Speaker, if I may just a minute. I think probably this is alright but I think maybe it may be the State Board of Elections may have had a problem in the state with an elected Member of the Legislature who didn't file and then they give the information to the State's Attorney and he probably hasn't acted. I think maybe this might be a result of that and because...I think I will vote 'no' on the Bill. I appreciate your information on it, Representative Terzich."

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

O'Connell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the

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House, I just rise in support of House Bill 794. It does place some teeth in our Campaign Financial Disclosures Act. It is designed to provide the person against whom the complaint is issued to have all the procedural safeguards. It also provides that the enforcement of the fine not to exceed a thousand dollars will be enforced in the Circuit Court. So, accordingly, I do not believe that the individual's procedural safeguards will be jeopardized and it will be enforced by a court although it is an administrative agency that will be issuing the fine. I encourage an 'aye' vote on this Bill."

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

Davis: "Thank you, Mr. Speaker and Members. I, too, rise in support of this Bill. I think the problem the State Board of Elections has had in the past few years in enforcing the provisions of the Campaign Disclosure Act relate not so much to candidates like ourselves or statewide candidates but to election Committees that are formed for a specific purpose for a public policy question or for a candidate and then go out of existence with a whimper and then never to bother to file any final reports, making the State Board of Elections' process a mockery for a great number of single issue or single order Committees. And I think it's a very good Bill. I think it's got all the safeguards of which Representative Terzich and O'Connell spoke. I think it's time we did something like this. There's plenty of notification procedure for candidates and treasurers of Campaign Committees of ongoing Committees like ours that would allow them time to bring themselves into compliance without the procedure. It's a very good Bill. The safeguards are there. The simple fact is, the State's Attorneys on notification are not prosecuting those sometime Committees because they consider it too low grade



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to take to court. This fine is imposed through the Circuit Courts in the local counties and where the Committee was organized. It's a very good Bill and I support it."

Speaker Collins: "The Gentleman from Bond, Representative Slape."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield, please?"

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

Slape: "Representative Terzich, it's my understanding that right now the State's Attorney has power to grant criminal action and now this Bill would allow civil action. Is there any way that this Bill would place a person under double jeopardy?"

Terzich: "That is not the intent of the Bill to place anybody in double jeopardy. It's simply to get them in compliance with the Campaign Finance Act."

Slape: "Alright, thank you, Sir."

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

Tuerk: "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 'nay'. The 'ayes' have it and the Gentleman from Cook, Representative Terzich, to close."

Terzich: "Yes, Mr. Speaker. Again, the problem that we have right now is that there are a number of fly-by-night Committees who have not come in compliance. All of us know very well that we do file our campaign financing disclosures. The problem right now is that these fly-by-night outfits are not filing them. Also, we also have the problem that these violations become news media events. The Board referral often puts elected State's Attorney's in a political trick bag over a crime about as serious as a bad muffler violation. Thus, the intent of

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the law, full and timely disclosure of campaign contribution sources and expenditure beneficiaries, is frustrated and a double standard is created. Regulars comply with the law and often retain an attorney in account to ensure their compliance. Irregulars avoid compliance due to weak enforcement giving the State Board of Elections discretion to impose civil penalties on delinquent Committees, would effectively induce their compliance. The Bill is supported by the State Board of Elections by several prominent State's Attorneys including the past and present Cook County State's Attorney. In addition, twenty-five other states have civil penalty provisions and their campaign disclosure laws including New York, New Jersey, Minnesota, etcetera. It's a good Bill and I would urge an 'aye' vote."

Speaker Collins: "The question is, 'Should this Bill pass?' All those.. 'Should this Bill pass?' All those in favor will indicate by voting 'aye', 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 Bill there are 152 voting 'aye', eight voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. I would hope with all the time that we have lost that Members will make an effort to restrict themselves in debate. That Bill had 152 votes 'aye' and still had a number of lights flashing for people wishing to debate. House... House(sic) Bill 801..er..Senate Bill 801, Representative Swanstrom."

Clerk Leone: "Senate Bill 801, a Bill for an Act in relationship to the compensation of sheriff's, coroners, county treasurers, county clerks, recorders and auditors with the necessary clerk, hire of stationary fuel and other expenditures...."

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

Clerk Leone: "Third Reading of the Bill."

Swanstrom: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 801 eliminates the maximum salaries for county officers in counties other than Cook County. It would allow the county board..er..they would be free to pay anything over the minimum. Officers affected include the county clerks, the auditors, sheriffs, recorders and coroners. It passed out of the Senate on a vote of 50 to 3. Passed the House Counties and Townships Committee 16 to nothing and I would appreciate a favorable vote."

Speaker Collins: "Is there discussion? The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', 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 Bill there are 139 voting 'aye', 5 voting 'no', 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill..er..Senate Bill 802. The Lady from Cook, Representative Catania, for what purpose do you arise?"

Catania: "It says 3 voting 'present', but there are 4 yellow lights up there."

Speaker Collins: "All right. The Board isn't locked yet. Now it is. It now says 405. I wish the Members would quit switching their buttons back and forth. We're trying to check this out. Representative Brummer, for what purpose do you arise?"

Brummer: "Yes, it's apparent that the tally at the top is locked but the individual votes aren't locked with regard to individual Members. I can change from 'yes' to 'no' to 'present' and it doesn't change the tally at all. And it

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wasn't..."

Speaker Collins: "Well, let us check this out. I'm informed it is locked now. All right. The totals are now corrected. The Board is locked. On this question there are 147 voting 'aye', 4 voting 'no', 4 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 802, Representative Swanstrom."

Clerk Leone: "Senate Bill 802, a Bill for an Act to revise the law in relationship to clerks of the court. Third Reading of the Bill."

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

Swanstrom: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 802 goes along the same lines as Senate Bill 801. This eliminates the maximum salary provisions for circuit clerks and raises the minimum salary for clerks in counties of up to 60,000 in population. That particular provision would only affect three counties, the counties of Brown, Bond and Hamilton in the State of Illinois. I would appreciate a favorable Roll Call."

Speaker Collins: "Is there discussion? The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye' and 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 133 voting 'aye', 11 voting 'no', 5 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 806. Representative Swanstrom."

Clerk Leone: "Senate Bill 806, a Bill for an Act in regard to judgments. Third Reading of the Bill."

Speaker Collins: "The Gentleman from Winnebago, Representative

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Swanstrom."

Swanstrom: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 806 requires the recording of release of any transcript, certified copy or memorandum of judgment or order of revised which has been recorded. The reason for this legislation is that judgments in particular are a lien on the real estate of the person against whom it is rendered or made. Again, when a judgment is revived, it also becomes a lien on the real estate of the person against whom it was rendered. The provision has been added to the Bill to provide that the released document will indicate clearly to the person receiving it that he is required to record the release document with the recorder as a protection to that particular person. I would appreciate a favorable Roll Call."

Speaker Collins: "Is there discussion? The Gentleman from Effingham? No? The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question...Collins, 'aye'. On this question there are 151 voting 'aye', none voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill...Senate Bill 808, Representative Ronan."

Clerk Leone: "Senate Bill 808, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

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

Ronan: "Thank you, Mr. Speaker, Members of the House. House Bill 808 (sic, Senate Bill 808) is apparently a noncontroversial Bill. What it does, it amends Public Aid Code. Requires the Department of Public Aid to reimburse nursing homes for their actual costs of nurse aid training on a facility by

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facility basis."

Speaker Collins: "Is there discussion? The Gentleman from Cook, Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to ask the author of the Bill just what does...The Bill isn't what it started out to be and I understand there are some Amendments on this. What does the Amendment do?"

Ronan: "Yes, Sir. The Amendment..."

Conti: "In regards to a fiscal impact."

Ronan: "In regards to a fiscal impact?"

Conti: "Yes."

Ronan: "We did add an Amendment to the Bill which deals with hospital stay. What the Amendment does, it authorizes the Department of Public Aid to set a 15 day limit on in-patient care reimbursement. It also establishes a State Utilization Review Committee to determine the appropriateness of hospital length of stay for Medicaid recipients and requires reimbursement of hospitals on the basis of federal reasonable costs set with Medicare standards."

Conti: "Well, Mr. Speaker, let me speak to the Bill then. According to this, the position paper I received from the Bureau of the Budget, this people's Bill is going to cost the State of Illinois nearly 37 million dollars in cost saving options already being pursued by the Department of Public Aid. So I want everybody to take a careful look at this Bill and I know that the Sponsor's always thinking about the people back home, but the paper I have here says that this Bill is actually going to cost the State of Illinois 37 million dollars that the Governor does not have in his budget."

Speaker Collins: "The Gentleman from Cook, Representative

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Bowman."

Bowman: "...."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The underlying Bill is a good Bill and I would speak for the underlying Bill if it were not for the fact that Amendment #1 is attached to the underlying Bill. Amendment #1 is a specious and ineffective way to limit Public Aid Medicaid costs. It attempts to limit hospital stays in certain situations. The Department has a much more effective program underway to limit hospital costs under Medicaid. What this Bill seeks to do with the Amendment on it is to supplant the hospital...the Department's effort to limit hospital stays. For that reason I would speak against the Bill, because of the costs implicit, the loss of revenue implicit in Amendment #1. I would urge people to vote 'no' on the Bill at this point and to have the Bill taken back to Second Reading and Amendment #1 taken off. I would urge a 'no' vote."

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

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I question whether in fact...I question the statistics that were quoted earlier that this Bill will cost money. In fact, this Bill came out of the Department of Public Aid's own figures which indicated that a limitation on hospital stays would save the state money, would save the state sufficient money to allow the provision of essential medical services without cutting out canes and wheelchairs and podiatrists services and optometrical services and pharmaceuticals and the like. And so the ...It was thought that it made sense to limit hospital stays as an alternative to specific cuts in

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specific services and that it would save money so that the state could fund the Medicaid program without running into financial problems and could stay within the Governor's budget. That's all this Amendment does is seeks to put that budget within the parameters of the Governor's recommendation. It is a cost saving mechanism. It is cost containment and I would encourage an 'aye' vote on this House Bill 808 (sic, Senate Bill 808.)...Senate.."

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

Leinenweber: "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. The Gentleman from Cook, Representative Ronan, to close."

Ronan: "Thank you, Mr. Speaker. I have to agree completely with Representative Braun's comments. Amendment #1 is a cost containment provision. I disagree completely with the projections the Department of Public Aid ...that Representative Conti referred to. This isn't going to cost the state 37 million dollars. What this is going to do is set up some real cost containment. It's going to get people out of hospital care when it's not needed. It's obvious to anyone who knows anything about the Medicaid program in this state that the highest line item is hospital care. That's where we spend the bulk of the money in the hospitals. This is going to set a limit, a 15 day limit, unless physicians believe that a longer stay is necessary. This is a good cost containment measure. It's going to save the state money so that we've got money available in other areas. I totally disagree to some of the comments that I've heard from some of the Members on



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the other side of the aisle. I urge everyone to support this fine Bill. It sets up a fair system for nursing home reimbursement for nurse aid training and it also is going to something about the problems we've got in this state on hospital care and I urge everyone to give me a green vote."

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 DuPage, Representative Schneider, to explain his vote."

Schneider: "Thank you, Mr. Speaker. As best as I can recall, the Department's attempt to deal with cost containment, it had no relationship to services, at least in the definition offered for spell of illness. In the Amendment it does deal with a relevant health care need in an effort to move the patient with proper care beyond care within the hospital. What we hear from the Department at least as I can recall from testimony in the Public Aid Commission was simply the idea that we have to make some cuts. They are making them basically on a percentage basis. Well, let's take a number. Six percent, eight percent, ten percent, that has no relevance to health care. We're talking about reducing costs in relates to care of the patient. I think the Amendment makes the Bill much better and very helpful to all our citizens. I encourage an 'aye' vote."

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

Birkinbine: "Thank you, Mr. Speaker. I rise to oppose this Bill. It would seem to require the Department of Public Aid to assume all training costs of all employees of all nursing homes for nurses aid training. This hardly seems to be a cost containment Bill when you're simply telling one Department that, 'Heh gang, we expect you to pick up the load'. As was said earlier, not only does the Department

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oppose it, but the Governor obviously figures that we can't afford something like this. It's an unwise change and it's foolish to vote in favor of something that obviously is going to face a veto. The ..to have the Department of Public Aid end up paying training in homes which might not even admit Medicaid patients seems to me to be absurd. And I recommend a 'no' vote."

Speaker Collins: "Have all voted who wish? The Lady from Cook, Representative Chapman."

Chapman: "Mr. Speaker, last year this Body approved the Nursing Home Care Reform Act. It included an Amendment to the Public Aid Code requiring reimbursement of facilities for their allowable costs relating to the care and treatment of Medicaid recipients. Payments are being made, but when the Joint House-Senate Committee on nursing care reimbursement met, we learned that there were serious deficiencies in the manner in which the reimbursements were made. Facilities have objected to these standards in payment levels. Payments are not being provided for trainees who do not complete the required course of instruction. Payments are not taking into full account supplementary aspects of some facilities in-house training programs. This Bill deals with a number of the problems pointed out to us by the Nursing Home..."

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

Conti: "Well, Mr. Speaker, in explaining my vote, what I failed to say is Senate Bill 968 has been defeated and Amendment #1 is Senate Bill 968 and in Senate Bill 968 there was a 37 million dollar cost under that. And that's why I strongly urge everyone to vote against this Bill, that the Governor does not have this in his budget and it would be a cruel hoax to play on the people to let them know that they're getting this program when the Governor's going to use his

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amendatory veto."

Speaker Collins: "The Lady from Cook, Representative Currie. I'm having trouble seeing you over Representative Saltsman."

Currie: "Thank you, Mr. Speaker, Members of the House. This is a cost containment Bill, no question about it. Amendment #1 deals directly with the issue of hospital costs. As I'm sure you're all aware, the Governor's proposals with respect to cutting the Public Aid budget and the way those proposals were implemented by the Department in its recommendations, would substantially cut dollars from hospitals in the Public Aid program, those hospitals that serve the poor. The Amendment to Senate Bill 808 deals directly with that issue and offers a way of trying to contain hospital costs that does not interfere with the medical needs of carrying four ill patients. The cap on patient day stays does have some flexibility and yet its appearance and its affirmative support by this Legislature gives the Department the beginning of a handle over excessive costs in our hospital program without destroying the possibility that the hospitals that right now serve the poor can continue to do so. If you're..."

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

Vinson: "I just want to indicate, Mr. Speaker, a request for a verification if this should get 89."

Speaker Collins: "That's so noted. The Gentleman from Cook, Representative Jack Dunn."

Dunn: "Mr. Speaker, Ladies and Gentlemen of the House, I would just remind the Assembly here that Public Aid is still about 30% of the entire state budget, about 2.4 billion dollars. They've got more than their share now I think. It's another liberal giveaway and I would urge a 'no' vote."

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Speaker Collins: "Have all voted who wish? Have all voted who wish? Take the record. On this question there are 90 voting 'aye', 70 voting 'no', 9 voting 'present' and the Gentleman from DeWitt, Representative Vinson, requests a verification of the Affirmative Roll Call. The Gentleman from Cook, Representative Kelly, for what purpose do you arise?"

Kelly: "Well, after a poll of the absentees, I'd like to request to be verified 'yes'."

Speaker Collins: "The Gentleman from Cook, Representative Ronan, requests a poll of the absentees."

Clerk O'Brien: "Poll of the absentees: Deuster. Garnisa. Karpiel. Klemm. Margalus. Mautino. Pierce. Redmond. No further."

Speaker Collins: "The Gentleman has asked for a verification of the Affirmative Roll Call. Well, Representative Kelly, the Gentleman from Cook, has asked leave to be verified. Is leave granted? Leave. Representative Jaffe makes the same request. And Representative Preston. All right. Leave is granted; Kelly, Jaffe and Preston. Proceed with the verification of the Affirmative."

Clerk O'Brien: "Abramson. Alexander. Balanoff. Beatty. Boucek. Bradley. Braun. Breslin. Brunner. Bullock. Capparelli. Carey. Catania. Chapman. Christensen. Cullerton. Currie. Darrow. DiPrima. Domico. Donovan. Doyle. John Dunn. Epton. Ewell. Farley. Fawell. Flinn. Getty. Giglio. Giorgi. Greiman. Hanahan. Hannig. Henry. Huff. Jackson. Jaffe. Jones. Kane. Keane. Dick Kelly. Kornowicz. Kosinski. Krska. Kulas. Laurino. Lechowicz. Leon. Leverenz. Levin...."

Speaker Collins: "The Gentleman asks leave to be verified as does Representative Leon. Are they granted leave? Leave is granted."

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Clerk O'Brien: "Madigan.."

Speaker Collins: "Proceed with the Affirmative."

Clerk O'Brien: "Matijevich. McClain. McCormick. McGrew.  
McPike. Mulcahey. Murphy. O'Brien. O'Connell. Ozella.  
Pechous. Pouncey. Preston. Rea. Rhen. Richmond.  
Rigney. Ronan. Saltsman. Sandquist. Satterthwaite.  
Schneider. Schraeder. Slape. Margaret Smith. Stanley.  
Steczo. Stewart. Stuffle. Terzich. Turner. Van Dwyne.  
Vitek. White. Sam Wolf. Younge. Yourell. And, Zito."

Speaker Collins: "Are there questions of the Affirmative Roll  
Call? Representative Vinson?"

Vinson: "Mr. Abramson?"

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

Vinson: "Alexander."

Speaker Collins: "Just a moment please. The Lady from DuPage,  
Representative Fawell?"

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

Speaker Collins: "How is the Lady recorded?"

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

Fawell: "Please record me 'no'."

Speaker Collins: "Record the Lady as voting 'no'. Any further  
questions?"

Vinson: "Boucek?"

Speaker Collins: "Representative Boucek, is the Gentleman on the  
floor? How is the Gentleman recorded?"

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

Speaker Collins: "Remove him. Further questions?"

Vinson: "Bradley?"

Speaker Collins: "Did you say Bradley?"

Vinson: "Yes, Sir."

Speaker Collins: "He's in the rear of the chamber."

Vinson: "Mrs. Breslin."

Speaker Collins: "Representative Breslin, how is...Is the Lady in

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the chamber? Oh, yes. Here she comes in the rear of the chamber. Further questions?"

Vinson: "Representative Cullerton."

Speaker Collins: "Representative Cullerton, is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Collins: "Remove him."

Vinson: "Representative Domico."

Speaker Collins: "Representative Domico, is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Collins: "Remove him."

Vinson: "Representative John Dunn?"

Speaker Collins: "Representative John Dunn. The Gentleman is in his chair, I believe. I see a back of a head. Oh, John, John Dunn."

Vinson: "Representative Epton."

Speaker Collins: "Representative Epton, is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Vinson: "Representative Flinn?"

Speaker Collins: "Representative Flinn, is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Collins: "Remove him."

Vinson: "Representative Hanahan."

Speaker Collins: "Representative Hanahan. Is the Gentleman in the chamber? Yes, he's right over here."

Vinson: "Where?"

Speaker Collins: "Right to the right of the podium."

Vinson: "Oh, okay."

Speaker Collins: "To my right."

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Vinson: "Representative Henry."

Speaker Collins: "Representative Henry. 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."

Vinson: "Mr. Kane."

Speaker Collins: "Who was that?"

Vinson: "Mr. Kane, Doug Kane."

Speaker Collins: "Representative Kane is in the center aisle. So is Senator Geo-Karis."

Vinson: "That is my problem seeing. Representative Kulas."

Speaker Collins: "Representative Kulas. The mushroom is in his chair."

Vinson: "Mr. Leverenz."

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

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

Speaker Collins: "Remove him."

Vinson: "Mr. McGrew."

Speaker Collins: "Representative...Just a moment. Representative Bowman, for what purpose do you rise? It's on."

Bowman: "I wish to be recorded as voting 'aye'."

Speaker Collins: "Record Representative Bowman as voting 'aye' and restore Representative Cullerton to the Roll Call. Representative Katz."

Katz: "To be recorded as 'aye', Mr. Speaker."

Speaker Collins: "Record Representative Katz as voting 'aye'. Further questions?"

Vinson: "Was Mr. McGrew removed?"

Speaker Collins: "Representative McGrew is in his chair."

Vinson: "Representative Murphy."

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

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

Speaker Collins: "Remove him."

Vinson: "Representative Rea."

Speaker Collins: "Representative Rea. The Gentleman is in the chamber."

Vinson: "Mr. Rigney."

Speaker Collins: "Representative Rigney. He's in the center aisle."

Vinson: "Representative Stanley."

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

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

Speaker Collins: "Remove him."

Vinson: "Mr. Steczo."

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

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

Speaker Collins: "Remove him."

Vinson: "Mr. Stuffle."

Speaker Collins: "Representative Stuffle. 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."

Vinson: "Mr. White."

Speaker Collins: "Representative White. Right in front of the podium."

Vinson: "Mr. Yourell."

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

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

Speaker Collins: "Remove him. Restore Representative Henry to the Roll Call and return Representative Murphy to the Roll Call."



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Vinson: "Representative Martire."

Speaker Collins: "Representative Martire. How is the Gentleman recorded? Henry and Murphy are to be restored to the Roll Call. And the question is of Representative Martire who doesn't appear to be in the chamber."

Vinson: "Mr. O'Connell."

Speaker Collins: "Well, wait just a moment. We're checking Martire. How is he recorded?"

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

Speaker Collins: "Remove him. Representative Abramson, for what purpose do you rise?"

Abramson: "How am I recorded?"

Speaker Collins: "How is the Gentleman recorded?"

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

Abramson: "Vote me 'no'."

Speaker Collins: "Record the Gentleman as voting 'no'. Further questions?"

Vinson: "Mr. O'Connell."

Speaker Collins: "Mr. O'Connell is standing by his seat."

Vinson: "No further questions."

Speaker Collins: "What is the count, Mr. Clerk? On this question there are 81 voting 'aye', 70 voting 'no', nine voting 'present', and this Bill having failed to receive a Constitutional Majority...Representative Ronan, the Gentleman from Cook, for what purpose do you rise?"

Ronan: "Yeah, Mr. Speaker, put this on Postponed so I can put it on the Spring Calendar."

Speaker Collins: "The Bill is on Postponed Consideration. Senate Bill 817, Representative Preston. Read the Bill."

Clerk O'Brien: "Senate Bill 817, a Bill for an Act in relation to the threatening of public officials and to amend certain Acts herein named, Third Reading of the Bill."

Speaker Collins: "The Gentleman from Cook, Representative

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Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 817 creates the offense of threatening a public official, and it provides that if any person who knowingly and willfully delivers or conveys to a public official any telephone communication or writing containing a threat to the life or threatening to inflict great bodily harm on that public official or a member of that public official's immediately family, commits a Class 4 Felony which is punishable by up to one to three years in a penitentiary. This is based on the federal law concerning threatening life of the President or Members of Congress. By public officials, they are referring to any statewide official meaning the Governor, Lieutenant Governor, Treasurer, Secretary of State, or Comptroller, or any Member of the General Assembly. The immediate family of the public official includes the wife, the spouse or child of the public official. This...a number of people have received threats. The kinds of threats these are getting at are the anonymous type of threats. That is why it is limited to writing or telephonic communication. The Governor has received a number of threats in the past. When I worked for Lieutenant Governor Neil Hardigan in his office, his wife received one of these threats. They can be really terrifying to the family or the individual who receives an anonymous phone call threatening to blow off your head or whatever. Representative Domico, for a while, had police guards guarding he and his family at his home for a while because of threats that he had received. I think this Bill, patterned on the federal Bill protecting federal employees, federal elected officials, is a good one, and I would encourage your 'aye' vote. I will be glad to answer any questions should there be any."

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Speaker Collins: "Ladies and Gentlemen, we have a visitor in the back of the chamber, former Representative Gene Schlickman and his wife Sherry. I have to apologize to the Lady. I was their best man. Is there discussion? The Gentleman from...from Rock Island, Representative Polk."

Polk: "Will the Sponsor yield?"

Preston: "Of course."

Speaker Collins: "He indicates he will."

Polk: "Representative Preston, are Legislators immuned from this? Many times here on the floor I have heard one Legislator threaten another Legislator. I'm just wondering, and it has been in the record. I just wondered how you would handle that?"

Preston: "Well, Representative, in seriousness, this does not apply to face to face threats. What it applies to is if you got a letter from somebody saying that I am going to kill you, or I am going to blow off your legs, then it would be included whoever that would come from. Similarly if you received a phone call whether it was anonymous or if you knew the person on the other end of the phone who said, 'I'm going to', you know, 'threaten your life', or threatened to do great bodily harm to you. Those individuals would be included."

Polk: "Well, despite everything I've said about Bob Terzich, then you still couldn't do anything to me. Is that correct?"

Preston: "That is correct."

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

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, when this Bill came up several years ago, it included everybody including the local dogcatcher if he were elected to position. However, the way it has been worked out right now to the elected officials of the state in the General

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Assembly, I am in accord with what Mr. Preston is attempting to do. There has been worldwide hysteria in terms of threatening and otherwise injuring public officials. It is spreading into the United States. I think we can use this Bill at this point in time as a safety precaution for us. I am in accord with this Bill."

Speaker Collins: "Further discussion? The Gentleman from Cook, Representative Kustra."

Kustra: "Will the Sponsor yield?"

Speaker Collins: "He indicates he will."

Kustra: "It is my understanding that most of the threats Legislators receive in the closing day of Session comes from their spouses. Will this Bill prevent that?"

Preston: "No, this doesn't prevent your spouse from doing anything she or he may want to do to you."

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

Schneider: "Thanks, Mr. Speaker, Members of the House. In my dual capacity as with Representative Hoffman who is a tyrannical classroom teacher, and I, on the other hand, sympathetic, understanding, and concerned about education, when he receives threats from students, is that applicable to him as a threat on a Member of the General Assembly? I know others of us work in other capacities, but teaching, myself, Representative Hoffman, I think, Mr. Kustra, I think, Representative Hastert, Representative White, in some world of education, we may run across that rare breed of a kid who is not necessarily open-minded about the role that teachers have. When I am threatened anonymously in the mail, or on the phone, in a spiral notebook or whatever, how do you apply this particular statute to my role as an educator even though I happen to be a Member of the Illinois House?"

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Preston: "Representative, when...if you were to receive, well, let me answer it this way. It is impossible to distinguish and when we tried to work it out, there was no way to reasonably distinguish and give any teeth to this Bill which many...which a number of Members had found necessary to distinguish between a threat that is made against you by telephone or by writing that you received through the mails because they don't like the...your lack of wearing a tie, or they don't like your blue jeans, or indeed because of your legislative duties. This is to protect Members of the Legislature and elected statewide officials, and if somebody feels the need to go and send a letter threatening your life, now again, this is not threatening you in other ways. This has to be a threat to your life or to do great bodily harm to you. If somebody writes you a note and says, 'I am going to blow off your legs', that individual would violate the provisions of this Bill. And I think that that person should be punished accordingly."

Schneider: "Well, Mr. Speaker, Members of the House, I think there is going to be some troubles with definitions on threats. I don't know if the Bill has that language in it. There is all kinds of ways that we can threat in writing or by phone that are anonymous. I think it is kind of a precarious piece of legislation. I am not so sure it is going to solve anything. I've got a number of those, unrelated, by the way, to students, but related to my role as a Legislator. I had the same kind of protection, it sounds like, that Mr. Domico had at one time. But nonetheless, it seems to me we...we really run a serious risk of some people not being able to distinguish between our roles as Legislators or educators. I think we can cope with threats. I don't know of any Member but one in the history of Illinois, two now come to mind, who have either

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died, or disappeared, or injured as a result or perhaps their legislative activity. As always, we overstretch, and I think we ought to vote against it.."

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

Hudson: "Thank you, Mr. Speaker. 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. And the...the Gentleman from Cook, Representative Preston, to close."

Preston: "Thank you, Mr. Speaker. Ladies and Gentlemen, I didn't know that Representative Schneider has received threats concerning his legislative duties. I have known, and I am aware that other Members of this Body have received those threats. I am aware that Members, statewide officials, have received those threats. I know the Governor of the State of Illinois. I know, at least, that former Lieutenant Governors of this state have. This is a protective measure not after more people have received them or not after there have been bad consequences as a result of those threats, but before as a protective measure. This will not solve all the problems. This will not make all the nuts climb back into the woodwork, but it will provide some small measure of protection that in these days especially, those measures are needed. And I encourage your 'aye' vote. Thank you."

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 Champaign, Representative Johnson."

Johnson: "I think there is two points here that everybody ought to recognize before they vote on this. This Bill doesn't

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require that the threat be made in connection with one's public service. And it extends to the family. So this means that if your son or daughter or the Treasurer's son or daughter in high school is threatened by one of his or her classmates, they're guilty of a felony. Now, I don't know why, except for perhaps the President and maybe the Governor...or at least the President where the whole world, or at least the country would come to a standstill. Why, we ought to be able to treat ourselves any differently than anybody else. Why, if a plumber or a doctor, or anyone else receives a threat from one of their co-workers or someone else, why that should be treated any differently or with any less seriousness than a threat that is levied on somebody in public office. Now, if Representative Preston wanted to limit this Bill to where the threat was made in connection with the public service, that would be okay. But we're really creating a special category of nobility here. That is, people are in public office, and we're setting ourselves aside...apart from everyone else. I think it is unworkable. I think it is an infringement on free speech, and it is certainly a denial of equal protection, and I urge you that with the exception of those limited categories that I talked about, to vote 'no' on this overly broad Bill."

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

Nelson: "Thank you, Mr. Speaker and Members of the House. I think that before you vote green on this, you should remember that this may end up being the payraise Bill of 1981. The newspaper headlines will say the General Assembly set themselves up as a special protected class. And I think that a green vote is an unfortunate vote. So I urge more red votes."

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

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Ewell: "Mr. Speaker, Ladies and Gentlemen, I happen to agree with some other speakers. We are setting ourselves apart from our constituency. One of the first retreats that you make is the retreat from your own constituency. If we feel that we are threatened and cannot walk our own constituencies, if we feel we need special protection for ourselves, we must ask the question, does not our constituency also need this special protection? What we are doing here is showing that self-interest on the part of the Legislature will prevail. If you talk about taking a black eye in the newspapers and with your constituents, think how they feel when we are setting ourselves, not only ourselves, but our families as special classes of people to be loved and protected while they must undergo all the scorn and hardship on the street and yet we would even take their guns away. I think it is totally inconsistent, and this is a Bill that ought to be defeated."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Take the record. The machine is not locked, so we have to wait and get another printout here. Be patient. Representative Johnson, I believe, is asking for a verification. Representative Preston will ask for a Poll of the Absentees. And when we get our machine working, we will do both. The Gentleman from Effingham, Representative Bower, for what purpose do you arise?"

Bower: "For the purpose of an introduction, Mr. Speaker, while you're waiting for the machine to clear up. In the Speaker's gallery we have some scouts from Effingham with Den Mothers Caroline Brown, Brenda 'Whitacre', and Sandy 'Hanks', represented by Representative Brummer, Representative Robbins, and myself."

Speaker Collins: "Well, then welcome to Springfield to the House. Have all voted who wish? Take the record, Mr. Clerk. It



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is on. For what purpose does the Lady from Cook, Representative Braun, arise?"

Braun: "Mr. Speaker, I just walked in. I accidentally pushed the wrong button. I would like to be recorded 'no', and I don't know if we've got time, but it was really an accident. I didn't..."

Speaker Collins: "Yes. Is it locked? Is your button locked? Alright, the Lady wants to be recorded as voting 'no'. So on this question there are 91 'ayes', 61 voting 'nay', 12 voting 'present'. The Gentleman from Cook, Representative Preston, has asked for a Poll of the Absentees. The Gentleman from Champaign, Representative Johnson, has asked for a verification of the Affirmative Roll Call. Poll the absentees, Mr. Clerk. I guess we'll have to dump that Roll Call and take another one. All those in favor of this Bill will indicate by voting 'aye', opposed by voting 'no'. The voting is open, I think. Representative Preston thinks this is a good argument on behalf of his Bill. Stand at ease for a few moments. We will see what is going to happen. In the meantime, I have the pleasure of making an announcement. Another former colleague of ours is in the middle aisle, Congresswoman Lynn Martin. Welcome, Lynn. Representative Mautino, for what purpose do you seek recognition? Everything is dead. Well, almost. Where's Representative Mulcahey? I understand that his wife, Anna May, is here with him. Where is Mrs. Mulcahey? Representative Madigan, are you seeking recognition? Representative Tuerk, Representative Tuerk. Fred, Representative Tuerk, ask Gene Schlickman what he thinks of Springfield on a Saturday. Oh, you have my mic on. Representative Findley, in the rear of the chamber, I wish you would take your seat because there are some distinguished visitors in the gallery that would like to

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see that you are dedicating yourself to your duties. In the rear gallery is Congressman Paul Findley and Mrs. Findley. Representative Preston, try your microphone. I think we may have power."

Preston: "Mr. Speaker, would you announce that the Bill did pass?"

Speaker Collins: "This Bill having failed to receive a Constitutional..."

Preston: "No, no, no, no."

Speaker Collins: "Representative Greiman, if you're within the sound of my voice, would you please go to Representative Madigan's office? Representative Mautino, for what purpose do you rise?"

Mautino: "Probably something that is pretty appropo at this time since it concerns the health and welfare of Legislators that appeared in the last piece of legislation. I would like to make an announcement to the House that this little jar of Johnson County corn cob jelly that was presented to us by Representative C.L. McCormick. It looks like a little bit of penicillin inside. So what I am recommending is that this gets sent over to the Department of Public Health so Director 'Kenpineras' can have this checked through his vital statistics and Department over there because I think that everyone should be aware of the corn cob jelly that has now turned sour."

Speaker Collins: "Representative Leverenz."

Leverenz: "I thank you, Mr. Speaker. As an announcement to the Body, I did already send my jar over to the Department of Public Health. The report came back from the Department of Public Hearth that my horse has diabetes."

Speaker Collins: "Representative C.L. McCormick."

McCormick: "Well, you know, Mr. Speaker, it is amazing how some of these young folks around here have forgotten their

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raising, you know. Back many years ago, corn cobs were used for many things, even before you had the Sears and Robuck catalog. I know you may not know that, but just because down in Southern Illinois we're smart enough, since Scott paper came along and took care of all of that, to do something else with them. I don't know why you're complaining. I didn't tell you that the horse didn't die. So I would recommend to you, though, if you'll do just exactly like...just exactly like the sassafras tea, every year take a quart and make sure you use it, you might live to be that 101 that most everybody wants to do. But I'll tell you one thing, if you were as ingenious as we are with the corn cobs in Southern Illinois, you wouldn't have to worry about the CTA in Chicago."

Speaker Collins: "I believe we are now back in business. The question before the House was whether House Bill, or Senate Bill 817 should pass. All those in favor would indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Lady from Cook, Representative Nelson."

Nelson: "Mr. Speaker, if this should receive the required number of votes, I would like to verify the Roll Call."

Speaker Collins: "We still have that request before us. Representative Kosinski, vote your switch. The voting is open. Have all voted who wish? Take the record, Mr. Clerk. Now, on...is it locked? On this question there are 95 voting 'aye', 52 voting 'nay',...53 voting 'nay', seven voting 'present'. 53rd is a phone call I got from in...from inside. Seven voting 'present'. Representative Preston has asked for a Poll of the Absentees. Representatives Johnson and Nelson have asked for a verification of the affirmative Roll Call. Poll the absentees, Mr. Clerk."

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Clerk O'Brien: "Poll of the absentees. Bartulis, Bowman, Carey, Conti, Deuster, Ralph Dunn, Fawell,..."

Speaker Collins: "The Lady from DuPage, Representative Fawell, desires to be recorded as voting 'no'."

Clerk O'Brien: "Dwight Friedrich."

Speaker Collins: "The Gentleman from Cook, Representative Carey, wants to be recorded as voting 'aye'. 'Aye'. The Gentleman from Marion, Representative Fricrich, wants to vote 'aye'. The Gentleman from DuPage, Representative Hudson, votes 'aye'. The Gentleman from Cook, Representative Dick Kelly votes 'aye'. Continue with a poll of the absentees."

Clerk O'Brien: "Garmisa, Giglio, Hanahan, Kane, Kustra, Levin, Margulas, McBroom, Pierce, Redmond, Stearney, Telcser, and J.J. Wolf."

Speaker Collins: "The TV light is out. Alright, proceed with the verification of the Affirmative Roll Call."

Clerk O'Brien: "Abramson,..."

Speaker Collins: "I just turned it off."

Clerk O'Brien: "...Alexander, Balanoff, Barkhausen, Barnes, Beatty, Bell, Bianco, Birkinbine, Bluthardt, Boucek, Bower, Bradley, Brummer, Bullock, Capparelli, Carey, Chapman, Christensen, Cullerton, Darrow, Davis, DiPrima, Domico, Donovan, Doyle, Jack Dunn, Ebbesen, Farley..."

Speaker Collins: "The Gentleman asked leave to be verified. Representative Ebbesen. Leave is granted."

Clerk O'Brien: "Dwight Friedrich, Getty, Griffin..."

Speaker Collins: "Representative Domico asked leave to be verified. Leave is granted."

Clerk O'Brien: "Hallock, Hallstrom, Henry, Hoxsey, Hudson, Huff, Jones, Karpel, Keane, Jim Kelley, Dick Kelly, Kociolko, Kornowicz, Kosinski, Krska, Kucharski, Kulas, Laurino, Lechowicz, Leon, Leverenz, Madigan, Martire, Mays,

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McAuliffe, McClain, McCormick, McGrew, McMaster, McPike, R.J. Meyer, Miller, Neff, O'Brien, O'Connell, Peters, Piel, Pouncey, Preston, Pullen, Rea, Reed, Reilly, Rhem, Rigney, Ronan, Ropp, Saltsman, Schraeder, Margaret Smith, Stanley, E.G. Steele, Stuffle, Swanstrom, Terzich, Topinka, Van Duynes, Vitek, Watson, White, Wikoff, Winchester, Sam Wolf, Woodyard, Younge, Yourell, and Zito."

Speaker Collins: "Record Representative Conti as voting 'aye'. Representative Kustra as voting 'no', Representative Kane voting 'no', Representative J.J. Wolf voting 'no'. Now, Mr...Representative Bartulis votes 'no'. Mr. Speaker, if you'll give me a count we can proceed with the questions of the affirmative. Change the Speaker to vote 'aye'. There are 101 currently voting 'aye', 57 voting 'no', seven voting 'present', and are there questions of the Affirmative Roll Call? On that, Representative Nelson. Give the Lady order."

Nelson: "Thank you, Mr. Speaker. I have just a few. Representative Abramson."

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

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

Speaker Collins: "Remove him."

Nelson: "Representative Bianco."

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

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

Speaker Collins: "Remove him."

Nelson: "Representative Capparelli."

Speaker Collins: "Representative Capparelli. He's standing right next to me."

Nelson: "Excuse me. Representative Chapman."

Speaker Collins: "Who was that? Representative Chapman. Is the

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Lady in the chamber?"

Nelson: "I withdraw that question, Mr. Speaker."

Speaker Collins: "You withdraw it? Any further questions?"

Nelson: "Yes, let me just pass that one. Representative Cullerton."

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

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

Speaker Collins: "Remove him."

Nelson: "Representative Donovan."

Speaker Collins: "You know, there is so much noise I can't hear the Lady. Could we please have a little order? And would you move the conference here out into the corridor? Alright, now what was that last question, Ms. Nelson?"

Nelson: "Representative Doyle."

Speaker Collins: "Representative Doyle is in the center aisle."

Nelson: "Thank you. Representative Hoxsey."

Speaker Collins: "Representative Hoxsey. Is the Lady in the chamber? How is she recorded?"

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

Speaker Collins: "Remove her."

Nelson: "Representative Krska."

Speaker Collins: "Representative Krska. Is the Gentleman...he's in the aisle."

Nelson: "Representative Kucharski."

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

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

Speaker Collins: "Remove him."

Nelson: "Representative Lechowicz."

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

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

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Speaker Collins: "Remove him."

Nelson: "Representative Leverenz."

Speaker Collins: "Representative Leverenz. Is the Gentleman in the chamber? The Gentleman is in the chamber."

Nelson: "Okay. Representative Martire here?"

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

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

Speaker Collins: "Remove him."

Nelson: "Representative McPike."

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

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

Speaker Collins: "Remove him."

Nelson: "Representative O'Brien."

Speaker Collins: "Representative O'Brien. He's in the rear of the chamber."

Nelson: "Excuse me. Representative E.G. Steele."

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

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

Speaker Collins: "Remove him."

Nelson: "Representative Yourell."

Speaker Collins: "Representative Yourell. Is the Gentleman in the ch...Chapman was not removed. Representative Chapman wishes to be recorded as voting 'no'. I am going to question Yourell next, but change Representative Chapman from 'aye' to 'no'. And then I would like to know if Representative Yourell is in the chamber, and if not, how is he recorded?"

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

Speaker Collins: "Remove him. Please, a little order. There is very little."

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Nelson: "Representative Sam Wolf."

Speaker Collins: "Representative Sam Wolf. He's in his seat."

Nelson: "Excuse me. Representative Stanley."

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

Nelson: "No more questions, Mr. Speaker."

Speaker Collins: "No more questions of the Affirmative Roll Call.

Representative Mautino wishes to be recorded as voting  
'aye'. Restore Capparelli. Restore Lechowicz.  
Representative Ozella..."

Clerk O'Brien: "Capparelli wasn't taken off."

Speaker Collins: "Put Lechowicz back on. Ozella wishes to be  
recorded as voting 'aye'. Representative Mulcahey, for  
what purpose do you arise? Mulcahey."

Mulcahey: "Mr. Speaker, please change my vote from 'no' to  
'aye'."

Speaker Collins: "Change your vote to 'aye'? 'Aye'. Alright,  
are there any more additions, changes, deletions? May I  
have the count, Mr. Clerk? Alright. Return Representative  
McPike to the...No, Representative McPike wants to vote  
'no'. Representative Giorgi change from 'no' to 'aye'. On  
this question there are 95 voting 'aye', 56 voting 'no',  
five voting 'present', and this Bill having received a  
Constitutional Majority is hereby declared passed. House  
(sic) Bill 819, Representative Peters. Read the Bill, Mr.  
Clerk."

Clerk O'Brien: "Senate Bill 819, a Bill for an Act to designate  
depressed areas, relax governmental controls and provide  
tax incentives to allow for economic development. Third  
Reading of the Bill."

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

Peters: "Mr. Speaker and Ladies and Gentlemen of the House. This  
Bill was very much discussed when we had it in the



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Amendment stage. It does provide, as the Clerk says, for the establishment of enterprise zones."

Speaker Collins: "Just a minute, Mr. Peters. Ladies and Gentlemen, this is a very important Bill. Can we have order, please? Please proceed, Sir."

Peters: "I would move adoption of Senate Bill 819."

Speaker Collins: "Is there discussion? The Gentleman from Madison, Representative McPike."

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

Speaker Collins: "Indicates he will."

McPike: "Representative Peters, I would appreciate it and I think Members on the floor would appreciate it if you would spend at least one or two minutes elaborating on this. On Second Reading we spent a lot of time on Amendments. It's not true that we went into all the details of this Bill, and I would be recognized to ask a few questions, but, in the meantime, I would appreciate it if you could explain the Bill. It is very important."

Peters: "Representative McPike, and Ladies and Gentlemen of the Bill... of the House, the Amendment that was finally adopted, Amendment 36, basically took into consideration many of the concerns which were expressed by various Members of the House in terms of the Amendments which they offered to this piece of legislation. Initially, the legislation did talk about the suspension of all... Initially, it talked about the suspension of all rules and regulations regarding zoning and pollution and minimum wages and health and safety standards and things of this nature. As amended, all of that was changed to provide that any standards, as an example, regarding pollution within this district would be based on the standards of the Environmental Protection Control Agency. The health standards, the structural safety standards in each of these

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zones would remain the same as enforced by the municipality that may be involved. The language regarding minimum wages was taken out in the Senate and the right to work provisions were taken out in the Senate. So those are no longer in the Bill here. The Bill now calls for public hearings before a zone can be established as an enterprise zone area. We talk about the protection of historical landmarks in the area. We do not now mandate that municipal or state properties must be sold. We now leave that strictly to the discretion of the municipality, the state or the county. In regard to any laws relating to zoning, we no longer mandate that they be suspended, but, in fact, leave that to the discretion of the municipality in which the enterprise zone is established so that the agreement, basically, passed by ordinance of the city to establish a municipal zone and the agreement reached with the state, basically, would set the policies for that area. We are talking about local control in a community so that, if a local community insisted on a certain zoning standard, certain pollution standards, prevailing wage standards, whatever it might be; that we anticipate will be part of the agreement in order to establish that particular enterprise zone area. We are leaving it up, really, to the municipality to determine the conditions under which this would end up operating, and we continue in the legislation to end up giving to an individual who participates a relief from sales tax on any building materials that may go into the rehabilitation of property, and we remove from the tax rolls totally, for the first year, the property rehabilitated within an enterprise zone area. And we continue to add onto the tax in increments of 20% until in the sixth year the full piece of property is returned to the full tax rolls, and, as a further incentive for

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individuals to participate, we give to the so-called homesteader an additional 1000 dollar exemption on his income tax for a period of six years to allow that individual additional incentive to involve himself in these enterprise zone areas and assist in the redevelopment of them, provide homes for themselves and, eventually, over a five or six year period of time, as this program does get into gear, so to speak, to return these kinds of properties to the tax rolls. And in the meantime, Representative, as they're being rehabilitated and what have you to foster the concept of the small entrepreneur and to allow more jobs, in a sense in terms of carpenters, plasterers, people who are generally involved in the rehabilitation area. That, I think, basically covers the Bill. The emphasis is on the individual in these zones. The emphasis is on the agreement between the municipality and the state. There is nothing that is mandated by... nothing that is mandated by the state in the area except what may be agreed to between the municipality, the county and the state and this only after public hearings have been held."

Speaker Collins: "The TV light is back on and before we get back to Representative McPike, Representative Bowman has an announcement."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise for purposes of an introduction. In the gallery immediately above me on this side of the chamber is members of the State Board of Common Cause, led by their Chairman, Mr. Edward 'Reinfrank' from the City of Evanston who, I'm proud to say, is a constituent of mine, and they're here for a Board meeting."

Speaker Collins: "On the Bill, the Gentleman from Madison, Representative McPike."

McPike: "Thank you, Mr. Speaker. Representative Peters, I take

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it that the home rule, the home rule city then has the discretion to establish the enterprise zone, to set the boundaries, determine where an enterprise zone will be. Is that, then, correct?"

Peters: "Yes, Sir. On the basis of ordinance and the only other part of it is that agreement entered into would have to be a mutual agreement with the state and the city."

McPike: "Are there any guidelines as to how the... as to the boundaries... Mr. Speaker, could we have some quiet. I know Representative Peter's is having a difficult time hearing this."

Speaker Collins: "I've been trying to get order, Representative McPike, and I agree with you. Now, please, may the Gentleman have some order?"

McPike: "Thank you. Are there any guidelines as to how the boundaries for the enterprise zone will be drawn?"

Peters: "There are no guidelines, Representative, in terms of saying that a certain number of blocks or a certain area must be covered, but the guidelines that exist within the Bill in terms of definition of a depressed area are found on page one of the Bill which says that the municipality which designates, by ordinance, must consider high levels of unemployment, sub-standard buildings or housing, a depressed economic activity in the area and a decreasing property tax return from that community."

McPike: "Okay, but there are no definitive numbers that would define high unemployment. It may be 9% in one city and in another city it could be 15% or 40%. Whatever the municipality would determine?"

Peters: "That is correct, Sir. And it was left for that to give the maximum amount of flexibility to the municipality, trying to take into consideration the fact that, in some communities, a 4% or 5% unemployment might really impact a

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lot harder on that community than even a 9% in some other community because of other kinds of factors."

McPike: "Okay. Now, once the boundaries are established the tax incentives would be sales tax and property tax and income tax?"

Peters: "Yes, Sir. Sales tax to the individual on the purchase of the materials to rehabilitate, a lifting of the real estate tax totally within the first year, and an addition 1000 dollar exemption for a period of six years for the individual who is the homesteader, so to speak."

McPike: "Okay. Would it apply to those businesses that currently exist in the enterprise zone or only to those that move into the enterprise zone?"

Peters: "It is my understanding it would apply to both. To the one that is in the area, they would end up having... they would have to end up taking on additional rehabilitation expansion. They just could not take advantage of this program by virtue of simply being there. They would have to have a program of expansion, rehabilitation, something geared to increasing employment and productivity."

McPike: "So it would then apply to a multi-million dollar steel mill that was located within the zone that had been paying perhaps as much as one or two or three million dollars in property taxes a year. Once that steel mill was located within the zone, that would eliminate property taxes for the steel mill provided that the steel mill had stable employment and was expanding or replacing equipment as they would under a normal business situation."

Peters: "Representative, we have to make a fine distinction here in that the exemption would apply to a piece of property that would have to be or would come under rehabilitation. The exemption would not apply, as example, to a home which is livable to a million dollar steel plant which them

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becomes part of the area. What we are talking about is a home which basically cannot be lived in. What we are talking about is a plant which may want to end up expanding by 100 feet or doing something of that nature so that employment would be increased and the tax break would not apply to the total structure in this kind of case, but it would apply to what is being added on so that the million dollar plant would not get the tax break. It would go to whatever piece they might add."

McPike: "Okay. Now that's a little different than what you've said to the first question. I said, does all firms that are within this zone, do then they qualify and you said, yes they do qualify."

Peters: "Yes, Representative, I did not mean to mislead you. Anyone who is in the zone... Well..."

McPike: "They only qualify for that..."

Peters: "Yes..."

McPike: "... the new expansion."

Peters: "They can qualify. There's no one that is in the zone that, for whatever reasons, can't qualify if they end up doing certain things."

McPike: "Would you see this applying to capital intensive or labor intensive types of industry?"

Peters: "It would be the intent of the legislation to foster labor intensive industry. We're not... We're not..."

McPike: "That industry which is more mobile. ... intensive, labor intensive, that industry which is more mobile. Capital intensive industry is not very mobile. A steel mill can't pick up and move from one place to another if you're trying to foster..."

Peters: "Representative, I misunderstood what you said and maybe a difference in terms of the definition. What we're trying to do by the legislation is create those kinds of

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enterprises that, in fact, would end up employing people. We are not looking to put up an office somewhere that might transact some paperwork for the sale of, you know, soy bean futures or something of that nature. I misunderstood when you were talking about capital. I'm sorry."

McPike: "Okay. And then in regards to the homes in this area, again, it doesn't apply to every home that's located in the area. It only applies to a new house built or a delapidated house that is going to be rehabilitated or what?"

Peters: "It would apply to those houses that were basically depressed, uninhabitable and would need rehabilitation. It would..."

McPike: "Empty houses. Empty or vacant houses."

Peters: "The interest, Representative MCPike, is that the municipality and the state putting this zone together we would be hopeful that the kinds of property that they would include and would have to be included in order to meet the definition of the Act would be property that is sub-standard buildings or housing in a depressed economic area. So that, as example, you could not come to the very prosperous areas of the City of Chicago and declare it an enterprise zone area so that persons could do a little roof fixing or patching or a little tuck pointing and take advantage of the tax breaks. That is absolutely not the intention of this law and could not be justified under this law."

McPike: "Do they have to be owned or occupied? Do they have to be owned or occupied homes?"

Peters: "Representative, the intent is that the homes in the area, in fact, be occupied by the person who does the rehabilitation and who does... and who does get the tax break. That comes under the whole concept of the homestead

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idea. Now, that's for a home, but we may well come to a situation where an individual with a community, with a block club, with a church organization is involved in the rehabilitation, let's say, of an 18, 19, 20 flat building. That kind of building would be certainly covered in that area and it would not be conceivable that every member of the block club that is sponsoring this rehabilitation project would be expected to live in that building."

McPike: "One final question. I didn't mean to prolong this, but I think the Bill is complex. Once an enterprise zone is established, and let's say arbitrarily a city decides 15% unemployment in a given area would establish an enterprise zone and once the boundary lines are drawn for a 15% unemployment all around the peripheral areas of this enterprise zone where the unemployment rate, as the zone expands out where the unemployment rate may be 13%, 12, 11, 10, and as you get away from here maybe it may drop down to 10 or 9% unemployment. Wouldn't there be a tremendous incentive for labor intensive firms in these peripheral areas to simply move into the enterprise zone or to petition city council to continue to expand the enterprise zone? And; therefore, there really is no net gain of jobs because the industry existed on the peripheral area. It's simply a movement of a mile or two blocks as the case would be. There is no net gain of jobs. Can't you see this opposite effect red lining, could be called green lining, but can't you see this happen as the enterprise zone expands? What is to stop the labor intensive industry and that's what you're aiming at here; what's to stop the labor intensive industry simply from moving across the street, taking advantage of all these tax breaks?"

Peters: "Representative, you raise a very serious point in regard of this legislation. Like all pieces of legislation, it is



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not absolutely perfect. I would suggest; however, for your consideration that if we are talking about industry which is in close proximity to an enterprise zone area, the tax benefits would have to be tremendous, much more than we allow for under this piece of legislation to allow them to physically move a plant from across the street or even a mile, two, five, ten miles away to come into the enterprise zone area. Economically, it just would not make sense. Further, I would suggest, for your consideration, that the municipality that's involved would have to pass ordinances allowing that kind of situation. That would only be on the basis of public hearings after. So that the agreement that is generally reached the city could end up, it would seem to me saying that area A is an enterprise zone and plants coming in from a proximity of two, three, four, five, ten, eight miles would not be allowed to take advantage of this. I think the city would be right in attempting to protect its tax base and the job base in other areas."

McPike: "Thank you, Mr. Speaker. Could I address the Bill?"

Speaker Collins: "Of course you may, Representative MCPike, but I would like to advise you. You've already consumed more than your allotted ten minutes so I would ask you to be brief."

McPike: "Thank you. The point of that dialogue was to make sure that most of the Members on the House floor were more familiar with the Bill. As briefly as possible, I rise in opposition to this Bill. I think it's more of the philosophy of the right wing that we've heard in the last year that the more incentives that we give to business, the better off we're going to be. In the State of Illinois, as I pointed out, we have already reduced the tax load on corporations from 30% in 1970 to 19% in 1981. This year we passed an advancement tax credit Bill. We passed another

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Bill out that says that county by county, they can do away with property taxes. Now we're going to say that within the city they cannot only abate the sales tax but they can take away property taxes totally the first year and for nearly a total of six years. I don't know what else we can offer to business, but this is certainly... There certainly is not going to be a net return to society in this. We really want to create jobs, we ought to put the money that we're giving to big business directly into the housing market or we ought to put it directly into the CETA program. There's no need for us to continue to give incentives to business which they really don't need. This piece of legislation does have faults, as the Gentleman just explained. As an enterprise zone expands or its pressure is put on a city council to include more and more of industry in the business zone, we're going to find that the only property tax base left in the cities is the property tax that's owned by the individual homeowners. If that's what we want, that's what we're going to get because, as we decide to give more and more away to industry, we're giving less and less to the individual homeowner and the individual wage earner. For those reasons, I would ask you to oppose this Bill."

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

Bullock: "Thank you, Mr. Speaker. Mr. Speaker, I'd like to make an inquiry of the Chair. Could you provide the Body with the answer to the constitutional required number of votes for passage?"

Speaker Collins: "I'll have to defer an answer to that until the Parliamentarian returns and I can consult with him."

Bullock: "Could I address the Sponsor? I'd like to ask the Sponsor a question."

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Speaker Collins: "Certainly."

Bullock: "Representative Peters, we've discussed this is private so I'll be very brief. Representative Peters, I want to deal with the issue of forfeiture, a forfeiture to federal entitlements or agencies or corporations in the proposed enterprise zone. Is it your understanding that entities within the enterprise zone who wish to participate doing the tax... and receive entitlements that they would have to forfeit those entitlements if the area so designated enterprise zone?"

Peters: "Representative Bullock, I was a bit distracted. If you would please repeat the question. I apologize."

Bullock: "Okay. The subject, Representative Peters, I want to address is forfeiture of federal entitlement dollars, entities located within the enterprise zone designation. These entities, if this legislation is passed, would, in fact, forfeit claims and access to federal entitlements. Is that correct or incorrect?"

Peters: "Representative Bullock, I'm not trying to evade your question, but you do pose a difficult one and a question which really goes to the dilemma of this entire concept. Associations or organizations which would... are presently receiving federal kinds of assistance of one type or another, in my judgement, would continue to receive whatever kinds of assistance or entitlement programs they are involved in for whatever kinds of projects may be underway at this time or under their jurisdiction. The provisions of Senate Bill 819 would apply to that individual or community group or whoever in regard to some new projects that may be involved or come into the area. But let me just give this to you for your consideration, Representative Bullock. One of the things I think that we have come up against is the fact that the present programs

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advocated and sponsored by the national administrations, Democrat and Republican, to a great degree have not worked to relieve the problem of urban decay and increasing unemployment. All that we are suggesting by this is that we end up making available to the system one more kind of tool in order to meet that problem and to try that out. Certainly, in the trying out there can be no harm. If the concept does not work and if it falls into disrepute, it will fall of its own weight. If a year or two experience indicates that to tune it, to fine tune it to allow individuals, small community groups, block clubs to get more involved in it, we have to end up making some guarantees of loans. Some kinds of federal grants or appropriations in that area, that certainly, I think, would be a question which this Legislature would seriously want to end up considering. Okay? What I am very apprehensive about is leaving this so wide that an enterprise zone can end up being established and those individuals who have the clout with the banks, with the federal departments are the ones who end up getting the bulk of whatever grants there are and that never ends up really filtering down into the community kind of process. The purpose of this is to try another kind of avenue. We think it will work. Maybe it won't but we would like to give it a try."

Bullock: "Mr. Speaker."

Speaker Collins: "Ladies and Gentlemen of the House. Representative Bullock, excuse me. For what purpose does the Gentleman from Cook, Representative Greiman rise?"

Greiman: "Mr. Speaker, a parliamentary inquiry. I wondered whether this Bill will take 107 votes?"

Speaker Collins: "That has already been asked of the Chair by Representative Bullock and we are going to respond shortly."

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Greiman: "I didn't know that. I'm sorry."

Speaker Collins: "Representative Bullock, proceed, please."

Bullock: "Mr. Speaker, if you'd like to address that at this point, I'd wait until you clarify that point. Otherwise, I'd like to address the Bill."

Speaker Collins: "We're not ready yet so please address the Bill."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. My esteemed colleague from Cook County, Representative Peters, an honorable man with every intention to address urban problems. I hate to rise and to oppose him on a piece of legislation that I'm sure he has worked very hard in trying to put into shape for passage. I agree with Representative Peters in terms of the concept and the intent of the enterprise zone proposal which, by the way, is presently being considered in the U.S. Congress and specifically is being considered by Representatives Garmisa and Kemp from the State of New York. Unfortunately, however, Senate Bill 819 has not been amended as it relates to Section 8 of the Bill. Now Section 8 of this Bill deals exclusively with business enterprise locating in the enterprise zone. And Ladies and Gentlemen, for the House, the language is quite clear in literal interpretation of this language and I quote, 'No business entity locating in the enterprise zone shall thereafter be eligible for any subsidy, grant or any form of governmental assistance whatsoever at that location except as provided by this Act'. Mr. Speaker and Ladies and Gentlemen of the House, this Section was addressed with the proposed Amendment #8 to this Bill which was not adopted. I supported that proposed Amendment and, of course, the will of this House was that it not be attached to the Bill. And I submit to you, Mr. Speaker and Ladies

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and Gentlemen of the House, that without amending this Section of the Bill, that we are, in fact, we are in fact seriously jeopardizing responsible agencies that have made their communities better through the years through economic development corporations. Those corporations are under severe attack with the proposed block grants coming out of our Congress. And I think at this time for us to foster upon those entities, Senate Bill 819 would be a serious mistake. It will be fatalistic. It would, in my estimation as I said on the Amendment, designate urban America as a third world nation. We, in this Legislature, are not prepared to address the problems of third world. We, in this Legislature, are not prepared, in my estimation, to adequately address the problem of urban blight, and Senate Bill 819 does not address the problem of urban blight unless that Section is addressed. I stand in opposition to 819, Mr. Speaker and Ladies and Gentlemen of the House. Reluctantly, I oppose Senate Bill 819. I would have hoped that the Sponsors, both House and Senate Sponsors would have honestly addressed the question that I've raised again and again. In the absence of addressing that question, I would urge a 'no' vote on Senate Bill 819."

Speaker Collins: "Representative Bullock, in response to your inquiry. We have looked at the Bill and can find nothing in the Bill that limits home rule powers and; therefore, the ruling is that it will require 89 votes to pass. Representative Younge, you'll be recognized to address yourself to the Bill, but the ruling has been made that it will require 89 votes. The Gentleman from Rock Island, Representative Darrow."

Darrow: "Thank you, Mr. Speaker, I move the previous question."

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

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The question is, 'Should the main question... Shall the main question be put?'. Those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the Gentleman from Cook, Representative Peters, to close."

Peters: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I thank the Members of the House for their earnest consideration of this legislation and, frankly, even for the questioning by Representatives McPike and Bullock because they did address a number of issues which I know the Members were very vital in and I think that discussion did clear it up. This is a new concept. We are interested in bringing people the opportunity to enter these areas to rehabilitate property, to start small businesses, to get involved in the economic process. We understand that there are some problems as in all legislation. This piece of legislation is not perfect. We talk about federal grants. We talk about assistance. The Act says except as provided by this Act. We end up giving some kinds of assistance, but by that language we also recognize that in the future some changes may be needed. There might be some fine tuning but we want to give this concept the opportunity to work. We see that what we have today has not worked the way we thought it should. We think that we want to get community organization, we want to get people organized in small kind of situations, not in multi-hundred million dollar kinds of operations, but small kind of operations to return property to the tax rolls, to allow individuals to become small entrepreneurs, to allow individuals to own their own homes, to own a piece of the action, so to speak rather than having the big corporate conglomerate enterprises come in develop entire areas and give to people or attempt to sell to people homes that those people can never, never, in their lifetimes or in their childrens

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lifetimes conceive or ever really owning because of the tremendous costs that do get involved today. We want people to get involved in this. We want the municipality to work together with the state. We want these enterprises to function. We want people to have the tax breaks as we have involved here, and we say openly and publicly that if this does not work after given a trial, a year or two, we certainly would hope that the individuals who are here in the General Assembly who are fostering this concept would end up making the Amendments necessary to insure that this legislation does work the way it's intended. And the way it's intended to work is to help people help local municipalities. With that, Mr. Speaker, I ask for a favorable Roll Call."

Speaker Collins: "The Gentleman from Cook, Representative Bullock, for what purpose do you rise?"

Bullock: "Mr. Speaker, I rise on a point of order."

Speaker Collins: "State your point."

Bullock: "Mr. Speaker and Ladies and Gentlemen of the House, in this legislation the Senate ruled that it did indeed take an extraordinary majority for its passage. Now, the Parliamentarian has ruled here that it does not, and I wish the record to show that the Bill does in fact preempt home rule. It preempts home rule prerogative in the areas of zoning. It preempts home rule prerogative in the area of revenue. And I'd like to cite for the record, Mr. Speaker, that I respectfully dissent this point from the Parliamentarians ruling that it merely takes 89 votes."

Speaker Collins: "Lady from Cook, Representative Braun."

Braun: "Thank you, Mr. Speaker. On Representative Bullock's point of order, I would call his attention to Amendment 36 which changed the mandatory language of shall to may on page three, line 12. I'm talking about page 2, line 14 of



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the Amendment #36. That language made the municipality action in those regards permissive and not mandatory and; therefore, took out an possibility that this Bill preempts home rule. I think that the Speaker's ruling on the number of votes required is accurate and correct."

Speaker Collins: "Representative Peters, what purpose do you rise?"

Peters: "Mr. Speaker, just to add also to the record that when the ruling was made in the Senate it was as the Bill was passed out of the Senate. It is not as the Bill that is presented here. Here this Bill is permissive. The shalls have become may and on a similar piece of legislation in the last Session the record and the transcript will show on page 115 of whatever date that happened to be, I can give that to you later, that the former Speaker and the former administration ruled that it takes 89 votes."

Speaker Collins: "Representative Bullock, in response to your point the Chair will rule that there is no expressed limitation of home rule powers in the Bill and therefore will require a Constitutional Majority of 89 votes to pass. Representative Bullock."

Bullock: "Mr. Speaker, I'd like to withdraw my remarks. I have read the Amendment 36 and the Chair is correct in its ruling."

Speaker Collins: "Thank you, Sir. Alright, the question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'nay'. The Lady from St. Clair, Representative Younge, to explain her vote. The TV light is off and the timer is on."

Younge: "Mr. Speaker, I am voting 'no' against this Bill because I think that it is a total usurpation of all of the powers of the municipalities and the people and the citizens of the State of Illinois. I think that it is a Bill designed

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to give big business the opportunity, through the Department of Commerce, to come in and buy up the homes and the neighborhoods of poverty areas and I think that it will be one, in a frame of reference that will take away, totally, our traditional safeguards of due process and constitutional government. I think that it is predicated on an urban homesteading Act which has not been funded, which is not a part of the new two..."

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

Bowman: "Thank you, Mr. Speaker. I see this is going to pass. I would like to put into the record my reservations with regard to Section 9 of the Bill which says and this is unaffected by Amendment 36, 'the programs mandated by the federal government shall be operated at the minimum level required to comply with the federal mandates'. Public Law 94142 which guarantees certain rights for special education students I think would be effected by this. If the local governments chose to build schools in those particular enterprise zones I think that the state laws that we have developed to implement and embellish Public Law 94142 would be undermined. Furthermore, Section 11 of the Bill I believe is unconstitutional with respect to Article XVIII, Section 4 in terms of the ratios between classes of property and I believe that the Bill is both unconstitutional and unwise. And; therefore, I vote 'no'."

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

Huff: "Thank you, Mr. Speaker. I rise in opposition to this Bill because, in my opinion, not only is it anti-union but it's anti-local control and; therefore, anti-people. Mr. Speaker, this is an insidious things. It's frightening. It's really frightening, Mr. Speaker. In the debate on Amendments, Representative Peters wanted no Amendments that

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spoke specifically to employment. And no wonder, Mr. Speaker, for, in my opinion, it is possible to move into these depressed areas. Business is so technical in their application as to make the notion of hiring anybody obsolete and then you're going to give the control of this monster, this Frankenstein monster to DCCA and you all know what happened to Dr. Frankenstein and his monster. DCCA has not real track record for itself in this area. I wanted to ask the Sponsor, what has DCCA done to distinguish itself in these depressed areas to date? I can tell you. Nothing. DCCA couldn't direct the one car funeral out of any..."

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

Henry: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise to oppose the Bill for a number of reasons. I will not get into the legal technicalities. I think it's been pointed out very ably by my colleague, Representative Bullock. I would like to point to the persons that this Bill is suppose to be designed to help, but yet it does not help the disadvantaged, yet it does not help the persons unemployed in those areas. Large corporations can come into areas that will take land, will take land cheaply, can bring in jobs, jobs that they already have. They have no points on small businesses. Small businesses are the ones that really hire the people. This Bill, Ladies and Gentlemen of the House, should be defeated. What you're doing is going to raise taxes in your community to help support the big businesses, the traffic that the big businesses will bring to your community and your taxes on your property will go up. What you're doing is defeating your own cause and you'll have to go back home..."

Speaker Collins: "The Gentleman from Cook, Representative Jack

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Dunn."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, when this Bill came out in its initial form it was probably the most anti-labor, anti-municipality Bill I've ever seen. Now, it's gone to the Senate. It's been cleaned up. It's come back. I can see nothing really wrong with it now, but I'm still suspect of it because of its original content. And we'll get it passed this time and then possibly bring the Amendments in later. So I'm voting 'no' on it."

Speaker Collins: "Gentleman from Cook, Representative Ewell. Just a moment, Sir. Representative McPike spoke in debate. Do you have a point to raise, Sir? Representative McPike."

McPike: "Yes..."

Speaker Collins: "For what purpose do you rise?"

McPike: "I have an inquiry of the Chair and the Parliamentarian. When you ruled that this takes 89 votes, it's my understanding of the Bill that when the city and the state reaches an agreement to abate taxes that they abate county taxes also and; therefore, the county does not have any say so in it and we preempt the county's authority. If we are doing that it clearly is a preemption of home rule based on that alone. And on that alone, it would take 107 votes. Did that Parliamentarian take that into consideration when he made his ruling?"

Speaker Collins: "Yes, all those factors were taken into consideration and the ruling will stand. The Gentleman from Cook, Representative Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, perhaps we ought to point out that a naked man seeks cover not size and what you're talking here is all of the small imperfections that might exist within a Bill. We cannot afford to challenge all of the imperfection, all of the particular things for, indeed, we and our community need more cover than we need

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size. Thank you, and I vote 'aye'."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Take the record. On this question there are 111 voting 'aye', 50 voting 'no', 5 voting 'present' and this Bill, having received ... Representative Henry, for what purpose do you rise?"

Henry: "Record me 'no'."

Speaker Collins: "Record the Gentleman 'no'. 51 voting 'no', 5 voting 'present' and this Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Well, Mr. Speaker, Members..."

Speaker Collins: "Go ahead, Fred."

Tuerk: "Mr. Speaker, no offense to the Chair, but I would suggest as we go along in this deadline day, that there are Bills that appear to be passing by unanimous margin, that you wrap that gavel and declare them passed. And you don't have to recognize everybody on this floor. And let's move on and let's get our work done."

Speaker Collins: "Thank you, Sir. The Chair has constantly urged restraint upon the Members, but a number of people aren't listening. The Gentleman from Champaign, Representative Wikoff, for what purpose do you rise?"

Wikoff: "I would just kind of remind people there is eight hours left to the deadline and echo the same comments as Mr. Tuerk."

Speaker Collins: "Thank you, I appreciate that. House (sic) Bill 829, Representative Beatty. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 829, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

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

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Beatty: "Mr. Speaker, Members of the House, this basic...the basic content of this Bill is to include additional duties on persons dealing with pension funds and include things that they are not able to do. It prohibits them from certain transactions. In essence, it protects the funded ...assets of the fund by putting additional burdens on fiduciaries and making more people..put more people in the fiduciary capacity, including the managers and things such as this. Now there are two Amendments..three Amendments on the Bill. One Amendment is the Amendment that I put on dealing with the Chicago Police Fund which deals with duty disability. I think you've heard that explained a couple of times and the cost, if any, of that would be borne by the Chicago Police Department Fund. It places the Chicago policemen when they're shot or injured on duty in the same position as a fireman, that is that they get their disability based on what it is when they're actually getting the disability, not when they are injured. And the third provision is a provision that benefits Members of the General Assembly and aids them to purchase certain time, between now and sometime in 1982, for elective offices and it will help these Members if they are not reelected or if they are reelected. This is the Bill. I ask your favorable vote."

Speaker Collins: "Is there discussion? The question is, 'Shall this Bill pass?'. All those in favor will indicate by voting 'aye', opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 107 voting 'aye', 37 voting 'no', 8 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Would you stand at ease for a moment while the Clerk changes the paper? Oh, he...All right."

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Representative Zwick, for what purpose do you arise?"

Zwick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I had my light on under explanation of votes. I just think that it's only fair that your attention is called to House Amendment #3 on this particular Bill. I would love to be able to vote for this Bill because I do favor some of the items in it. However, Amendment #3 is the one that allows any Member to have credit for up to eight years of elective office, whether it's salaried or unsalaried in a municipality, including the full term for which he was elected. And I think that you should all check Amendment #3. I don't know if it's too late to change votes, but I think you should all be aware of it. And that's why I'm voting 'no'."

Speaker Collins: "The Bill has been declared passed. I'm sorry I did not see your light. House (sic, Senate) Bill 860. Representative Leverenz. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 860, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

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

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 860 would provide for 20 mile an hour speed limit zones as a maximum speed limit in an area of a senior citizen home if appropriate signs are posted. I ask you for your favorable vote on Senate Bill 860."

Speaker Collins: "Is there discussion? The Gentleman from Effingham, Representative Bower."

Bower: "Mr. Speaker, I think Representative Zwick pointed out a very important point on that last Bill. I certainly did not realize that Amendment was on. The Sponsor of the Bill absolutely failed to mention that that Amendment was on the

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Bill and that there was any portion of it. That's exactly the way the increase in the legislative pension was passed last year and I think the Membership should be aware that on most of these pension Bills we're not being told the full story when they're passed."

Speaker Collins: "To those of you who are concerned about the Board, the Clerk is running a test. Don't worry about your Roll Call. We can continue to debate the Bill while he is doing that. The Gentleman...The Gentleman from Macon, Representative Tate."

Tate: "Having voted on the prevailing side on Senate Bill 829, I move to reconsider.."

Speaker Collins: "That's not in order. That's not in order at this time. All right. All right, order. We are debating Senate Bill 860. Who..Who desires recognition on that Bill? The Gentleman from Cook, Representative Birkinbine. Representative Johnson in the Chair."

Birkinbine: "Thank you, Mr. Speaker."

Speaker Johnson: "Proceed."

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

Speaker Johnson: "He indicates he will."

Birkinbine: "Does the local municipality have any discretion as to whether or not they want an area to be 20 miles per hour in the proximity of a senior citizens' home?"

Speaker Johnson: "Representative Leverenz."

Leverenz: "Yes."

Birkinbine: "Okay, thank you."

Speaker Johnson: "Is there further discussion? The Lady from Cook, Representative Balanoff."

Balanoff: "Will the Sponsor yield for a question?"

Speaker Johnson: "He indicates he will."

Balanoff: "Does Amendment #2 say that no speed tracking device



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will be used in this particular senior citizens zone?"

Leverenz: "There are references to no electronic speed recording devices to be used within a five hundred feet area. That's correct."

Balanoff: "Why? Why shouldn't they...."

Leverenz: "It makes it..."

Balanoff: "...If you have a speed limit within the zone, why shouldn't you try to catch somebody there? I mean, the purpose is to protect senior citizens. Why shouldn't you want to, you know, get someone for a speed ticket...speeding ticket?"

Leverenz: "Unfortunately, Representative, you were not on the floor when it was debated, rather extensively I might add, to the creation of that Amendment, House Amendment #2, in that specifically within the zones they cannot be used because what normally happens is the attorney goes in, shows that there was no prior posting and that it was developed as a speed trap. They still will have the authority to use the speed control devices, but not for the purpose, mainly of a speed trap. This is consistent with the School Code law as a 20 mile zone is posted for a school so you're problem is eliminated."

Speaker Johnson: "Is there further discussion? The Gentleman from Marion, Representative Friedrich. The Gentleman from Hardin, Representative Winchester."

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

Speaker Johnson: "Indicates he will."

Winchester: "Maybe I didn't hear the discussion on Second Reading either, Representative Leverenz, but what is a senior citizens zone? Is that a nursing facility for senior citizens or is that individual homes which folks of 65 years of age or older live that would...there would be these speed zones? Anywhere that a senior citizen lives?"

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Leverenz: "No, but I'm very happy that you brought that question up. You will see that the Department of Highways is required to define a housing center zone so that we don't have one every two blocks where a senior citizen resides. They would be specific areas quite like a school speed limit zone where you might have a senior citizen complex."

Winchester: "Thank you."

Speaker Johnson: "Is there further discussion? The Gentleman from Madison, Representative Steele, E.G. Steele."

Steele: "Well, thank you, Mr. Speaker. I would just express some concern over this legislation. You know, 20 miles an hour is pretty slow. You're driving down the street and all of a sudden you practically have to hit your brakes and come to a total stop if you're going to comply with 20 miles an hour. And this can be just about anyplace that there is some type of a senior citizen home. Now they can do this in communities now and I'm saying that this is overkill. This is excessive legislation and this is going to create some repercussions and some problems throughout the State of Illinois that we're going to hear about for a long time. I just think it's excessive, unneeded and I would think a 'no' vote is in order."

Speaker Johnson: "Is there further discussion? The Gentleman from Rock Island, Representative Darrow."

Darrow: "Thank you, Mr. Speaker. I move the previous question."

Speaker Johnson: "The question is, 'Shall the main question be put?'. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The main question is put. Representative Leverenz to close."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To try to summarize the questions that were brought on the floor, the Bill basically provides for 20 mile an hour speed limit signs to be posted around a complex or a

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senior citizen complex or center. To the Representative from southern Illinois that said it was overkill and that all of a sudden you must come to a slow speed of 20 miles an hour, well, that's exactly the point. And further, if the Gentleman would get access to a copy of the Department of Transportation's 'signage' book, he would find that in any locale as we did see some years back in Sherman, Illinois, where there is a 15 mile or more reduction in speed, it is required to have signs prior to the 20 mile an hour signs indicating speed limit ahead. So that is not a problem either. Locals have the capability to do it and we are putting it into law showing that that capability is there. I ask for your 'aye' vote on Senate Bill 860."

Speaker Johnson: "Representative Leverenz has moved for the passage of Senate Bill 860. The question is, 'Shall Senate Bill 860 pass?'. All in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Levin to explain his vote."

Levin: "Yes, Mr. Speaker, I was not recognized in debate and I do have a couple of questions which I would hope that the..."

Speaker Johnson: "Representative Levin, just please address the Bill."

Levin: "Okay. Well it's not clear to me whether or not nursing homes are covered by this, Section 8 housing and who decides whether or not to instigate a zone? A local jurisdiction? I would hope the Sponsor could answer those questions."

Speaker Johnson: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 103 voting 'aye', 48 voting 'no', 5 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared

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passed. Senate Bill 867. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 867, a Bill for an Act to revise the law in relation to insanity defense and to establish a plea and verdict of guilty by mentally ill. Third Reading of the Bill."

Speaker Johnson: "On House...er..On Senate Bill 867, the Gentleman from Lake, Representative Barkhausen."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 867 is a law...is a Bill that would modify the defense of insanity in a criminal case. There are now approximately 50 to 100 criminal cases each year in which a defendant in Illinois is found by a Judge or jury not guilty by reason of insanity. It has been felt by the legal community and by members of families which have been victims of crimes committed by these defendants that the insanity defense is used too broadly and is resorted to, in many cases, by defendants to become absolved of their criminal acts, when in fact their mental illness did not reach defi...traditional definition of insanity. Therefore, this legislation would, as I say, attempt to modify the law in this area by permitting a Judge or jury in addition to finding a defendant insane, to as an alternative, find that defendant guilty but mentally ill, meaning that, in this particular type of situation, the defendant would found to be suffering from a mental disorder, but the extent of that disorder would not go so far as insanity, which as it's defined in Illinois means that a person is so mentally impaired that they are unable to appreciate the criminality of their conduct or to conform their conduct to the requirements of the law. I think it's important that we make the change in this law. It's a change that has been made successfully in Michigan. The Supreme Court in Michigan has sustained the

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Constitutionality of a substantially similar law in Michigan and more recently, just this year, the State of Indiana has made this same change. I'd be happy to answer your questions and ask for your support of this highly important piece of legislation."

Speaker Johnson: "The Gentleman from Lake, Representative Barkhausen, has moved the passage of Senate Bill 867. Is there discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Gentleman yield?"

Speaker Johnson: "Indicates he will."

Cullerton: "How many states, Representative Barkhausen, have not adopted this law?"

Speaker Johnson: "Representative Barkhausen?"

Barkhausen: "I can only answer that by saying that the only two states in which this issue has come before the Legislature, they have adopted in Michigan and Indiana."

Cullerton: "Okay. Could you explain to us right now, what happens if somebody is found not guilty by reason of insanity, under the current Illinois law?"

Barkhausen: "They are...They are involuntarily committed to a mental health institution until they're found to be cured of their mental illness."

Cullerton: "Who makes that determination to let them out?"

Barkhausen: "The courts."

Cullerton: "Does the court retain jurisdiction?"

Barkhausen: "Yes, until they order them released..."

Cullerton: "Okay. Now in your Bill..."

Barkhausen: "...But there's no control over...There is a possibility that that period could be a very short one and much shorter than the period for which the person would otherwise be sentenced.."

Cullerton: "But that's determined by the court and not a

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psychiatrist or a psychologist, correct?"

Barkhausen: "It's determined by the court subject to the expert testimony of a psychiatrist."

Cullerton: "The court has the ultimate decision though."

Barkhausen: "Yes, that's correct."

Cullerton: "Does your Bill make a distinction between insane and mentally ill?"

Barkhausen: "Yes."

Cullerton: "And what is that distinction?"

Barkhausen: "Well, as I tried to explain in my opening statement, I think you, yourself, are familiar with the traditionally definition of insanity, which means in Illinois as it does in most other states the defendant is unable to appreciate the criminality of his or her conduct, are unable to conform that conduct to the requirements of the law. The modification in that traditional definition under this Bill would be that mental illness would be defined as a substantial mental disorder. I'm paraphrasing a little bit here. But, at the same time, a disorder which does not so impair that person's judgment that he...that he is unable to appreciate the wrongfulness of his conduct or, on the other hand, is unable to conform his conduct to the law."

Cullerton: "Well, you're not totally eliminating the insanity defense then?"

Barkhausen: "No, because it's I suppose a considered judgment of most of those who have considered this question that that might be unconstitutional."

Cullerton: "Thank you. No further questions. Thank you, Mr. Speaker."

Speaker Johnson: "Further discussion? The Gentleman from Winnebago, Representative Hallock."

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

Speaker Johnson: "Indicates he will."

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Hallock: "Representative Barkhausen, one of the key elements of a crime is the intent or the mens rea. Could you tell me how this Bill would address that?"

Barkhausen: "Yes. The finding by a court or jury that a criminal is guilty but mentally ill would ...would be a finding that the mental illness that the person was suffering from was not so extensive that he or she did not have the intent to commit the crime. In other words, the mens rea, the intent, would still be found to exist, even though there is a degree of mental impairment."

Hallock: "But, for the record, if a person doesn't have the intent to commit the crime, how can they in fact be found guilty of committing that crime?"

Barkhausen: "The finding of guilty but mentally ill would include a finding that the person has the intent to commit a crime."

Hallock: "Thank you."

Speaker Johnson: "Further discussion? The Gentleman from Cook, Representative Preston."

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

Speaker Johnson: "Indicates he will."

Preston: "Representative Barkhausen, you indicated that there were somewhere in the area of 100 insanity defenses that were claimed per year in Illinois? Is that correct?"

Barkhausen: "I'm not sure that's entirely correct. What I do know is there are somewhere in the neighborhood of 100 to 110 individuals in Illinois mental health facilities at this time who are ...have been NGRI defendants."

Preston: "So, that would indicate, would it not, that there is something less than 100 to 150 per year who are actually found not guilty by reason of insanity in Illinois criminal courts."

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Barkhausen: "Perhaps. I'm not sure of the exact figure. I'm not sure how many are found not guilty by reason of insanity and how many, say, make that plea and are not found to be insane."

Preston: "And, Representative, do you have any idea about how many criminal cases there are that are prosecuted per year in Illinois where insanity is not alleged as a defense?"

Barkhausen: "I'm sure it's in the thousands."

Preston: "Would it be perhaps in the tens of thousands?"

Barkhausen: "Could be."

Preston: "Does this Bill delete the insanity defense?"

Barkhausen: "No, it does not as I answered Representative Cullerton."

Preston: "This is in addition to it?"

Barkhausen: "That's correct."

Preston: "But whereas an individual would make ..enter a plea of guilty but..Now what's the exact plea? Guilty but mentally ill? Is that.."

Barkhausen: "Yes."

Preston: "Notwithstanding that mental illness, the court could sentence the individual to a term of years in the penitentiary, is that right?"

Barkhausen: "That's correct."

Preston: "And would that be before or after or during the time that that individual was given some sort of therapy?"

Barkhausen: "Well, it would be up to the Department of Corrections upon referral by the court to the Department of Corrections to determine what sort of therapy the defendant was in need of."

Preston: "And where would that therapy, if the defendant was in need of therapy, where would that therapy be given to the defendant?"

Barkhausen: "It would be given either in a facility of the



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Department of Corrections or potentially at the discretion of Corrections upon referral to the Department of Mental Health."

Preston: "Are you aware of what the success is today of any types of therapy, whether it be rehabilitative therapy or psycho-therapy that the Department of Corrections is giving to inmates of penitentiaries? Have then been successful? Has the record been good in that area?"

Barkhausen: "I couldn't begin to generalize. Obviously you're dealing with a population, a group of individuals, who are the most troubled in our society so that to say that a program is successful or unsuccessful is certainly a relative judgment at best."

Preston: "And the test for whether somebody can...whether his plea of guilty but mentally ill may be entered by the court is something less than the current 'McNaughten test'. Is that right?"

Barkhausen: "Yes. It's certainly a distinction that I've tried to explain."

Preston: "Okay. Could you explain one more time? What...What is the...What factors go into a court's determination whether or not it will enter the plea of guilty but mentally ill?"

Barkhausen: "The definition of mental illness is very short. Let me...let me...It's just six lines. Let me read it. '..A mental illness or mentally ill, for the purposes of this Section, means a substantial disorder of thought, mood or behavior which afflicted a person at the time of the commission of the offense and which impaired that person's judgment..'. And here's the distinction between this and insanity. '...But not to the extent that he is unable to appreciate the wrongfulness of his behavior or is unable to conform his conduct to the requirements of the law..'"

Preston: "So that, under that definition, if somebody at the time

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of commission of the act that he is accused of committing, he was mentally ill to the extent where his judgment was impaired, that nonetheless, though he was ill at that point, by virtue of that illness he still can be sentenced to a term of years in a penitentiary in the State of Illinois."

Barkhausen: "Yes, because his mental illness was not so extensive that it approaches the definition of insanity as we have known it throughout the years."

Preston: "I see. Thank you very much."

Speaker Johnson: "Further discussion? The Lady from DuPage, Representative Fawell."

Fawell: "Thank you, Mr. Speaker. I just would like to inform the Members that I made a trip down to Chester about two years ago and saw the facility down there and was told by the warden that the average stay in that institution is only 18 months irregardless of what the crime is. And I think we should be aware that this is a very serious problem in our state."

Speaker Johnson: "Further discussion? The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to speak to the Bill. I commend the Sponsor for his intentions and the sincerity of his efforts, but I'm not sure this is the way to solve what certainly is a problem in our Criminal Code for those who raise the defense of insanity. We all know that there is a problem at the present time. But this particular Bill provides for a finding of guilty but mentally ill. As has been pointed out in this discussion, the first problem is what does that mean? Does that mean that someone understands right and wrong well enough to commit an act and be found guilty but is still disturbed enough to

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require treatment because they are mentally ill? Those concepts could certainly be argued to be in conflict and I think we should take a look at the definition that we have imposed in this Bill. That is a problem. The second problem is a more mundane, or practical problem and that is that everyone who is tried in court or faces the possibility of pleading guilty to a criminal offense which can result in incarceration in the state penitentiaries is going to raise the defense that they are guilty, but in fact, mentally ill because they know they will receive better treatment through the Department of Mental Health and Developmental Disabilities than the Department of Corrections. This may result and likely will result simply in the transfer of large numbers of prisoners from the Department of Corrections to the Department of Mental Health and the Department of Mental Health is not equipped to handle prisoners on a large volume basis. I'm sure this will happen. This Bill should be defeated because of that and the subject matter should be studied over the summer as long as is needed to refine the concept to do what the Sponsor really intends. In summary I would like to point out that to the best of my knowledge, the Mental Health Association in Illinois opposes this legislation. The Illinois Association of Community Mental Health Agencies opposes this legislation and the Illinois Association of Retarded Citizens opposes this legislation. These are groups which do not take issues in this area lightly. They have looked at this legislation. They feel it does not accomplish the purpose intended and will result in harmful treatment to those who do need the mental ill and developmentally disabled treatment and will result in the using of these facilities for improper purposes by those who plead guilty and are convicted of crimes pursuant to

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jury verdict findings in the State of Illinois. We should defeat this Bill at the present time, but refine the concept. And I urge a 'no' vote."

Speaker Johnson: "The Gentleman from Edgar, Representative Woodyard."

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

Speaker Johnson: "The question is....Representative Woodyard has moved the previous question. The question is, 'Shall the main question be put?'. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The main question is put. Now, by leave, I guess, or as a hyphenated Sponsor, Representative Ewell, the Gentleman from Cook, to close."

Ewell: "Mr. Speaker, Ladies and Gentlemen, it's very interesting to hear the lawyers on this House have to ask a nonlawyer, Mr. Barkhausen, all the questions which they really ought to be able to read. But nevertheless, we'll leave it as it may. I'd like to point out that this law is just something that the common man understands and what he wants. It makes common sense. We can no longer accept the principal that people are dead only if they really feel dead in a subjective sense as interpreted by the law or the lawyers. It's not proper. I should like to point out that a number of reasonable and prudent people in the Senate voted 55 to nothing with one abstaining in favor of this Bill. The House Committee vote was 16 to 1 with six abstaining. I think this is a good Bill. It does exactly what people like Representative Van Dyne has been trying to do for about eight years or six or eight years to my knowledge, something that perhaps ten or twelve other Sponsors have tried consistently to bring through the Judiciary Committee without success. I think it's a good Bill and I think that this Bill, above all, deserves about 150 votes at least.

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Thank you."

Speaker Johnson: "The Gentleman from Cook, Representative Ewell, has moved the passage of Senate Bill 867. The question is, 'Shall Senate Bill 867 pass?'. All in favor signify by voting 'aye', all opposed by voting 'no'. The voting is open. Explanation of votes; the Gentleman from Bond, Representative Watson. Timer's on. The Lady from Cook, Representative Alexander. The timer's on. Representative Alexander on please."

Alexander: "Okay. Thank you, Mr. Speaker and to the Members of the House, I wanted to ask a question of the Sponsor. But, however, I will make my remarks concerning it.."

Speaker Johnson: "Please address the Bill."

Alexander: "I am not an attorney at law. I am, as many of you are here, a lay person. And I'm having difficulty with deciding how to vote on this issue. Let us say that I was judged mentally ill and placed in an institution for four or five years and was brought back before the court for a hearing. My question would have been, would I be given some reasonable credit for the time that I've spent under the Mental Code being cured, or will I just summarily start at that point with my sentence? So, for that reason, until I get some further answers, and I understand this Bill is in a very gray area, that many questions cannot be answered, I must vote 'present' at this time."

Speaker Johnson: "The Gentleman from Cook, Representative Cullerton. You addressed the issue in debate. On a point of order. State your point."

Cullerton: "I think Mr. Stearney's button has been pushed green. I know he does not wish to be voting 'aye' and I would ask someone to put him on 'present'."

Speaker Johnson: "Representative Stanley, could you vote Representative Stearney 'present' on this? Have all voted

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who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 126 voting 'aye', 28 voting 'no', 12 voting 'present'. And Senate Bill 867, having received the Constitutional Majority, is hereby declared passed. Senate Bill 877. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 877, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Johnson: "The Sponsor is off the floor. If we could just be in recess or quiet for just one moment. The Board apparently didn't lock on the last Roll Call. It's now locked and on Senate Bill 867 there are 127 voting 'aye', 28 voting 'no', 13 voting 'present'. And Senate Bill 867, having received a Constitutional Majority, is hereby declared passed. We'll take Senate Bill 877 temporarily out of the record until the Sponsor can return to the floor. Senate Bill 884. Clerk, read the Bill, please."

Clerk Leone: "Senate Bill 884, a Bill for an Act relating to interest rates on bonds issued by Port Districts. Third Reading of the Bill."

Speaker Johnson: "The Lady from Lake, Representative Virginia Frederick."

Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 884 amends various Port District Acts to change the current allowable interest rate which can be paid for revenue or general obligation bonds. The interest rate shall not be more than 9% per annum or 70% of the prime commercial rate in effect at the time the bonds are issued. There isn't (sic, is) one Amendment on the Bill put on by my friend, Mr. Donovan, which simply adds townships to the list of Port Districts. I ask for your 'aye' vote."

Speaker Johnson: "Representative Frederick has moved for the passage of Senate Bill 884. On that question is there any

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discussion? The Gentleman from Sangamon, Representative  
Doug Kane."

Kane: "Would the Sponsor yield?"

Speaker Johnson: "She indicates she will."

Kane: "What units of government are involved and what kinds of  
bonds?"

Frederick: "The units of government are Port Districts. There  
are several of them. And the interest is for GO bonds and  
revenue bonds."

Kane: "For both general obligation and revenue bonds?"

Frederick: "Yes."

Kane: "And the limit is the same for both?"

Frederick: "Yes. It's 9% or 70% of the prime commercial rate."

Speaker Johnson: "Further discussion? The Gentleman from Macon,  
Representative Donovan?"

Donovan: "Yes, Mr. Speaker. This is a very good Bill and  
Representative Friedrich...Frederick...What my Amendment  
did as she explained is the same subject matter. You raise  
it from eight to nine or 70% of the prime rate at the time.  
And my Amendment deal with the townships and counties in  
the ....area. So it's the same thing and it's a very good  
Bill. I think we're all moving toward that direction. I  
believe there are other Bills that deal with municipalities  
in the same area. So I would ask for your 'aye' vote."

Speaker Johnson: "There being no further discussion, the Lady  
from Lake, Representative Frederick, to close."

Frederick: "I am simply asking for your 'aye' vote, please."

Speaker Johnson: "The question is, 'Shall Senate Bill 884 pass?'.  
All in favor signify by voting 'aye', all opposed by voting  
'no'. The voting is open. Explanation of votes,  
Representative Schneider, the Gentleman from DuPage. The  
timer's on."

Schneider: "Maybe the Sponsor can just nod. I notice in the

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print-out that it says the 70% of the prime commercial rate in effect at the time of the issuance. I didn't catch if that's determined by the largest bank in Illinois, as it was in the Chicago Finance Act, or the prime commercial rate in effect across the country or what? Can you explain that? Was it...Is it a local prime commercial rate?"

Frederick: "The prime commercial rate is defined as such prime rate that's publicly announced by the largest commercial bank in Illinois."

Speaker Johnson: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 143 voting 'aye', 2 voting 'no', 6 voting 'present'. And Senate Bill 884, having received a Constitutional Majority, is hereby declared passed. Senate Bill 892. Clerk, read the Bill."

Clerk Leone: "Senate Bill 892, a Bill for an Act to authorize the Department of Transportation to convey certain parcels of land. Third Reading of the Bill."

Speaker Johnson: "On the question, the Lady from St. Clair, Representative C.M.Stiehl."

Stiehl: "Thank you, Mr. Speaker. Senate Bill 892 authorizes the Department of Transportation to quick claim certain lands in Ogle, St. Clair, Macoupin, Madison and Bond counties. In Ogle County it's 2.12 acres that should have been deeded to the county. Instead inadvertently it was deeded to the state. It's simply to clarify this. There are no state funds involved. In St. Clair County once again there are no funds involved. It was an error in the title company and they listed the wrong lot. It should be Lot 77 instead of 78 and the correction is simply to clear the title. In Macoupin County it's 0.27 acres that are...were acquired in a larger parcel. They are no longer needed. The appraised value is \$550.00 and the interested party will pay it. In



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Madison County it's \$49,550.00. It is part of abandoned land and I would ask for a favorable vote."

Speaker Johnson: "Any discussion? There being none, the question is, 'Shall Senate Bill 892 pass?'. All in favor signify by voting 'aye', all opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 153 voting 'aye', none voting 'no', 2 voting 'present'. And Senate Bill 892, having received the Constitutional Majority, is hereby declared passed. Senate Bill 909, the Lady from LaSalle, Representative Hoxsey."

Clerk Leone: "Senate Bill 909, a Bill for an Act to amend the Cigarette Tax Act. Third Reading of the Bill."

Speaker Johnson: "Is the Lady in the chamber? Representative Polk? You're a hyphenated Sponsor with Representative Hoxsey on this Bill. Do you wish to open? The Gentleman from Rock Island, Representative Polk, on Senate Bill 909."

Polk: "This Bill simply allows cigarettes to be sold in the commissary at the penitentiary that are made in the penitentiary without the cigarette tax. I know of no opposition to it now."

Speaker Johnson: "Is there any discussion? There being none, Representative Polk, the Gentleman from Rock Island, has moved for the passage of Senate Bill 909. The question is, 'Shall Senate Bill 909 pass?'. All in favor signify by voting 'aye', all opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 134 voting 'aye', 15 voting 'no', 2 voting 'present'. And Senate Bill 909, having received a Constitutional Majority, is hereby declared passed. Senate Bill 935. Read the Bill, Mr. Clerk."

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Clerk Leone: "Senate Bill 935, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

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

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

Speaker Johnson: "Excuse me. Excuse me, Representative Vinson. The Gentleman, Representative Ewing, for what purpose do you rise?"

Ewing: "Mr. Speaker, you passed over Senate Bill 909."

Speaker Johnson: "No, Representative, we just voted on that. The Gentleman from DeWitt, Representative Vinson, on Senate Bill 935."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 935 simply adds to the Marital Dissolution Act a new ground for divorce, that ground being an abortion if consent was not first obtained from the non-aborting spouse. I would move for adoption of the Bill."

Speaker Johnson: "Is there any discussion? There being none. The Gentle... Apparently, there is discussion. On this question, the Gentleman from Cook, Representative Alan Greiman."

Greiman: "Not....long discussion, Ladies and Gentlemen of the House, but merely an observation. Firstly, that we are, we are really doing an injustice to women who, under the Constitution, have a right to do it. A woman, for example, may have an abortion because she's been raped and her husband may want her to carry that baby for reasons that he may know, or she may, in fact, be... It may be a lover perhaps and she'd like to not disclose that to her husband. Or they may, in fact, be separated for ten years, for ten

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years and perhaps... or perhaps they're in the middle of a divorce litigation and here he gives her grounds, the doctor gives her grounds, or abortion by that. It seems to me that it's an injustice. It's a one-sided kind of thing, but I think more than that to many people who have, over the years, watched what's happened to the abortion issue since 1973, is that this kind of Bill, I think, detracts from the nobility of the right-to-life cause. I think it makes, it trivializes, if you will. We had this Bill. We had the Bill dealing with family expenses. They really trivialize this issue. People stand here. They talk about the rights of unborn and those may be very, very valid, but when we do this, when we do this kind of petty meanness, we really just trivialize this issue. I think this should be a 'present' vote maybe or a 'no' vote. Thank you."

Speaker Johnson: "Further discussion? The Lady from Cook, Representative Monica Stewart."

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think I would want to continue the line that Representative Greiman began with. First of all, this Bill would write into the Statutes, I think, an automatic injustice. Second of all, it does trivialize the position of those who happen to believe very firmly that that abortion should not be. I think, however, they should continue on another track. Certainly 935 does not address the basic question of abortion and it is riddled even with the Amendment added on to include vasectomies. It really does provide a ridiculous basis in the Statutes and I would ask a 'no' vote from thinking Members of the chamber. Thank you."

Speaker Johnson: "Further discussion? The Gentleman from Cook, Representative Vitek."

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

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Speaker Johnson: "Gentleman from Cook, Representative Vitek, has moved the previous question. The question is, 'Shall the main question be put?'. All in favor signify by saying 'aye', opposed by saying 'no'. The 'ayes' have it. The main question is put and the Gentleman from DeWitt, Representative Vinson, to close."

Vinson: "I would move for adoption of the Bill."

Speaker Johnson: "Gentleman from DeWitt, Representative Vinson, has moved for the passage of Senate Bill 935. The question is, 'Shall Senate Bill 935 pass?'. All in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Discussion? The Gentleman from Sangamon, Representative Kane."

Kane: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This seems to be a rather silly Bill. There is absolutely no provision on where this written consent is supposed to be filed with, whether it's supposed to be notarized or not, who's supposed to secure it, whether or not some kind of written consent is legitimized or whatever. I think that this seems... is just a silly provision in the law and I would urge a 'no' vote."

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

Vinson: "Thank you, Mr. Speaker. In explaining my vote, I would point out that it does not necessarily have to be written consent. The Judge can find that there was implied consent, in which case there's no grounds. I would take the issue a step further to make a point that what you're really saying with this Bill is that a difference in opinion on abortion is so... can be so substantial a cause that you're justifying divorce. And for the Gentleman from Niles to suggest that this is a silly Bill when he supports no-fault divorce, I think that's the height of hypocrisy."

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It's a good Bill. It's a Bill that recognizes that abortion is a very serious concern. It's a Bill that recognizes that there's enormous controversy on the subject of abortion and that that controversy can so render a couple down the middle that there ought to be divorce in the case in which they cannot agree on the subject. I would urge an 'aye' vote."

Speaker Johnson: "Further discussion? The Gentleman from Cook, Representative Katz."

Katz: "The Sponsor just said that you didn't have to have written consent, that you could have oral consent. The Sponsor ought to read the last page of his Bill on line 32 that requires written consent. He is wrong as far as the clear meaning of the Statute is concerned and that's another reason for voting 'no'."

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

Ropp: "Yes, Sir, Mr. Speaker, Members of the House. In my opinion, I think we ought to be concerned about family living and that the passage of this Bill permits one more plank to be given to those who may want a divorce and I don't think we need to add anymore planks to that particular profession."

Speaker Johnson: "Is there further discussion? Have all voted.... The Gentleman, Representative Bower, the Gentleman from Effingham."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would direct Representative Katz and Representative Greiman to the very last two lines of the Bill and you will find that Representative Vinson is absolutely correct. It does provide for a written consent, but the last two lines say '..or that the other spouse rendered an informed voluntary consent to the abortion'."

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That does not require a written consent. I think it's a good Bill and I would urge an 'aye' vote."

Speaker Johnson: "Is there further discussion? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 75 voting 'aye', 61 voting 'no', 20 voting 'present'. Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "Place this Bill on Postponed Consideration, please."

Speaker Johnson: "Postponed Consideration. Senate Bill... Senate Bill 941. Clerk, read the Bill."

Clerk Leone: "Senate Bill 941, a Bill for an Act in relationship to abortion. Third Reading of the Bill."

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

Leinenweber: "Thank you, Mr. Speaker..."

Speaker Johnson: "Excuse me, Representative Leinenweber. The Gentleman from Cook, Representative Yourell, for what purpose do you arise?"

Yourell: "An inquiry of the Chair, please."

Speaker Johnson: "State your inquiry."

Yourell: "Unless the rules have been changed recently it has been a rule of this House that any information that's distributed to the House must be identified and I have just had placed on my desk a fact sheet on Senate Bill 941. Now, everybody can call anything a fact if they want to and I'd like to know who's referring to facts in the distribution of this so-called informational material."

Speaker Johnson: "Could you wait just one moment, Representative Yourell, while I confer with the Parliamentarian? Representative Yourell, your point is well taken. As you are aware and the House is aware, literature cannot be distributed on the floor of the House without the

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permission of the Speaker. Permission was not granted in this case and I would admonish whoever distributed this literature or any other literature like that now or in the future to please refrain from violating the House Rules. The Gentleman from Cook, on a Parliamentary inquiry, Representative Greiman, for what purpose do you arise?"

Greiman: "Mr. Speaker, I would rise to ask the number of votes required to pass this. In the Senate they ..the Parliamentarian and the President held that it was a pre-emption of home rule and that accordingly it required a three-fifths Majority because on page 29 of the Bill it expressly says that it pre-empts home rule health facilities, hospitals and as I said, if you will check with the...if you will look in the synopsis and Digest, you will find that the Senate held that a three-fifths Majority was necessary for this Bill to pass."

Speaker Johnson: "I might point out while the Parliamentarian is considering your point of inquiry, Representative Greiman, that it's not unprecedented that the ruling of this chamber has differed from the ruling of the other chamber. If you'll be at ease just one moment while I confer with the Parliamentarian for a ruling?"

Greiman: "Sure. Thank you, Sir."

Speaker Johnson: "Representative Greiman, could you again state the page and line of the Bill that specifically pre-empts home rule in your estimation?"

Greiman: "Yes. I think on the page 29, lines 18 etcetera...18 etcetera."

Speaker Johnson: "On the point of order raised by Representative Greiman, the Gentleman from Will, Representative Leinenweber, on that point."

Leinenweber: "Well, yes, Mr. Speaker. I would suggest that what we're talking about here is the exclusive state regulation

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of the subject of abortion and where abortions are to be carried out and whose money is to be used is a form of regulation. Consequently, it would be an exclusive exercise by the state of the power to regulate the subject of abortion and under Section 8 of Article VI of ...of Section 6 of Article VII, a mere Constitutional Majority would be required."

Speaker Johnson: "Anyone else want to address the point of order raised by Representative Greiman while the Parliamentarian is considering his ruling? As you are aware, Ladies and Gentlemen, this is an extremely important issue and if we could have some attention just for one moment. Representative Greiman? Want to turn Representative Greiman on please?"

Greiman: "Yes, thank you, Mr. Speaker. Only to comment that the state does not perform any functions at this point and that we would be precluding therefore units of local government from providing such health facilities and health services. We fund public hospitals in part with Medicaid, but not ...but that's not the home rule issue certainly."

Speaker Johnson: "Representative Robbins, your light is on. Do you wish to address the question, the point of order raised by Representative Greiman?"

Robbins: "Well, I thought we had discussed this long enough. I move the previous question."

Speaker Johnson: "Well, you're not recognized for that purpose, Representative Robbins. You'd be at ease just one more moment while the Parliamentarian confers and allows me to make a ruling. Addressing the point of order raised by Representative Greiman. Representative Greiman, the Parliamentarian advises me that your point is well taken, that Senate Bill 941, because of the form of pre-emption it takes, will take 107 votes to pass and that is the ruling



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of the Chair. Now, with that point having been raised, the Sponsor of the Bill, Senate Bill 941, the Gentleman from Will, Representative Leinenweber, on the Bill."

Leinenweber: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 941 makes a number of corrections and changes to the Illinois Abortion Law, basically to bring the provisions in the Act in line with the latest decisions of the Supreme and Circuit Courts of Appeal in this nation. Essentially the Bill covers four areas, having been amended at Second Reading in order to strike out the provision allowing intervention of private organizations in court. That provision was amended out with an Amendment by Representative Greiman. The Bill provides for a limited parental consent in line with the dicta in various Supreme Court and Appellate Court decisions. It allows for spousal notification, again, a limited notification to brought in line with many of the Supreme and Appellate Court decisions. It provides for requirement for preservation of life of possible viable fetuses in abortions on demand which are not carried out because of the threat to the health or the life of the mother. It prohibits the use of governmental facilities which is really sort of moot at the moment because of the decision of the County of Cook not to permit abortions in County Hospital. The provisions are reasonable. They are, in my opinion and in the opinion of many attorneys, Constitutional. Many of them have not as yet been decided by the United States Supreme Court, but these provisions, as far as possible, track the language of opinions of the Supreme Court and dictum and other decisions and various opinions throughout the country, an occasional dissenting opinion in cases which are on their way to decision by the Supreme Court."

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Speaker Johnson: "Have you concluded your remarks, Representative Leinenweber?"

Leinenweber: "Not quite."

Speaker Johnson: "Representative Leinenweber."

Leinenweber: "Again, we debated certain aspects of this Bill on Second Reading. I think the Bill...the Bill is the number one Bill of the various right-to-life groups in the State of Illinois. The right-to-life groups want this Bill to pass. And again, it's been improved since it left the Senate. It was improved on Second Reading in this House. One area that I did not mention, the informed consent must be given according to Amendment by Representative Cullerton in order to protect the health of the mother, at least 20...er..12 hours prior to the abortion. I urge the adoption of Senate Bill 941."

Speaker Johnson: "On the Bill, the Lady from Cook, Representative Stewart."

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 941 represents the most extensive and offensive of the package of mandatory pregnancy Bills introduced in this chamber. The Sponsor doesn't represent this Bill accurately if he insists that all provisions of this Bill are Constitutional. The consent, the parental and spousal consent requirements, the description of the fetus, etcetera, the definition of a human being, when life begins, all of this, none of the provisions of this Bill, these kinds of provisions can be said to be Constitutional. I also vehemently object to the Section which pre-empt's home rule units. What we, in effect, are saying is that to poor women, to women of a certain economic status, they are denied the same kinds of Constitutional rights as women of ..who are more affluent. I say that once again that all this Bill does...it is part of a wave of mandatory

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pregnancy and I think it's ironic that most of those here who hold these kinds of views can't become pregnant. Therefore, I think that once again all of us who are humanitarian, who are thinking Members, would recognize that this is a horrendous piece of legislation and deserves to be sent to a quick grave. Thank you."

Speaker Johnson: "Further discussion? The Lady from St. Clair, Representative Celeste Stiehl."

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

Speaker Johnson: "Indicates he will."

Stiehl: "Representative Leinenweber, I'd like to ask you if a woman is abducted and she is held for several days and beaten and gang raped and then at some time later she is allowed...she gets away and she is treated at a hospital, now does this Bill, under the viability of the fetus, prevent any hospital or any doctor from using all necessary regular procedures for treating a rape victim?"

Leinenweber: "No, it..."

Stiehl: "In other words, doesn't this, under the viability of the fetus, state that a doctor cannot perform certain procedures without a certification of nonviability?"

Leinenweber: "No. What the Bill provides in the situation you're talking about...it would be obviously not a situation where you have a viable fetus. A viable fetus is one that is capable of life outside, if it were born at that particular moment. The law very clearly provides in accordance with the United States Supreme Court that in the third trimester, when there is a possibility of viability, that states may regulate and prohibit abortions unless the life or the health of the mother is threatened. And, that particular situation would not be covered because there wouldn't be a chance of viability."

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Stiehl: "Then what you're saying is, in this Bill there is nothing that will prohibit or inhibit a doctor or a hospital in treating a rape victim?"

Leinenweber: "That's correct. In fact, the Bill very clearly spells out that the doctor is always entitled to use his best in his medical judgment on behalf of the health or the life of the mother."

Speaker Johnson: "Further discussion? The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. Will the Sponsor yield to a question?"

Speaker Johnson: "Indicates he will."

Currie: "First of all, Representative Leinenweber, I'd like to know what the language in Section 2.8 with respect to the definition of human being means for contraceptive devices, intrauterine devices in particular?"

Speaker Johnson: "Representative Daniels in the Chair."

Speaker Daniels: "Representative Leinenweber?"

Leinenweber: "I don't think it has anything to do with that. It just defines the word human being for the purposes of the Act."

Speaker Daniels: "Representative Currie."

Currie: "Is it then your understanding of the definition in Section 2.8 to mean that there is no restriction on the use of intrauterine devices as a form of contraception?"

Leinenweber: "That's my understanding."

Currie: "Even though the language seems clearly to say that a human being begins at the moment of conception and the affect, as anybody understands it, medically and scientifically of an intrauterine device is to prevent implantation after conception?"

Leinenweber: "That's correct because the law in the United States very clearly says that a woman has...within her right of

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privacy may have an abortion in the first trimester, unfettered virtually."

Currie: "Okay, another question..."

Leinenweber: "And that would obviously be in the first trimester in the situation you're talking about."

Currie: "So, it is your understanding that there is nothing in this Bill, and certainly not the legislative intent of this Bill, to prevent the use of contraceptive devices like intrauterine devices?"

Leinenweber: "That's correct. In the words of Representative Getty, it's now journalized.."

Currie: "..Morning after pills as well. Another question. In 1975, '77 and '79, this Legislature passed Bills which raised serious...in this area of involving abortion restrictions, which raised serious questions of Constitutionality, in fact, sufficiently serious that they were litigated at length in court. Can you give me any idea how much it cost the taxpayers of the state when this Legislature passed Bills in this area of abortion that were patently unconstitutional and were so held by the courts?"

Leinenweber: "All right. One of the Bills that you're talking about was House Bill 333 of which I was the Chief Sponsor and which this House passed and the Senate passed and we overrode the Governor some time ago. And it was subsequently held to be unconstitutional at the District Court level and at the Seven Circuit Court of Appeals level and there was a substantial amount of money spent in defending and prosecuting that particular action. Fortunately or unfortunately, as your own individual feelings may dictate, the United States Supreme Court overruled the lower court decisions and held that House Bill 333 which prohibited governmental funding of non-life-threatening abortions to be fully Constitutional.

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In my considered judgment, that was a very worthwhile expenditure of money, to have that injunction overturned.

According to the statistics that I have been told..."

Currie: "Representative Leinenweber, I believe..."

Leinenweber: "A great number of ...the number of abortions dropped considerably..."

Currie: "Representative Leinenweber..."

Leinenweber: "...After that particular Supreme Court decision."

Currie: "Representative Leinenweber, my question was how much did it cost the taxpayers to litigate? Not whether you thought it was a good thing for that litigation to happen. Can you give me an idea as to how much it cost the taxpayers of the state to litigate patently unconstitutional provisions and whatever was the effect of the particular provision you picked out, they were patently unconstitutional provisions, so held by every court that viewed those issues, for example, parental consent, any kind of spousal notification and so forth and so on? You picked on one issue and my question was not to you, 'What do you think of the outcome?'. My question to you was and is, 'How much did it cost the taxpayer for us to pass legislation subsequently held to be unconstitutional in this area of abortion restrictions?'."

Leinenweber: "Well, first of all..."

Currie: "If you don't know the answer, you don't have to offer it. But I would prefer you to address yourself to my question."

Leinenweber: "Well, first of all, you asked a rather complex question or you involve a lot of statements which aren't entirely true, one of which is, as you say, that many of the provisions which we have previously passed have been held to be patently unconstitutional..."

Currie: "There have been..."

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Leinenweber: "Now there have been many lower court decisions holding many of our provisions unconstitutional..."

Currie: "Representative...Exactly.."

Leinenweber: "Many of those decisions are on appeal to the United States Supreme Court and may very well be reversed...."

Currie: "Perhaps.."

Leinenweber: "..To answer your question, however, I haven't the foggiest notion."

Currie: "Thank you very much. That would probably have done in the beginning. To the Bill, Mr. Speaker. It seems to me that we are..."

Speaker Daniels: "Proceed."

Currie: "It seems to me that we are again about to create for the taxpayers of the State of Illinois an expense. How expensive it's unclear. Representative Leinenweber doesn't know. He's not able to tell us what will happen if we pass this Bill. Certainly we know. We can tell from looking at his provisions that it will be litigated instantly. The issue of parental consent, the issue of spousal notification, the question as to what is the definition of human being and how it is or is not regarded with respect to intrauterine devices or what have you, these are all issues that mean that this legislation would go instantly to court. We're a Legislature right now under an edict from our Governor from the revenue losses that we are sustaining to watch our budget, to see to it that we're not spending money unnecessarily, the people's money. I would say to anyone on this floor, look carefully at this Bill. It's clear that there are patent unconstitutionality in it. If you vote for this Bill, you're voting for your taxpayer dollars to be spent taking this issue once more to the courts and I think that's probably not a wise, sensible or a financially responsible thing for us to do. Two other

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points, one of which is the invitro fertilization, I think others have already addressed themselves to it, to the extent that the invitro fertilization Section of the Bill stands..we are making a statement that is anti-family. We are saying to those couples who are trying to have babies, 'No, you can't do it'. And on the issue of what will happen in the event of rape, what a hospital can or cannot do, Representative Leinenweber's response to Representative Stiehl's question suggested that hospitals could do whatever kinds of D and C's or other services might be appropriate for the victim of a rape. But it's not at all clear that public hospitals could so act. The provisions in this Bill that say that public hospitals may not perform abortions I would read to say that they cannot perform anything that might turn out to have been an abortion. In some parts of the state where hospitals are few and far between, the effect of this legislation might well mean that the victim of a gang rape is not entitled to a D and C shortly after that event occurs. I think anyone is financially responsible who respects and upholds the Constitution of these United States, who is pro-family and who is pro-woman, will vote 'no' on Senate Bill 941."

Speaker Daniels: "Representative Kornowicz."

Kornowicz: "Move the previous question."

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

The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Leinenweber to close."

Leinenweber: "Thank you, Mr. Speaker, Members of the House. There have been a number of criticisms made of this Bill mostly along the lines of its alleged unconstitutionality. I suggest to you that (if) we had listened to those voices in years gone by, we would not have passed House Bill 333



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which prevents public funds, taxpayers' funds, from being used for non-life-threatening abortions. We were told at that time of all the dire consequences, the cost to the State of Illinois to litigate this issue which was foreclosed in their minds from any possibility of being Constitutional. I can only suggest to you that the Federal District Courts and the Federal Circuit Courts of Appeals are not the courts of last resort. They are supposed to interpret what the United States Supreme Court says, but many times they seem to fall back into their own peculiar views of what's right and what's wrong. I would admit that in the past many of the Bills that I have urged adoption, that I've voted for and that I've sponsored have been on one level or another held to be unconstitutional. The best example that I can give is House Bill 333 which this Body overwhelmingly passed. That was subsequently held to be Constitutional and whole by the United States Supreme Court. Now there are many areas here that this Bill covers. Spousal notification I think is perfectly reasonable for one spouse to notify the other of her intention to get an abortion. There are many words in the opinions of the various courts across the land which would lead many Constitutional scholars to believe that the United States Supreme Court will confound all of these people who are fighting against this Bill and hold that to be Constitutional. The same with parental consent. It's not absolute parental consent. We have as far as possible provided procedures to provide for abortions in the event that parents refuse consent or if consent is not available. Every provision in this Bill is an open question or has already been ruled to be Constitutional. I think it is a reasonable approach. It is a Bill that will bring our Statute in line with what the Constitution requires. It

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will help to protect life and I would like to point this out, as far as the question of what the ultimate cost to the State of Illinois, and I don't think that when it comes to the preservation of human life that we can't actually place a cost figure on that, nor should we. I think this is a good Bill. I think everybody ought to be voting for it and I urge your support."

Speaker Daniels: "The Gentleman has moved for the passage of Senate Bill 941. As the previous Speaker ruled, it takes 107 votes to pass. All those in favor will signify by saying 'aye'...voting 'aye', opposed by voting 'no'. The voting is open. Representative Cullerton to explain his vote. The timer's on, Sir."

Cullerton: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm sorry debate was cut off because I did want to clarify one portion of the Bill with the Sponsor. As I understand it, there are many pro-life Legislators who believe that abortion should be allowed when a person is raped or when they're the victim of incest. And as I read this Bill on page 29, it says that no hospital owned by the state, county, including any home rule unit, shall provide or permit its facilities to be used for an abortion not necessary to prevent the death of the mother. And that appears to be the only way in which abortions would be allowed in these facilities. And I don't...I'm unclear as to how the answer that Representative Leinenweber gave to another question could..I don't understand that answer in light of this ...Ms. Stiehls' question in light of this language and therefore I think that I'm going to vote 'present' as a result of it."

Speaker Daniels: "Further discussion? The Lady from Champaign, Representative Satterthwaite. The timer's on, Ma'am."

Satterthwaite: "Mr. Speaker and Members of the House, if there is

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anything we don't need it's another abortion law. We have so many abortion laws on the books now that if you try to read that Section in the Statute, you have no idea what the law is and I believe that this is another attempt at intimidation so that the issue will be purposely confused and so that women who do not have the opportunity to take these issues to court will find themselves in a position of not knowing what is permissible and what is not permissible and therefore, will not run the risk of doing something that is unlawful. If we wanted to clarify, this Bill should have picked up those Sections that were Constitutional and put them back in as a single unified codification of abortion law. But it does not do that. It just further muddies the water and it should get a resounding 'no'..."

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

Leinenweber: "I'm trying to remember what Representative Cullerton's question was and I certainly hate to see the Gentleman vote 'present' on this Bill because of some inadequacy on my part in explaining it. All I said in the question of rape or incest is that we continue the current practice in the current law that public nor public facilities are not to be used. Obviously, a person has a Constitutional right of privacy to have an abortion on demand in the first and second trimesters and we can't do anything about that so a rape victim can certainly get an abortion. There's absolutely nothing to prevent them from getting an abortion."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Ewell, to explain his vote. Timer's on, Sir."

Ewell: "Mr. Speaker, Ladies and Gentlemen, again and again I hear

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the phrases that we cannot place a value on life, that there is no cost that we can say that it is too great. Yet, I'd like to point out here again, these are the same Gentlemen, same people who, time after time vote against that life once it's here in every phase and every facet. Someone very wise a long time ago said, 'He who says he loves God, who he cannot see and loves his neighbor who he can see, and hates his neighbor who he can see, is a liar'. And I suggest that we ought to take this into consideration. Vote me 'no'."

Speaker Daniels: "Further discussion? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Leinenweber."

Leinenweber: "I want a Poll of the Absentees."

Speaker Daniels: "Okay. The Clerk will proceed with the Poll of the Absentees."

Clerk Leone: "Poll of the Absentees: Deuchler. Deuster. Garmisa. Jones. Kucharski. Laurino. Margalus. Martire. Pierce. Redmond. Richmond. Satterthwaite. Irv Smith. Stearney. And, Mr. Speaker."

Speaker Daniels: "Representative Christensen?"

Christensen: "Would you change my vote to 'aye' please?"

Speaker Daniels: "Change Representative Christensen from 'present' to 'aye'. Representative Satterthwaite?"

Satterthwaite: "Mr. Speaker, having voted against... Having spoken against the Bill, I'd like to be recorded as 'no'."

Speaker Daniels: "All right. Record Representative Satterthwaite as 'no'. Representative Ewell?"

Ewell: "Mr. Speaker, we can talk about folly, but everybody knows there are about 40 people missing here and if it's verified, you've done nothing but waste the time of the Body. If that's what you want to do, so be it."

Speaker Daniels: "Representative Currie?"

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Currie: "In the event, Mr. Speaker, this gets 107 votes, can we please have a verification?"

Speaker Daniels: "In the event it does, we will recognize you for that purpose. Representative Ropp wants to be recorded as 'aye'. Representative Chapman?"

Chapman: "I urge you to take the record on this, Mr. Speaker."

Speaker Daniels: "Representative Irv Smith, for what purpose do you arise, Sir? Representative Smith wishes to be recorded as 'aye'. Record the Speaker as 'aye'. He's down here on the right. And, Representative Chapman, if we have a verification, would you verify the Speaker? All right. Representative Chapman said she'd verify the Speaker, if we have one. All right. Is there any further additions or changes? 107 'aye' and 50 'no'. This Bill....All right. Representative Chapman desires a verification. Proceed with a verification of the Affirmative Roll. Representative Chapman."

Chapman: "Mr. Speaker, I urge you to take people that we see right now are not present, Mr. Bradley and Mr. Murphy, off and Mr. Stuffle and then take the record, please."

Speaker Daniels: "I'm sorry. Would you say that again, now?"

Chapman: "If you just right now take Bradley, Murphy, Kelly, Stuffle off that record and declare...and Kelly, I'd appreciate it if you'd declare the vote."

Speaker Daniels: "Are those your only questions then of the Affirmative Roll?"

Chapman: "Those are my only questions at this moment."

Speaker Daniels: "All right. Now, we've got...State the names now."

Chapman: "Well, now..."

Speaker Daniels: "We have Bradley..."

Chapman: "No..."

Speaker Daniels: "What were the four names you gave me?"

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Representative Leinenweber."

Leinenweber: "What are we doing here? We having a verification? Let's proceed with it. If you declare so many votes, we pass..."

Speaker Daniels: "All right. Proceed with a verification of the Affirmative Roll. Proceed, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative: Ackerman. Alstat. Barnes. Bartulis. Beatty. Bell. Bianco. Birkinbine. Bluthardt. Boucek..."

Speaker Daniels: "Representative Davis, for what purpose do you arise, Sir?"

Davis: "Well, Mr. Speaker, I know it's a bit unusual. Representative Wikoff is on his way back. Probably do it himself. He instructed me to vote his switch 'no' and I accidently hit the wrong switch. With leave of the House I'd like to have him recorded as 'no'."

Speaker Daniels: "Well, we'll have to...we'll have to after we finish the Poll of the Absentees (sic, Affirmative). We'll take care of that...er...the Poll of the Affirmative Roll. Proceed."

Clerk Leone: "Continuing with the Poll of the Affirmative: Bower. Bradley..."

Speaker Daniels: "Representative Ewing?"

Ewing: "Mr. Speaker, we have wasted three days here. I agree with the opponents of this measure. There is no way that there is 107 Members here and even though I support this Bill, I wish to have my vote changed to 'present' so that we will get on with the business of this House and I would encourage others to do so also. There isn't 107 positive votes here. Record me 'present'."

Speaker Daniels: "Change Representative Ewing from 'aye' to 'present'. Representative Leinenweber?"

Leinenweber: "Well, I would hate to have people not voting for a

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Bill they consider a good Bill and I respect the Gentleman. It's not my intention to have people knocked off this Roll Call, so I will put the Bill on Postponed Consideration."

Speaker Daniels: "All right. Senate Bill 941 will be on Postponed Consideration. Senate Bill 953, Representative Swanstrom. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 953, a Bill for an Act in relationship to lease of state tax liens, Third Reading of the Bill."

Speaker Daniels: "Representative Swanstrom."

Swanstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 953 amends the Income Tax Act, the Retailer's Occupation Tax Act, and Unemployment Insurance Act. It provides that releases are to be filed with the Recorder's of Deeds or Registrar of Titles when liens obtained under these Acts are satisfied. Now, presently there are no notice requirements that liens obtained into these Acts have been satisfied. The Bill would simply require the Department of Labor or Department of Revenue to issue a release to the person or the person's agent against whom a lien was obtained when such lien had been satisfied. I would appreciate a favorable Roll Call."

Speaker Daniels: "Any discussion? The Lady from Cook, Representative Chapman. No discussion. The question is, 'Shall Senate Bill 953 pass?' All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Friedrich, for what purpose do you arise, Sir?"

Friedrich: "Well, I suppose it's a waste of time. I was wondering why the state was put the expense of filing a release because in the case of a mortgage or any other kind of a debt the debt is up to the person who was.. had the debt but apparently this is going to be different."

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Speaker Daniels: "Have all voted who wish? Take the record.  
Representative Leinenweber."

Leinenweber: "Yes, with leave of the House, I am a realist that  
Senate Bill 941 will not be called again before the  
deadline. I'd like leave to put that on the Spring  
Calendar."

Speaker Daniels: "The Gentleman asks leave to put 941 on the  
Spring Calendar on Postponed Consideration. Does he have  
leave? Representative Currie."

Currie: "I object to putting it on the Spring Calendar. Doesn't  
he require leave of the House, the whole House?"

Speaker Daniels: "No."

Currie: "All right. If he wants to take a vote, fine. But I  
object to giving leave.."

Speaker Daniels: "It takes 89 votes, Representative Currie.."

Currie: "I object to giving him leave to put the Bill on the  
Spring Calendar."

Speaker Daniels: "Representative Bower."

Bower: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I  
consider that to be a pretty low move. That is a basic  
courtesy that is extended to virtually every Member  
regardless of the kind of Bill. This...If you happen to  
agree with it is one thing. You can vote against it next  
Spring. This is a major piece of legislation and I think  
Representative Leinenweber ought to be extended the normal  
courtesy that most people have and put it on the Spring  
Calendar if that's what he desires."

Speaker Daniels: "All right. Representative Leinenweber."

Leinenweber: "I hate to take the time of the House. I understand  
it takes 89 votes to do so and I would so move."

Speaker Daniels: "Representative Currie. Would you say that  
again? We didn't hear you."

Currie: "I withdraw my objection."



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Speaker Daniels: "All right. The Gentleman has asked leave to place Senate Bill 941 on the Spring Calendar on Postponed Consideration. Does he have leave? Hearing no objections, leave is granted. On Senate Bill 953, the vote was 161 'aye', no 'nay', none voting 'present'. Senate Bill 953, having received the Constitutional Majority, is hereby declared passed. Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I'd like to ... I put a Bill earlier today on Postponed Consideration. Senate Bill 808 and it's on Postponed. I'd like to move that to the Spring Calendar on Postponed."

Speaker Daniels: "The Gentleman asks leave for Senate Bill 808 to be placed on the Spring Calendar, Postponed Consideration. Does he have leave? Hearing no objections, leave is granted. Placed on the Spring.. Representative Davis."

Davis: "Thank you, Speaker. Same request for Senate Bill 243. It is now on Postponed Consideration.."

Speaker Daniels: "Senate Bill 243 and Representative Vinson on Senate Bill 935. Both Gentleman ask for leave to place both Bills on the Spring Calendar. Do the Gentlemen have leave? Hearing no objections, leave is granted. Representative Terzich."

Terzich: "I would like to have Senate Bill 729, which is on Postponed Consideration."

Speaker Daniels: "729, Sir?"

Terzich: "Yes."

Speaker Daniels: "Is that on Postponed?"

Terzich: "Yes, it is."

Speaker Daniels: "Alright, the Gentleman has asked leave to place Senate Bill 729 on the Spring Calendar, Postponed Consideration. Does he have leave? Hearing no objections, leave is granted. Representative Flinn."

Flinn: "Well, Mr. Speaker, earlier today I moved.. made a Motion

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to take from the table and placed on the Interim Study Calendar Senate Bill 1120 when the machine was broke down. I know it takes 107 votes to do it. I would like to remake that Motion at this time."

Speaker Daniels: "Representative Flinn, that's in the order of Motions that is on the Calendar and we'll get to it when we go to the order of Motions. We're not on that order right now, Sir."

Flinn: "Well, my Motion is different than the Motion on the Calendar. I'm trying to change that to save us some time. My Motion on the Calendar is to take from the table and place on Second Reading. Since that's rather useless I'd like to move now, verbally move we take it from the table and place it on the Interim Study Calendar."

Speaker Daniels: "Yes, we're not on that order of business though, Sir. You probably should file a new Motion. Come up to the well and file a new Motion. Alright. Representative Johnson, your light's on, Sir."

Johnson: "No, it shouldn't have been on. I'm sorry."

Speaker Daniels: "Okay, Senate Bill 989, Representative Yourell."

Yourell: "Is my light on?"

Speaker Daniels: "Yes, Sir."

Yourell: "Senate Bill 777, is on Consideration Postponed. I would ask leave to place that on the Spring Calendar."

Speaker Daniels: "The Gentleman asks leave to place Senate Bill 777 on the Order of Postponed Consideration, Spring Calendar. Does he have leave? Hearing no objections, leave is granted. Now does anyone want to remove their Bills from the regular Calendar and put them on the Spring Calendar? Representative Katz, your light is on, Sir. Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker. I have a Bill on Third Reading, Senate Bill 1086. I would like leave to place

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that on the Spring Calendar, the Order of Third Reading."

Speaker Daniels: "Representative Hannig, being the chief Sponsor of Senate Bill 1086, request leave to place it on Third Reading on the Spring Calendar. Does he have leave? Hearing no objections, leave is granted. Representative Huskey."

Huskey: "Mr. Speaker, I had a Bill, House Bill 669 that passed out of here on Third Reading and it never was called in the Senate. It died... they never called it in Committee. I'd like to place that on the Spring Calendar, Third Reading again in the House. It never was called in the Senate."

Speaker Daniels: "You'll have to file a Motion, Sir. Alright, Representative Braun."

Braun: "Thank you, Mr. Speaker. I don't know if this is proper parliamentary procedure but I think it may be. I have a Motion, Mr. Speaker, to take a Bill from the table that got boxed up in Committee and I would like leave to take it from the table and have it put on the Spring Calendar. Is that possible?"

Speaker Daniels: "It would require a Motion. You'd have to file that..."

Braun: "The Motion is filed to take..."

Speaker Daniels: "Alright, we aren't on that order of business right now."

Braun: "Okay."

Speaker Daniels: "Because it's on the table. Alright."

Braun: "Will we go to the order of Motions at some point?"

Speaker Daniels: "I presume so."

Braun: "Maybe. Okay."

Speaker Daniels: "Representative John Dunn."

Dunn, John: "Mr. Speaker, I just request leave to put all the remaining Bills on the Spring Calendar."

Speaker Daniels: "Alright, Senate Bill 954 is out of the record."

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Senate Bill 989, Representative Stewart. Read the Bill,  
Mr. Clerk."

Clerk Leone: "Senate Bill 989, a Bill for an Act to amend an Act  
to provide for the manner of proposing Amendments to the  
Constitution and submitting the same to the electors of the  
state, Third Reading of the Bill."

Speaker Daniels: "Representative Stewart."

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. Senate Bill 989 addresses the procedure for  
presentation of opposition argument regarding  
Constitutional Amendments as proposed on the ballot. This  
particular measure passed the Senate 57 to nothing. It  
passed the House Elections Committee 11 to 1. I would  
suggest... I would submit that it is an innocuous Bill. It  
simply tightens the requirements for presentation of  
Constitutional Amendments on the ballot. I think the  
Constitutional Amendment #1 as proposed on last November's  
ballot regardless of where you stood on the cut back issue  
did point to some problems that perhaps the presentation of  
Constitutional Amendments should be tightened or more  
strictly regulated. This measure would insure that an  
opposition argument would be presented. It also contains  
the provision that the Attorney General shall review the  
opposition argument for accuracy and can make modification.  
I would move for its passage. Thank you."

Speaker Daniels: "Representative Beatty."

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

Speaker Daniels: "Indicates she will."

Beatty: "Representative, does this in any way affect the number  
of votes that are needed in the House for putting such a  
measure on the ballot?"

Stewart: "No, it does not."

Beatty: "Thank you."

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Speaker Daniels: "Further discussion? Representative John Dunn.  
Representative Schneider."

Schneider: "Thank you, Mr. Speaker. Before you jump to making a decision on this I want to recall for those of you who were here last term that when we were faced with the determination of how to write the opposition to the cut back Amendment we selected a number of the Members who I think did a fair and just definition of the problem. The difficulty we faced was from the other side in the question of fairness. All the presumptions that were built into that argument were under no way, under no way able to be stricken or challenged because they were not submitted to any individual such as the Attorney General in this case for determination of fairness. So we suffered in a sense by not being able to challenge the accuracy whether it be a statistics, presumptions, analogies, or premises in this kind of proposition. I think this is a fair and important proposal to add to the statutes for the future of any other kinds of Amendments which will be binding. I think it's important to the constituencies of the State of Illinois and I support it."

Speaker Daniels: "Further discussion? Hearing none, Representative Stewart, to close."

Stewart: "Thank you, Mr. Speaker. This, this measure does provide for an improved presentation on the ballot. I think an intelligent and informed electorate is a great boost to all of us. And I would ask for a 'yes' vote. Thank you."

Speaker Daniels: "The Lady moves for the passage of Senate Bill 989. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Tuerk, would you record me as 'aye'? Have all voted who wish?"

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The Clerk will take the record. Representative Huff."

Huff: "Yes, Mr. Speaker, I want to be voted as 'aye' on this issue."

Speaker Daniels: "Push your button. The Board didn't lock. We're going to have to take it again. There are 147 'aye', 7 'no', 2 'present'. Senate Bill 989, having received the Constitutional Majority, is hereby declared passed. Senate Bill 999, Representative Polk. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 999, a Bill for an Act in relationship to Public Aid fraud, Third Reading of the Bill."

Speaker Daniels: "Representative Polk."

Polk: "Mr. Speaker and Ladies and Gentlemen, I don't know of any Department in state government with maybe the exception of Environmental Protection that has more interest or more people who are concerned about the operation of that Department. I think most of the taxpayers feel that the Department of Public Aid singly rips them off for more money than any other Department. I think the recipients feel that they do not get adequate funding of their particular needs. I think their providers are upset because they always feel that the Department either doesn't pay on time or doesn't pay enough. What we've attempted to do in Senate Bill 999 is comprehensively taken all of the Departments and tried to, as we say, clean up the act. We say that if a recipient knowing and wantingly fraud the Department of Public Aid after their second conviction they can no longer be eligible for Public Aid. We say that if a provider knowingly and willingly frauds the state government they no longer can be eligible for contracts. We say that if people who work for the Department of Public Aid knowingly know of recipients who are willfully ripping the Department of Public Aid they can be chastised. So I think we're covering all the areas of, hopefully, that we

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possibly can. Amendment #1 to the Bill simply changes the Section to say that 'to the extent permitted by federal law'. Amendment #2 was tabled and Amendment #3 changes the area in regard to the providers and Amendment #4 was not adopted. I don't know of any opposition to this Bill at this time. We have support from the Department of Public Aid. AFSCME supports it. Providers support it. I'm certainly the taxpayers are going to support it. And I would appreciate an 'aye' vote."

Speaker Daniels: "The Gentleman moves for the passage of Senate Bill 999. Is there any discussion? Representative Breslin. Further discussion? There being none, the question is, 'Shall Senate Bill 999 pass?' All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On this Bill there are 149 'aye', no 'nays', 1 'present'. Senate Bill 999, having received the Constitutional Majority, is hereby declared passed. Speaker, 'aye'. Reilly 'aye'. It's 150 'aye'. Collins, 'aye'. 151 'aye'. Senate Bill 1006, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1006, a Bill for an Act to amend the Illinois Public Aid Code, Third Reading of the Bill."

Speaker Daniels: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1006 embodies several recommendations from the Joint House Senate Committee on Nursing Care Reimbursement. One provision would require the Department of Public Aid to report annually to the General Assembly on its nursing home reimbursement system and the other would permit it to establish a pilot project on actual and fair reimbursement cost proposals. In addition, the Bill includes proposals well researched by the Conference of Women Legislators and

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agreed to by the correctional facilities and the Department of Public Aid involving Public Aid benefits for eligible individuals when they leave the correctional facility."

Speaker Daniels: "The Lady has moved for the passage of Senate Bill 1006. Is there any discussion? There being none, the question is, 'Shall Senate Bill 1006 pass?' All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. It didn't lock. Have all voted who wish? Take the record. On Senate Bill 1006 there are 124 'aye', 29 'no', 6 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1008, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1008, a Bill for an Act to amend an Act in relation to counties, Third Reading of the Bill."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1008 is primarily a Bill that affects DuPage County, provides for the construction or remodeling of a county jail. The sale of bonds for that purpose and the levying of a tax on property for that purpose. It also provides that the County Board Chairman will be elected for four year terms as Chairman with the exception of the year that the Decennial. It also provides in Amendment #3 for courthouse construction and the increase of that tax from two to five cents. All of these provide for back door referendums. Amendment #1 was adopted in Committee, proposed by Representative Watson, allowing counties to keep the tax rate that they have even when they have a population increase moving from one category. This apparently affects four counties, Bond, Cass, Clay and Washington. And Amendment #2, proposed by



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Representative Johnson, added the authority of counties to be involved in recycling relative to landfill. And Amendment #4 which was adopted provided the County Boards could if they wished levy an additional five dollar fee on violations, Illinois Vehicle Code, or similar provisions in county or municipal ordinances to finance the court system in the county. And I would ask for your support of Senate Bill 1008."

Speaker Daniels: "Representative John Dunn."

Dunn, John: "Thank you, Mr. Speaker. I have a couple questions of the good doctor. Does.. I didn't hear your explanation about the portion of the Bill as amended which applies to county jails. What did you say about that?"

Speaker Daniels: "Hoffman."

Hoffman: "Thank you very much, Mr. Speaker. That applies to Cook County... applies to DuPage County. Only the population figures cover only DuPage County. That was the basic part of the Bill. They said that they could sell bonds and levy a tax to pay those bonds."

Dunn, John: "Thank you very much."

Speaker Daniels: "Representative Koehler."

Koehler: "Mr. Speaker, Ladies and Gentlemen of the House, will the Sponsor yield for a question? Representative Hoffman, in here I see in Senate Amendment #3 it says, 'in provisions of back door referendum it changes the requirement of the number of legal voters required to call an election from 10% to 5%.' It reduces the number of signatures. Is that correct?"

Hoffman: "That's correct. It makes it easier for a back door referendum to be called because it reduces a number of signature you need to get to get the back door referendum."

Koehler: "Okay, so essentially that would make it easier for the voters to vote on this?"

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Hoffman: "Yes, because it would need fewer signatures in order to get the vote."

Koehler: "Okay, thank you."

Speaker Daniels: "Representative Brummer."

Brummer: "Yes, I move the previous question."

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

The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Hoffman, to close."

Hoffman: "The Bill has been adequately explained, I believe, and the questioning helped. I would move for an 'aye' vote."

Speaker Daniels: "The Gentleman moves for the passage of Senate Bill 1008. All those in favor signify by voting 'aye', opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this Bill there are 133 'aye', 22 'no', 2 'present'. Senate Bill 1008, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1010, Representative Piel. Read the Bill."

Clerk O'Brien: "Senate Bill 1010, a Bill for an Act to amend the Illinois Savings Associations Banking Act, Third Reading of the Bill."

Speaker Daniels: "Ladies and Gentlemen of the House, we'd appreciate your attention to the Member presenting his Bill."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1010 is basically a merely Bill passed out of the Senate 57 to nothing. And it provides that existing identification under the Business Corporation Act be available to the bank for Savings and Loan Associations. I'd be more than happy to answer any questions."

Speaker Daniels: "The Gentleman's moved for the passage of Senate

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Bill 1010. Representative Leverenz. Will the Gentleman sit down between Representative Leverenz and the Chair."

Leverenz: "Sponsor yield?"

Speaker Daniels: "Indicates he will."

Leverenz: "Could you explain what you meant by a merely Bill that passed out of the Senate?"

Piel: "This deals with one institution in the entire state."

Leverenz: "Is this the one that passed out of the Senate by a merely 30 to 28?"

Piel: "No."

Leverenz: "Thank you."

Speaker Daniels: "Representative Brummer."

Brummer: "Yes, I move the previous question."

Speaker Daniels: "The Gentleman has moved the previous question. The question is, 'Shall the main.. alright, Representative Piel, to close. Piel, to close.'"

Piel: "I just ask for a favorable Roll Call."

Speaker Daniels: "The Gentleman moves for the passage of Senate Bill 1010. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. Representative Bower."

Bower: "Mr. Speaker, I just noticed looking at the Board there is one recorded as voting 'no' at the top. Two are voting 'no' on the Board."

Speaker Daniels: "Have all voted who wish? Take the record. On this Bill there are 152 'aye', 2 'no', 6 'present'. Senate Bill 1010, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1016, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1016, a Bill for an Act to authorize counties to issue bonds for the construction and reconstruction or remodeling of courthouses, Third Reading

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of the Bill."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. There was some concern about this issue in terms of the issuing of the bonds for the courthouse. And in the... is this the courthouse.. and in the House we put a front door referendum on this Bill and so what we have now have the front door referendum. And I would ask for your support."

Speaker Daniels: "The Gentleman's moved for the passage of Senate Bill 1016. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this Bill there are 147 'aye', 3 'nay', 2 'present'. Bower 'aye'. 148 'aye', 3 'no', 2 'present'. Senate Bill 1016, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1028, Representative Hoxsey. Representative Hoxsey. Is the Lady in the chamber? Representative Ewing, Senate Bill 1028. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1028, a Bill for an Act to amend the State Property Control Act, Third Reading of the Bill."

Speaker Daniels: "Representative Ewing."

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill amends the State Property Control Act to give the Director of the Department of Administrative Services the authority to grant easements on state property for public utilities or for utility purposes. There has been two Amendments. One Amendment cleaned up the language in the Bill and the second Amendment earmarks future funds from the sale of the soldiers and sailors home in Normal to the Capital Development Board for conversion of the St. Mary's Hospital in LaSalle into a Veteran's nursing home care

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facility. This facility is now the property of the State of Illinois. And I would ask for your favorable consideration."

Speaker Daniels: "The Gentleman's moved the passage of Senate Bill 1028. Is there any discussion? Representative Bradley."

Bradley: "Question of the Sponsor."

Speaker Daniels: "Indicates he'll yield."

Bradley: "Is there an Amendment attached to this Bill that would use some money from the Illinois soldiers as the sale of the Illinois Soldiers and Sailors Children's School?"

Ewing: "Yes, there is. That's what I just said, Representative."

Bradley: "And that building.. that complex was up for sale and how many bids did the state receive when they opened the bid?"

Ewing: "This Bill doesn't directly have any effect on how that property is sold."

Bradley: "I don't think you answered my question. They opened the bid.. they had a leading to see if there were any bids to purchase the property. And I asked how many bids were received and what were the total amount."

Ewing: "Well, Representative, I don't know number one and number two, this Bill only affects when that is sold. If the state doesn't sell it then there wouldn't be any money from it."

Bradley: "Well, that's the point. Let me refresh the memory of the Members of the Illinois House. The property was put up for sale and asked for bids. A breather went out and took a look at the property and put a value of \$8,200,000 on the property. There were exactly zero number of bids for the property. It's going to be a very difficult property to sell or to sell. There were absolutely no bids at all. Nobody in the State of Illinois has confined a use for the

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property other than in the state.. other than we in the State of Illinois would use it but the point that I'd like to make is that we have a piece of legislation here that is anticipating we'll use the money if we sell when there is already... the State of Illinois has already offered it and found... I think there was a date. I'm not sure. Maybe Representative Vinson would know. The end of May was the deadline. Nobody bid on the property. I think it's time that we find a use or the State of Illinois finds a use for the property. And, therefore, I think that we might as well defeat this piece of legislation."

Ewing: "Well, Representative, I don't disagree that the state should or might very well find use for this property. And I had supported you in that effort. And I would appreciate since this doesn't destroy that effort on your part for your assistance in this Bill because the property isn't sold."

Bradley: "Has this been a policy of the State of Illinois do you know of that we earmark funds for the sale of one piece of property to purchase another in case that's happened? And if that is the policy when has it happened before?"

Ewing: "I couldn't answer that."

Speaker Daniels: "Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Would the Gentleman yield?"

Speaker Daniels: "Indicates he will."

McClain: "Mr. Ewing, how did you vote on the sale of the Chicago Armory?"

Speaker Daniels: "Representative Ewing."

McClain: "Mr. Ewing."

Speaker Daniels: "It's a question of you, Sir."

McClain: "How did you vote on the sale of the Chicago Armory?"

Speaker Daniels: "Representative McClain, could you please limit

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your address to the Bill, Sir?"

McClain: "Alright, thank you, Mr. Speaker. Ladies and Gentlemen of the House, I want to point out to the Members be they downstate or upstate that this is pork barrel and I'm certainly not against pork barrel. But we passed out House Bill 1126 which happens now to be in Postponed Consideration in the Senate which passed out of here with 109 votes to 41 votes. Which mandated from this Body that the Illinois Soldiers and Sailors Children's School at Normal should be made in to an Illinois State Service Center Shelter. So for one thing this Body has already spoken and this Body believes sincerely that downstate ought to have a children's center for these kinds of kids that are not being treated elsewhere in downstate Illinois. The second issue is that unlike past legislative experience we're going to take a proceed of a sale of property and move it into another state agency. In the Chicago Armory piece of legislation Mrs. Stiehl handled, the proceeds were going to go into the General Revenue Fund. So this is obviously a pork barrel. Let Mr. Ewing have his press release out but no one should vote for this because for whatever reasons Mr. Ewing and Mrs. Hoxsey would like to have this Bill passed this is only for press purposes. This is contrary to our past legislative action in this Body and also contrary to action from the Republican leadership when they tried to sell the Chicago Armory. So I'd ask all downstaters and Chicagoans to vote against this piece of legislation."

Speaker Daniels: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. Too, I would urge a 'no' vote on this. I certainly would support efforts in the Sponsor's district to do things whatever he would so desire. But I think this a bit premature on this

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particular issue to have a precedence where we're determining what's going to happen. Times change. Within a year we may want to completely change the whole direction in some of these programs. I can assure you we're actively working now to try and maintain use of that facility in the 44th District. And we'd certainly work with you in your area but we would like to keep this as it is now."

Speaker Daniels: "Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield for a question, please?"

Speaker Daniels: "Indicates he will."

Satterthwaite: "Representative Ewing, if there is, in fact, some study or something that indicates the need for more housing for veterans in the state why would we exchange a piece of state property in order to pick up another one? Wouldn't it be preferable simply to use the state facility we now have and renovate it so that it could be used for that facility?"

Speaker Daniels: "Representative Ewing."

Ewing: "Representative, I think that that might be a viable option. The property the state has both pieces of property and it's my understanding that the LaSalle property is more suitable for the conversion than possibly the..."

Satterthwaite: "You say we do have both properties?"

Ewing: "It's my understanding that the LaSalle property has been given to the state."

Satterthwaite: "Well, our analysis indicates that that is not so but perhaps we are in error or perhaps it has happened so recently.."

Ewing: "I just said it's my understanding and I think it is of recent origin."

Speaker Daniels: "Ladies and Gentlemen of the House, could we please have some attention?"

Satterthwaite: "Has any study been done either in terms of



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determining that we need more facilities for veterans or in terms of the feasibility of one or the other of these facilities being developed for that purpose?"

Ewing: "Representative, I think probably Representative Judy Koehler could answer that question. Judy, if the Speaker would allow her to answer. Could I refer that answer to that question to Representative Judy Koehler, please?"

Speaker Daniels: "Representative Koehler."

Koehler: "Ladies and Gentlemen of the House, Mr. Speaker, I would like to address the question of Representative Satterthwaite. She made two points. Number one, you asked if there was a need for additional veteran's facilities. I might mention to you, Representative, that the State of Illinois has been authorized by the federal government for three thousands bids for veterans here in the State of Illinois. We have the need for three thousand. Presently, we now have six hundred with the possibility of three hundred more and for a total of one thousand. So that leaves us with a deficit of two thousand bids for which we are federally authorized. And as to the acquisition of land that would be available in LaSalle, the LaSalle City Council has passed a Resolution in support of the conversion of the former St. Mary Hospital into a veteran's facility. They have indicated their willingness to donate the buildings and eleven acres of ground to the Illinois Department of Veteran's Affairs if, in fact, a veteran's facility can be made for this. I might remind the Ladies and Gentlemen of the House, that we have over six hundred and sixty thousand WW II veterans in the State of Illinois, average age, 62. These people will be needing facilities such as this in the next few years. I would urge an 'aye' vote on this Amendment. On this Bill."

Satterthwaite: "Mr. Speaker, if I may speak to the Bill then."

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Speaker Daniels: "Proceed, Representative Satterthwaite."

Satterthwaite: "It appears that there may, in fact, be a need beyond that already provided by other facilities that we are now converting. However, it would be my opinion that we ought to look more extensively at our already state owned facilities. Many of which are costing us a lot of money simply because buildings are sitting there unused. And until we really have some indication that this project would be a more cost effective project than renovation of some of the already state owned buildings I think we should reject this Bill and perhaps by next year we could find out whether or not this is the most cost effective way to get the facilities we need."

Speaker Daniels: "Representative John Dunn."

Dunn, John: "I move the previous question, Mr. Speaker."

Speaker Daniels: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All in favor signify by saying 'aye', opposed 'no'. The main question is put. Representative Ewing, to close."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I think there's been some misconception here and I hope that the other side of the aisle doesn't try and play politics with a very good Bill for the veterans. There are probably some reasons over there they might want to. A number of the speakers who have spoken against this Bill also have some very personal interests which they might also like this House to address. I think that this is a good Bill for veterans. We are only giving an indication to the state of what we think could be done. There is no appropriation Bill. If at a later date, and we're only talking about two and a half million, were to be spent on this facility it would again have to be approved by this Body. And I would certainly ask for all of us to give it a positive vote for

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our veterans and to set the pattern in this state so that the administrative services will know that this facility should be revamped for a veteran's hospital. Thank you."

Speaker Daniels: "The Gentleman's moved for the passage of Senate Bill 1028. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Koehler, to explain her vote. The timer's on."

Koehler: "Mr. Speaker, Ladies and Gentlemen of the House, to explain my vote. I would just like to remind you that our veterans are in need of very special care. They have special needs and it requires special care. Many of our ..."

Speaker Daniels: "Excuse me. The Lady responded to a question with leave of the House and she's going to be able to explain her vote. Explain your vote, Ma'am. The timer's on."

Koehler: "Our veterans do indeed need special types of care which many of our nursing homes that our regular nursing homes cannot adequately provide. For example, we have many many ancient orange victims that are among our Vietnamese veterans. And these veterans, the ancient orange problems do not show up until about ten years after they have been released. These things are just now becoming a part of the forefront in the health issue. I would believe that this type of facility could adequately address the needs of our Vietnamese veterans who are going to be having problems with the ancient orange afflictions. I would urge more green votes."

Speaker Daniels: "Have all voted who wish? Representative Brummer, to explain his vote. The timer's on, Sir."

Brummer: "No, I wanted to move the previous question five speakers ago."

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Speaker Daniels: "Further discussion? Have all voted who wish? Have all voted who wish? Representative Ewing, to explain his vote."

Ewing: "Mr. Speaker, I'm not going to explain my vote. Put this Bill on Postponed Consideration, please. Put it on the Spring Calendar."

Speaker Daniels: "Postponed, Sir?"

Ewing: "No, leave for the Spring Calendar."

Speaker Daniels: "The Gentleman asks for leave to place this matter on the Spring Calendar. Does he have leave? Postponed Consideration, Spring Calendar. Does he have leave? Leave is granted. Take the record. It didn't lock so we'll have to do it again. Dump the Roll Call, Jack. We've got to wait for it to print out, Representative Conti, so then he can dump it. Okay. Senate Bill 1028 is placed on Spring Calendar, Postponed Consideration. Senate Bill 1029, Representative Woodyard. Out of the record. Senate Bill 1030, Representative Darrow. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1030, a Bill for an Act to amend the Illinois Pension Code, Third Reading of the Bill."

Speaker Daniels: "Representative Darrow."

Darrow: "Thank you, Mr. Speaker. In view of the lateness of the hour and the technical difficulties with this legislation pointed out to me by the Pension Commission I'd ask that this be placed on the Spring Calendar."

Speaker Daniels: "Senate Bill 1030, Spring Calendar with leave of the House. Any objections? No objections. Senate Bill 1030 will be placed on the Spring Calendar, Third Reading. Senate Bill 1033, Representative Kustra. Kustra. Alright. Representative Kustra. Kustra. Kustra. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1033, a Bill for an Act in relation

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to electronic fund transfer transmission facilities, Third Reading of the Bill."

Speaker Daniels: "Representative Kustra."

Kustra: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, in 1979 the General Assembly approved legislation creating the Electronic Fund Transfer Transmission Facility Act. And this is a Bill that provides some technical changes to that Act. It clarifies a number of definitions. It also provides definitions for automotive teller machines and for similar facility. There were two or three technical Amendments and there was one substantive Amendment which provides that financial institutions would now be able to establish point of sale terminals on the premises of financial institutions. The Bill passed out of the Senate 57 to nothing. It passed out of the House Financial Institutions Committee by a vote of 12 to one and I would ask for your favorable consideration."

Speaker Daniels: "The Gentleman's moved for the passage of Senate Bill 1033. Representative Preston."

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

Speaker Daniels: "Indicates he will."

Preston: "Representative, would the electronic devices that would be used in accordance with this Bill be superior to the electronic devices used in this House?"

Speaker Daniels: "Representative Kustra."

Kustra: "Let's hope so. If not they can borrow from the Senate."

Preston: "Thank you."

Speaker Daniels: "The question is, 'Shall Senate Bill 1033 pass?' All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. 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 153 'aye', 3 'no', 3 'present'. Senate Bill 1033, having received the

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Constitutional Majority, is hereby declared passed. Senate Bill 1036, Representative McBroom. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1036, a Bill for an Act to amend an Act to provide for the administration of trust by trust companies, Third Reading of the Bill."

Speaker Daniels: "Representative McBroom."

McBroom: "Yes, Mr. Speaker and Members of the House. This measure is desired by the Commissioners of Banks, Public Building and Loans. It passed the Senate unanimously, it passed the Financial Institutions Committee unanimously, among other things it exempts the trust services of federally regulated Saving and Loans from examination by the Commissioner Banks and Trusts....avoids duplication and I would appreciate a favorable Roll Call."

Speaker Daniels: "Representative Preston."

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

Speaker Daniels: "Indicates he will."

McBroom: "Yes."

Preston: "Representative McBroom, why is it necessary for Savings and Loan Associations to be trust companies in Illinois? Is there a lack of available trust companies now? I'm talking about out-of-state Savings and Loan Associations that come into Illinois with trust abilities, trust powers."

McBroom: "Well, the Federal Government, I understand recently passed legislation authorizing trust companies."

Preston: "Well, no, I understand that. But is there some need to allow out-of-state Savings and Loans to come into Illinois and act in a trust capacity? Is there some lack of sufficient trust operations, banks or other trust companies here in Illinois that makes it necessary for the best interests of our citizens to let out-of-state Savings and

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Loans have trust powers in Illinois?"

McBroom: "Well, Representative Preston, I can't answer that. I'm not equipped to answer that question and I would suggest that you do what you feel you have to do on the Bill."

Speaker Daniels: "Further questions? Representative Brummer."

Brummer: "Move the previous question."

Speaker Daniels: "The Gentleman has moved the previous question. Shall the main question be put? All those in favor signify by saying 'aye', 'no'? The main question is put. Representative McBroom to close."

McBroom: "Appreciate a favorable Roll Call."

Speaker Daniels: "The Gentleman moves for the passage of Senate Bill 1036. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. The machine didn't lock. We'll try it again. All voted who wish? Take the record. There are 150 'aye' 4 'nay', 9 'present'. Senate Bill 1036, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1037, Representative Polk. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1037, a Bill for an Act to amend the Illinois Police Training Act. Third Reading of the Bill."

Speaker Daniels: "Representative Polk."

Polk: "Senate Bill 1037 amends the Police Training Act to replace the Superintendent of State Police with the Director of the Department of Law Enforcement as one of the members of the local governmental law enforcement officers training board. It was amended on the floor. It was a technical Amendment. We changed lines 25 and 26. It passed out of the Senate 57 to nothing. It's just a 'merely' Bill. I'd appreciate an 'aye' vote."

Speaker Daniels: "The Gentleman moves for the passage of Senate

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Bill 1037. The question is, 'Shall 1037 pass?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Didn't lock again. All voted who wish? Take the record. This Bill, there are 155 'ayes', 5 'no', none voting 'present'. Senate Bill 1037, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1042, Representative Ewing. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1042, a Bill for an Act in relation to disturbances in state correctional institutions. Third Reading of the Bill."

Speaker Daniels: "Representative Ewing."

Ewing: "Ladies and Gentlemen of the House, now this is a very good...and I want to explain it and if there is any question, of course I'll answer it. As you all remember, three years ago this July, we had a disturbance at the Pontiac prison. At that time a number of additional police officers were called in to help quiet that disturbance. This Bill does three things. The first thing it does, it empowers police officers and they're defined in the Bill as 'those other than correctional officers', to act with the same authority in protection as prison officials, employees and guards during prison disturbances or escape attempts. And this is needed very badly so that if, and I hope we don't, if we have any other such disturbances, these police officers can act without any responsibility or liability which they might otherwise have. Second, it takes the Department of Corrections' employees out of the police and firemen's death benefit and establishes a new fund whereby the Director of the Department of Corrections can see that any officer killed in the line of duty receives the



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statutory lump sum benefit of \$20,000 which they are presently entitled to under the other fund. But because of a legal entanglement, the last three officers killed at Pontiac never received..or their families never received this death benefit. And finally, it grandfathers in two county juvenile shelter care homes so that they do not have to comply with the minimum standards of the Juvenile Detention Care Act passed recently by this General Assembly. There are only two such homes. This was an Amendment to the Bill and they're both in Ogle County. And I would appreciate your support of this. This Bill is supported by all the Departments involved and has been approved and agreed to by them."

Speaker Daniels: "Representative John Dunn."

Dunn: "I'm not sure I understood the explanation of the Bill and I have a question of the Sponsor relating to who is removed from what Pension Code by this Bill?"

Ewing: "It takes correctional employees, Sir, and allows for the Director to make payment directly to the families of their death benefits instead of making them go through the Court of Claims."

Dunn: "And who supports and who opposes this change?"

Ewing: "I know of no one opposing it."

Dunn: "Do the correctional employees support this change?"

Ewing: "I'm sure they would, but this Bill was..."

Dunn: "That wasn't my question. Do you know whether they do or not?"

Ewing: "I have not talked with them, John, about this. It is to their benefit to support it because three of their fellow prison correctional officers, families didn't receive their death benefits in the Pontiac riot because of the current set up."

Speaker Daniels: "Representative Birkinbine.":

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Birkinbine: "Thank you, Mr. Speaker. Question of the Sponsor.

Couldn't you have done the same kind of thing with a \$20,000 life insurance policy on people who might be in a prison?"

Ewing: "I'm sure it could have been done, but the law provides for this now for those people killed in acting in the line of duty and the state doesn't carry life insurance. They pay out of current funds. It's kind of like self-insuring."

Speaker Daniels: "Representative Piel."

Piel: "Move the previous question, Mr. Speaker."

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

Ewing: "Ladies and Gentlemen of the House, this Bill is approved by the Department of Corrections. As far as I know, there are no opponents to this Bill and I would ask for a favorable Roll Call."

Speaker Daniels: "The Gentleman has moved for the passage of Senate Bill 1042. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Representative Bradley to explain his vote. The timer's on, Sir."

Bradley: "Very briefly. It's a good Bill. We ought to pass it, Mr. Speaker."

Speaker Daniels: "Have all voted who wish? Representative Friedrich to explain his vote. The timer's on, Sir."

Friedrich: "Well, in his explanation of vote, I wish the Sponsor would say who has the right to muster in the Pontiac police and are they entitled to \$20,000 if a Pontiac policemen were killed in action?"

Speaker Daniels: "Have all voted who wish? Have all voted who

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wish? Take the record. On this Bill there are...The voting didn't lock. Have all voted who wish? Take the record. On this Bill there are 161 'aye', 2 'nay', 1 voting 'present'. Senate Bill 1042, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1048, Representative Jim Kelley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1048, a Bill for an Act to amend the Vital Records Act, Third Reading of the Bill."

Speaker Daniels: "Representative Jim Kelley."

Kelley: "Mr. Speaker, Members of the House, this Bill changes the procedure required for a funeral director to file a death certificate, obtain a permit to dispose of the body. The present law requires a funeral director to prepare a death record, complete, except for the certificate of the cause of death. He then presents a certificate to the attending physician for completion and certification of the cause of death. The funeral director must then file a death certificate with the local registrar of the county of death. This must all be done within three days after death and before the body can be disposed of. This procedure is particularly impossible to follow in cases where the funeral director is several miles from the place of death or where a doctor is not available to sign the records. The new law will allow the funeral director to issue the burial permit after he has contacted the attending physician and determined that the physician will sign the death record. The funeral director then has five days in which to obtain the signature of the doctor and file a death certificate. If the body is to be cremated, shipped out of state or subject to an investigation of a coroner, a death certificate must be filed and a permit received from the local registrar before any disposal. I move adoption."

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Speaker Daniels: "Any discussion? Representative Ewell?"

Representative Ewell moves the previous question. The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The question is, 'Shall Senate Bill 1048 pass?'. All those in favor signify by voting 'aye', opposed by voting 'no'. Representative Brummer to explain his vote. Timer's on, Sir."

Brummer: "Yes, I wonder if the Sponsor could simply nod in explanation of vote as to ...I thought I heard him say that this change is the place where a death certificate is filed? It does not. Okay, thank you."

Speaker Daniels: "Have all voted who wish? Take the record. On this Bill there are 148 'aye', no 'nay', 3 voting 'present'. Senate Bill 1048, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1051, Representative Telcser. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1051, a Bill for an Act to create the crime of use of a firearm in commission of any criminal offense. Third Reading of the Bill."

Speaker Daniels: "Representative Emil Jones."

Jones: "Yes, thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1051 ...Senate Bill 1051 amends the Unified Code of Corrections by making the commission of a crime with a firearm punishable by mandatory four years sentence in ....(cut off)..back on, okay. Thank you. This is a Bill that is designed to deal with those individuals in our society who go out and intimidate the law-abiding citizens by using a firearm in the commission of a crime. Also, provided within the context of this Bill is that any person who has been sentenced under this Act cannot receive a reduction in sentence to no less than three years. We

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debated this Bill on Second Reading because there were a number of Amendments talking about the law-abiding farmer who is chasing someone off his property. This is not the intent of this legislation. This legislation is designed to deal with the criminal element in our society and I ask for an affirmative vote on Senate Bill 1051."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I also rise in support of this Bill sponsored by Representative Jones. What this Bill will do will be to expand the sentences that a Judge can give for crimes of this sort. Right now, we have the offensive armed violence where if you use a firearm during the commission of a felony, it's a Class X felony and it's not probationable (sic, probationary). What this will do is make that same offense a Class 1 felony and also extend it to the commission of a firearm during the use of a..during the commission of a misdemeanor. So I think it's a good Bill because it expands the Judge's discretion in what he can sentence someone to and I think it's a very good Bill for that reason."

Speaker Daniels: "Representative Piel."

Piel: "Move the previous question."

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

Jones: "Yes, thank you, Mr. Speaker. I ask for a favorable vote on 1051."

Speaker Daniels: "The question is, 'Shall Senate Bill 1051 pass?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open."

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Representative Griffin to explain his vote, Sir. Timer's on."

Griffin: "Question. I'm sorry. It's too late to explain it or ask the question."

Speaker Daniels: "Further discussion? Representative Lechowicz? All right. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Have all voted who wish? Take the record. There are 151 'aye', 8 'nay', 8 voting 'present'. Senate Bill 1051, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1052, Representative Yourell. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1052, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Daniels: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1052 is a Bill that adds an Article to the Criminal Code creating the offense of library theft. As you know, we've had a very difficult experience in libraries of late with the stealing and pilfering of books. Some of the books that have been taken out of libraries, particularly the Chicago Public Library, are in..are in the amounts of \$500 to \$1,000 to replace. These are technical medical books in many instances and there's no provision in the law for doing anything about ..to the people that engage in that kind of activity. What it does, defines library theft in the Criminal Code and it describes the description and I think it's needed legislation. The same Bill passed out of the House as over in the Senate. And I ask for a favorable Roll Call on Senate Bill 1052."

Speaker Daniels: "Representative Cullerton."

Cullerton: "Quick question, Bus. Does this have a presumption in it, Bus? Does this Bill have a presumption? Is there any

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presumption in it? Is there a presumption that someone has committed the crime if the books are found in his possession or he's caught or anything like that? All right. Thank you."

Speaker Daniels: "The Gentleman indicates 'no'. Representative Brummer."

Brummer: "I move the previous question."

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

Yourell: "It's good legislation I think and it's need legislation. I would ask for a favorable Roll Call."

Speaker Daniels: "The question is, 'Shall Senate Bill 1052 pass?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Representative John Dunn to explain his vote. The timer's on, Sir."

Dunn: "Thank you, Mr. Speaker. It doesn't make any difference. But I don't why we're cluttering up the Statute Books. Theft is theft and the Sponsor didn't explain why we need this instead of any other theft Statute we already have on the books."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. There are 153 'aye', 4 'no', 1 'present'. And Senate Bill 1052, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1058, Representative Oblinger? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1058, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Daniels: "Representative Oblinger. Representative Oblinger? Senate Bill 1058. You're on."

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Oblinger: "Mr. Speaker, Members of the General Assembly, this has to do with the allowing of the annuitants of state employees to have the \$100.00 extra for \$300 to \$400 for a spouse and \$500 to \$600 ... (cut off)..."

Speaker Daniels: "Any discussion?"

Oblinger: "It passed the Senate 57 to nothing. Okay."

Speaker Daniels: "All those in favor signify by voting 'aye', all opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Bill there are 127 'ayes', 16 'nos', 6 'present'. Senate Bill 1058, having received a Constitutional Majority, is hereby declared passed. 1088, Representative Zwick? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1088, a Bill for an Act to amend an Act to provide for the creation and management of Forest Preserve Districts. Third Reading of the Bill."

Speaker Daniels: "Representative Zwick. Representative Peters in the Chair."

Zwick: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1088 originated from discussions between the Forest Preserve Districts that it would affect which are Kane, DuPage, Lake, Will, Winnebago and Vermilion Counties. It states that in counties of less than three million, the county board of that county may decide in lieu of per diem fees, which are presently paid to members of the Forest Preserve District...I'm sorry. Only to the Chairman of the Forest Preserve District, that they may in those counties decide to pay an annual salary which would be fixed by that board instead of it. They could not receive both. It would only be the Chairman. It would not be the members of the Forest Preserve District. I'd be glad to answer any questions on it. If not, I'd appreciate your favorable vote."



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Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1088 pass?'. Those in favor 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 153 voting 'aye', nine voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1095. Representative Reilly. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1095, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Peters: "Representative Reilly."

Reilly: "Thank you, Mr. Speaker. House Bill...er..excuse me. Senate Bill 1095 does a couple of things. One is it clarifies the right of the Department of Public Aid to furnish child care services to recipients of aid to the aged, blind and disabled. They've been doing this all along. There was simply some question raised by the Joint Committee as to whether that was proper under the law. It clarifies that. It defines citizenship and residents. Originally this was kind of a controversial provision, but thanks to an Amendment by Representative Currie which was accepted I don't believe it is any longer. And it provides that at the request of the penal institution, people in those institutions, as they are ready to leave the institution, can be given information on benefits they might receive from the Department. I'd be glad to answer any questions. Otherwise I'd ask for a favorable Roll Call."

Speaker Peters: "Any discussion? Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. I rise in opposition to Senate Bill 1095. What this Bill says is that a person who is not a citizen of the United

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States, or a person legally admitted to reside in the United States and a resident of the State of Illinois cannot receive state or local funded assistance under the provisions of the Public Aid Code which sounds nice except when you think about what it really means. It means that if a 14 year old girl is brought into a hospital in labor, she doesn't speak English and she doesn't have residency papers, we're not going to pay for her expenses or for her baby to be born. What are we going to do? Throw her out on the street? It means that if a child is hemorrhaging and that happens to be the child of parents who are illegal aliens, we're not going to pay to have that child's hemorrhaging stopped. What does that mean? We're going to ship the child back to wherever the child came from? If we're going to pass this Bill, we might as well chop up the Statute of Liberty and sell the pieces to raise revenue. This is a terrible Bill. It is totally anti-ethical to what this country is supposed to stand for and I ask for your opposition."

Speaker Peters: "Further discussion? Representative Johnson."

Johnson: "A question of the Sponsor, Representative Reilly. Representative Reilly? Is ..is Representative Catania largely correct in her assertion that forms of public assistance would not be available to illegal aliens?"

Reilly: "Basically that's right. But the Amendment that was offered by Representative Currie makes it clear that those who are here under a color of law and it's not altogether clear what that phrase means, but that those who are here under a color of law would still be eligible. But basically its intent is to say that you should be a citizen or here under some ..some proper method before you would receive public aid."

Johnson: "One more question and then I'll address the Bill."

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Presumably, the intent as I understand it and limit your response to Representative Currie's Amendment, would be that if one was here thinking one was here legally when in fact they weren't, that would be under color of law, the same way as adverse possession or anything else."

Reilly: "I believe that's correct."

Johnson: "Addressing the Bill, Mr. Speaker and Members of the House, what Bill in an age when population becomes a major problem, when our citizens and particularly in the urban areas and for that matter all over the United States, are faced with nearly the subsistence level or below that level income, because the public funds just aren't there, what Bill when we have made incredible efforts to try to at least humanely stop the flow of illegal aliens into the United States, what Bill could make more sense than this? And Representative Catania's opposition to the Bill, really is just beyond me. Whether one is a conservative or liberal or somewhere inbetween, a Bill that stands for the basic proposition that American citizens and people who are here either legally or thinking that they're here legally rather than those who flaunt the laws of the country and are here to rip off the American citizens, what Bill can make more sense than that? I urge a strong 'yes' vote for this excellent and very moderate piece of legislation introduced by Representative Reilly."

Speaker Peters: "Representative Brummer."

Brummer: "I move the previous question."

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', those opposed? In the opinion of the Chair, the 'ayes' have it. Representative Reilly to close."

Reilly: "Thank you, Mr. Speaker. One fact that I forgot to mention earlier, one of the problems is that under current

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Illinois law, even though there are special and separately funded and reimbursed federal programs for example for Cuban, Indo-Chinese and other categories of refugees, under current law we often end up aiding these people under the general relief program rather than under those special programs. This won't take the benefits away from them. Simply makes clear that will be reimbursed under those special programs. I think it is a reasonable proposal and I would ask for a favorable Roll Call."

Speaker Peters: "The question is, 'Shall Senate Bill 1095 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Representative Currie to explain her vote."

Currie: "Thank you, Mr. Speaker, Members of the House. I appreciate the willingness of the House Sponsor, Representative Reilly, and the Department of Public Aid to accept my Amendment #7, but the effect of that Amendment in my judgment was not to make this a Bill that we should support. It did clarify and clean up the issue of who is or is not entitled to ..to public aid if this Body is to say that people who are here without benefit of legal status are not. My concern is exactly that expressed by Representative Catania, that deterrents to illegal aliens by virtue of our state's unwillingness to offer medical services for example to the children of those who would cross our borders is not going to be effective with this Bill and I don't think the Department of Public Aid has the capacity to act as the Federal Bureau of Immigration and Naturalization. Approximately 10% of the people who are legally admitted to this country do not, because of back..."

Speaker Peters: "Any further discussion? Have all voted who wish? Have all voted who wish? Take the record, Mr.

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Clerk. Representative Catania? On this question there are 100 voting 'aye', 51 voting 'nay', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1096, Representative Grossi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1096, a Bill for an Act to amend the State Comptroller Act. Third Reading of the Bill."

Speaker Peters: "Representative Grossi."

Grossi: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1096 simply allows the Comptroller to replace any warrants that have not been presented for payment for three years. At the present time, a replaceable warrant may be issued by the Comptroller for ...within the one year period or if the amount is less than \$1,000, for a two year period. At the present time, the Attorney General's Office must file several hundred cases a year with the Court of Claims and because of a replaceable warrants that have not been issued..."

Speaker Peters: "The Gentleman moves the adoption of Senate Bill 1096. Any discussion? Representative Brummer."

Brummer: "I move the previous question."

Speaker Peters: "Any discussion? 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? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 100....have to do this once more. Have all voted who wish? Now, take the record, Mr. Clerk. Have all voted who wish? Take the record, Mr. Clerk. Senate Bill 1096, the vote is 161 voting 'aye', 1 voting 'nay', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1103, Representative Ewing. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "Senate Bill 1103, a Bill for an Act in relation to the water company invested capital tax. Third Reading of the Bill."

Speaker Peters: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill does one simple thing. It cleans up the Personal Property Replacement Tax Act to provide for refund in administrative procedure for water company utilities. That was left out of the original Act when it was passed and I would ask for a favorable vote."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1103 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? Have all voted who wish? Take the record, Mr. Clerk. Over? Representative Matijeovich? Representative Matijeovich."

Matijeovich: "I think what happened was right at the last very last second, my ...it was punched and that's why ..Oh, it's got two. Okay. Okay, I think I fooled the machine. I didn't want the machine to break. Right, Pete?"

Speaker Peters: "Right. Is it all right now? All right. On Senate Bill 1103, on this question there are 158 voting 'aye', 2 voting 'nay', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1108, Representative Wikoff. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1108, a Bill for an Act to amend certain Acts in connection with the Illinois State Lottery. Third Reading of the Bill."

Speaker Peters: "Representative Wikoff. Wikoff."

Wikoff: "Thank you, Mr. Speaker. Senate Bill 1108 makes several changes in the Illinois Lottery Law. Basically it started

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out the first definition of 'net revenue' is corrected to bring it into line with existing practices. And second, the requirement of net revenues for each month equals 40% of total monthly lottery's ticket sales, now that 40% is reduced to 35%. This is a requirement that was waived for the fiscal year through 1979 through 1981 and I think probably the one that may be the most interesting one is a special fund is created through an Amendment, through the Illinois Land Grant Collegiate Athlete Fund which would give the University of Illinois the authority and which was amended on the House floor to limit it to a one year time to run a one day lottery specifically to take care of the sanctions imposed upon the big ten. And that was, as I said, was amended on the floor to limit it to that portion of the Bill only if those sanctions were imposed. I think something that might be interesting to many people is that...is that the University of Illinois is the only one who receives no...Everybody says they're ready to vote, so am I."

Speaker Peters: "Any discussion? Representative Giorgi."

Giorgi: "Mr. Speaker, I think the Members of the Assembly ought to know that the lottery is going to hit the sum...it's set already 800 million dollars without the hint of scandal or all the doom and gloom that you guys predicted. And next January the lottery is going to gross...is going to reach a one billion dollar gross, one billion dollar gross and those of you that were too ashamed to vote for it, ought to eat your shame now."

Speaker Peters: "The question is, 'Shall Senate Bill 1108 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? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 146

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voting 'aye', 9 voting 'nay', 9 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1110, Representative Findley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1110, a Bill for an Act to amend the Illinois Hazardous Material Transportation Act. Third Reading of the Bill."

Speaker Peters: "Representative Findley."

Findley: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1110 is an attempt to address those transporters of hazardous materials who receive repeated notices of apparent violation in those transports. It would allow...Roll Call. All right. Thank you, Mr. Speaker."

Speaker Peters: "Any discussion? Representative O'Connell. The question is...There being none, the question is, 'Shall Senate Bill 1110 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? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 166 voting 'aye', none voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1113, Representative McCormick. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1113, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Peters: "Representative McCormick."

McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, 1113 permits a member of the downstate teachers' retirement system who has no dependents at the time of retirement to receive a refund of the contributions made for those benefits. Committee Amendment #1 attached to it covers a



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small group of survivors. I'd say they would have to be in the whole State of Illinois maybe 100 to 150 and it would weed itself out over the next ten years. The youngest one would have to be something like 75 between 75 and 85 years old. Now, the Pension Laws Commission is in favor of the Amendment and I'd appreciate an 'aye' vote."

Speaker Peters: "Discussion? There being none, the question is, 'Shall Senate Bill 1113 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? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 144 voting 'aye', 15 voting 'nay', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brummer, do you seek....Senate Bill 1125, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1125, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Peters: "Representative Terzich."

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment...or Senate Bill 1125 amends the Chicago Policemen Annuity Article of the Pension Code that clarifies the salary basis of the Pension Code that clarifies the salary basis for computing the policemen's contributions. Also, it provides an increase in the widows' benefit only from \$200 to \$250 for the Chicago police and firemen. It also has a multiplier to pay for the benefits, and I would be more than happy to answer any questions and urge your support."

Speaker Peters: "Have all voted who wish? Or any question...any discussion? The question...there being none, the question is 'Shall Senate Bill 1125 pass?' Those in favor signify by voting 'aye', those opposed by voting 'nay'. The voting

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is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 115 voting 'aye', 28 voting 'nay', 15 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1126. Representative Terzich."

Clerk O'Brien: "Senate Bill 1126, a Bill for an Act to amend the Illinois Pension Code, Third Reading of the Bill."

Speaker Peters: "Representative Terzich."

Terzich: "Senate Bill 1126 amends the Chicago Policeman's Article of the Pension Code to require 48 consecutive months of salary earnings immediately prior to retirement or before retirement. It also has an Amendment that the system currently provides duty disability benefits if a policeman suffers a heart attack in performance of his duty. This clarifies that, a heart attack must occur as a natural and approximate result of an injury occurring at some definite time and place while in the performance and discharge of his duties. It's been approved by the Pension Laws Commission. There's no cost involved. I would move for its adoption."

Speaker Peters: "Any discussion? There being none, the question is 'Shall Senate Bill 1126 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? Have all voted who wish? Take the record, Mr. Clerk. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 119 voting 'aye', 35 voting 'nay', 9 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The Leadership on both sides gives the information to the Chair that they are nearly concluded in putting

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together an agree short debate list for Bills on Third Reading. That being the case, the Chair has been advised by that Leadership that we should now go to and conclude or pick up where we left off on Senate Bills, Second Reading. So, we will go to page nine, Senate Bill 423, Second Reading. Representative Ebbesen."

Clerk O'Brien: "Senate Bill 423, this Bill has been read a second time, previously. Amendments #1 and 2 were adopted previously."

Speaker Peters: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 423 amends, as you can all see by your Digest, the State Printing Contracts Act. And all I can to you is, I forgot this Bill was on Third Reading, but it doesn't do anything but save money."

Speaker Peters: "Representative Ebbesen."

Ebbesen: "Yes."

Speaker Peters: "Excuse me. Amendments #1 and 2 were adopted previously."

Ebbesen: "Okay, fine."

Speaker Peters: "Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Representative Ebbesen. Representative Ebbesen....Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. Mr. Glauberman is within earshot. Senate Bill 469, Representative Stuffle. Senate Bill 499, Representative Pullen. Read the Bill."

Clerk O'Brien: "Senate Bill 499, this Bill has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Amendments?"

Clerk O'Brien: "Motion to table Amendment #1 by Representative Pullen."

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Speaker Peters: "Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 499 would repeal the Inheritance Tax. When the Bill was in the House Revenue Committee, the Committee adopted an Amendment which cripples the Bill, entirely and converts to a very minor increase in the exemption for surviving spouse and immediate family members. I think the people of this State, over 20,000 of whom have signed petitions in support of repealing the Inheritance Tax, deserve better treatment than to have a Bill of this magnitude converted into one that has very little impact or help to anyone. It is not with ease that I would propose to table a Committee Amendment because I do believe in the Committee system but I will tell this House that in Committee I made no commitment not to take this action and, in fact, I'm sure the Committee was well aware at the time that it passed the Bill out that I was unhappy with the Committee Amendment and I therefore now move to table the Committee Amendment. I would like to inform the House that there is a second Amendment filed which is introduced by me which would have the effect of changing the Bill in order to lessen the immediate revenue impact in view of the existing problems with our State Treasury. I think the Members of the House are well aware, I would hope so at least, of my commitment in this issue and the depth of the work that I have put in on it, and I would very much appreciate if those people in the House who believe in doing away with this awful tax, would support me in my effort to table an Amendment that makes the Bill a joke. I move to table the Committee Amendment. Thank you."

Speaker Peters: "Representative Ewell."

Ewell: "Mr. Speaker, I just feel compelled to speak against Representative Pullen's Motion to table. I think that all

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the Members of this Body ought to be aware of what the loss of revenue will be associated with her Amendment that is, her repeal. First of all, let me give you the bottom line, in FY 1987 it's going to cost the State 130.3 mil. Now, I suggest to you that this is actually spending State revenue. We can all be well aware of the Ladies position against even voting for appropriations for anything but when you start reaching into the Treasury and start spending the money by allowing this Bill to go back to a situation that would reduce the taxes on inheritance which is the least earned money. It is the one that has some of the greatest exemptions in the law. It is one of the lowest..."

Speaker Peters: "Excuse me. Representative Bradley, for what purpose do you seek attention?"

Bradley: "Mr. Speaker, I think the Gentleman is speaking to an Amendment that is not before us. I think we're on the tabling of the...she's offered a Motion to table the Amendment adopted in the Committee and not...I think he's on the Amendment that she indicated would be offered later."

Speaker Peters: "Your point is well taken. Representative Ewing....or Ewell."

Ewell: "Thank you, as I might say I am speaking because the net effect of her Amendment will be to say that people who make a certain amount of money will no longer be taxed. I want to point out to you, there's only a 2% tax for \$50,000 inheritance, there's only a 4% tax for 50 to 150, 6% for up to a quarter of a million, 10% of a half million and 14% of over a half million. Now, I'm suggesting to you, that here you have after exemptions, after all the exceptions, unearned income which is being taxed which the State is getting some revenue. Now, Representative Pullen's

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Amendment would take it in '83 down to no money on 50,000, 2% on 150,000, 4% on a quarter of a million, 8% on 500,000, 12% on over a half a million dollars. I'm suggesting to you that after 1985 there would be no tax on any of it. No tax on 50,000, no tax on 150,000, no tax on 250,000, no tax on 500,000. Two days ago we had \$37,000,000 in the Treasury. The reason we're all stuck here now is because some way has to be found to bail out the State from all these exorbitant expenditures which we're all voting for. But I tell you, you can't bleed this thing both ways. You cannot cut State revenue in 1987 by \$130,000,000, in 1986 by \$53,000,000, in 1985 by \$43,000,000. We simply cannot do it. What you're doing is ripping the entire program. You're taking all of the revenue and I would have to ask the Sponsor of this Amendment, what tax would you put in its place? How would you raise the revenue to fund State Government. I suggest that this is one of the worst Amendments that has ever come up...worse Motions that has ever come to the floor and I think we must abide with the Committee system. Stand with those that at least are willing to be responsible in manners of government and manners of spending of money and also manners of collection of money. Thank you."

Speaker Peters: "Representative Ewing."

Ewing: "Yes, Ladies and Gentlemen of the House, this Bill and others like it were heard in the House Revenue Committee this year and there was considerable amount of mail from back home and pressure on these Bills. On this Motion, I'd like to say some things just very briefly. First of all, I don't, and I'm sure none of you here, question the dedication of the Sponsor of the Motion. But keep in mind the financial condition of our State, can we lose 80 to \$100,000,000? The fact that the way the Bill currently

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stands, we give a 50% increase in the Widow's Exemption, 50% increase. That's where the need is. Third, remember that probably later this week or in the Special Session, you'll be asked to vote for a sales tax increase so that we can give tax relief to those who might get inheritance, and finally, in that same vein, remember how many of your constituents pay sales tax and how few of your people ever pay inheritance tax. I think the Bill is good the way it is and I would ask for a 'no' vote."

Speaker Peters: "Representative John Dunn."

John Dunn: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, I'll be brief because I certainly do agree with all the remarks of the previous speaker. This is a Bill that should be defeated and this is a Motion which also ought to be defeated because the repeal of the Inheritance Tax is not only something we cannot afford, the State Treasury can't stand it but it would be a repeal of a tax that would help those who need help the least and would leave taxed heavily those who need help the most. So, I urge a 'no' vote on this Motion."

Speaker Peters: "Representative Hallock. Representative Hallock."

Hallock: "I move the previous question."

Speaker Peters: "Question is, 'Shall the previous question be put?' Those in favor will signify by saying 'aye', those opposed? The opinion of the Chair, the 'ayes' have it. Representative Pullen, to close."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, first of all I would like to thank the Gentleman from Cook for telling the House what the fiscal impact in fiscal year 1987, I think that's a very creative device. The Inheritance will long gone by fiscal year 87 and no one will be concerned about the revenue impact at that time

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because there will be plenty of planning done in advance for that. I'd also like to thank him for referring to a measure of tax relief as being a matter of spending. I didn't know anyone other than one of our top public officials of Illinois who had that kind of definition for the word 'tax relief'. It happens, Mr. Speaker and Ladies and Gentlemen of the House, as I explained in opening on this Motion, my intention is not to convert this Bill into its original form in which Inheritance Tax repeal would be immediate and the impact on the Treasury would be severe, rather it is to take up Amendment #2 which would not have severe fiscal impact on the State Treasury at this time. And I believe in so doing, I'm being responsible. But I will you, Mr. Speaker and Ladies and Gentlemen of the House, that in adopting this Committee Amendment, the Committee was, in fact, not at all responding to the wishes of the people of Illinois. And I think that we ought to have the opportunity to act on a Bill that phases out the Inheritance Tax rather than a Bill that merely tinkers with the exemptions and does almost nothing for people. And I think that this House ought to be willing to take a stand on the issue of the existence of the Inheritance Tax, not merely on upping the exemption by a mere \$20,000 which doesn't even cover inflated real estate values. And I ask you, please, to join me in tabling this Committee Amendment. Thank you very much."

Speaker Peters: "Representative Telcser. The question is 'Shall the Lady's Motion to table Amendment #1 be adopted?' Those in favor will vote 'aye', those opposed vote 'nay'. 'Aye'. Representative Schraeder."

Schraeder: "Well, Mr. Speaker, I'd like to talk primarily to Members of the Democratic side of the aisle. I don't think we, on this side of the aisle, should get in a shooting



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match with what the Republicans are going through now. This is their battle. And I say to my Democratic colleagues, if you want to support the Democratic idea that the Inheritance Tax ought to be repealed, you should vote for this Motion and then on the next one let the Republicans decide. This is their battle. In order to let them solve it themselves, vote for the Inheritance Tax elimination by giving a green vote. Then we'll solve it in that fashion and this ought to be a green vote for all Democrats."

Speaker Peters: "Representative Oblinger, to explain her vote."

Oblinger: "Mr. Speaker and Members of the General Assembly, I take exception to some of the things I've heard today. We've heard that this is for the rich people. If you own a house today, you would come under this Amendment...this Motion that we're tabling. Second....I've seen umpteen Bills in this House about not having corporate farms. You own a farm today with that inflated land value and you can't have anybody die in your family. You can't afford to keep the farm. You got to sale about 80 or 160 acres and that goes right back to the corporate farms you're all against. You should vote for this if you want to help people."

Speaker Peters: "Representative Rea."

Rea: "Thank you, Mr. Speaker and Members of the House. In explaining my vote, I rise in support of this motion. I feel that this is something that is very badly needed here in our State and we see many of the small businesses and the farmers that are getting hurt, as a result of this double taxation. It was a good Bill before the Amendment was placed on it. I happened to be in the Committee at the time it was placed there. It did exactly what the Sponsor is saying. It gutted the Bill and there is another

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Amendment that will be coming, that I feel is an excellent Amendment that should help. So, I would ask that people would join together and put enough green votes up there so we can hear the next Amendment."

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

Schuneman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to take issue with my esteemed colleague, Representative Schraeder from the other side of the aisle. He and I vote alike on many issues but we surely disagree on this one. I don't like the Inheritance Tax any better than the rest of you but this State is in trouble right now. And somewhere in this Capital complex tonight there are people trying to put together a tax increase on our people. Now, the way it looks to me, what they're going to hope for us to do, is to pass the repeal of the Inheritance Tax and then try to trade that off as a reason to increase the sales tax. So, in effect, if you do both of those things, what you're going to be doing, is going back home to your people, offering them a tax relief for people who own property. People who have money and passing a sales tax which will fall most heavily..."(cut off)

Speaker Peters: "Representative Sandquist."

Sandquist: "Yes. Mr. Speaker and Ladies and Gentlemen of the House, this is an atrocious situation. What you're trying to do here is to tell the poor people and tell the senior citizens, who can least afford it, we're going to put a sales tax on you but, boy, we're going to give relief to those rich people in the Inheritance Tax. We cannot afford it now. I don't care about what Amendments that are coming up later. We should kill this one right now and put it back in the form of the original Amendment. We can't afford it. Let's not be hypocritical. This is giving tax relief to the people who don't need it and then we're going

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to have to soak the little people. This is an atrocious situation. We should have more red votes up there."

Speaker Peters: "Have all voted who wish? Representative Bell to explain his vote."

Bell: "Mr. Speaker and Ladies and Gentlemen, thank you. I also don't like the Inheritance Tax although I don't assume I'll ever have to pay it. But I received a letter this week from a local businessman who did pay it just recently with his parents and I'm sure his children will too. And he felt at this time that the State of Illinois can just not afford it and he favored strongly increasing exemptions, especially widows. That's what this Amendment does. It increases the widow's exemption by approximately 50%. This is about all we can afford right now. We certainly can't give tax relief to the millionaire and go home with a penny more on the local, small person. So, I encourage a 'no' vote."

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

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, you know, we've been talking here in the last couple of weeks and we've heard arguments on the other side of the aisle. We've heard arguments about tax relief. We've heard arguments about the poor school children and taking money away from school children, taking money away from widows and taking money away from people who are workers. Ladies and Gentlemen, this has a fiscal impact of over \$80,000,000 this year. We're taking \$80,000,000 out of the coffers of the public fund. We'll be taking money away from poor people, we're going to take money away from children, we're going to take money away from the people who are needy and then we're going to come around here tomorrow or the next day or next week some time and ask for another tax. What's equitable, what's right? Vote your conscience now but if

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that gets 89 votes we're in trouble and everybody's in trouble. I urge a 'no' vote on this."

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

Mautino: "Thank you very much, Mr. Speaker. I understand that this Motion needs 89 votes to table. That's a very interesting posture to be in. As I look at the situation, it's more than just the money involved. I see a Sponsor who took a Bill to a Committee and a Committee that didn't have guts enough to have one person put their name on it. They make a Committee Amendment out of another person's Bill. That is the issue before us and for those Members in the House that can do it on this, they can do it on everything. It's a ridiculous posture to be put any Sponsor in, a Sponsor from that side of the aisle and we all forget that the Governor has a veto pen. If that's the case, and I think if you look through the synopsis, you'll find that this is the only Committee Amendment that you see in this Session of the General Assembly. I think it's rather ridiculous. We should put the 89 votes up there and take the second...."

Speaker Peters: "Have all voted who wish? Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Some of the last few speakers, not the last one but some before him, have been putting on a lot of populous rubbish about who's going to profit from this by saying that the millionaires and the rich are the ones who are going to get away with something if we do away with the Inheritance Taxes, is absurd. You know as well as I do that the millionaires and the rich are rich enough and smart enough that they've got lawyers drawing up trusts and such legal things like that to take care of their money ahead of time, that they're not going to lose a dime. It's

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the poor slob, if you will, out there in the middle America range; the farmer, the widow, more likely than not, who finds that because her husband didn't take care of something like a trust ahead of time, they get hammered. Let's see some more green votes up there. This stuff about the millionaire profiting on this is absolute rubbish and you and I know it."

Speaker Peters: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 85 voting 'aye', 73 voting 'nay' and the Lady's Motion passes. Any Amendments? Just a second, just a second. There's a Motion to table...takes the majority on the question. Representative Bowman, on that point."

Bowman: "I was rising my hand to question the Speaker on that point. You say it takes the majority of those present and voting?"

Speaker Peters: "Yes."

Bowman: "Okay."

Speaker Peters: "Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Pullen."

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

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, the Bill in the form that it now stands would repeal the Inheritance Tax, immediately and although I have presented that on more than one occasion to this House. I am concerned about the state of the Treasury and I believe that to do that in this particular year would be too much of an impact. I am very sorry that the Senate did not choose to go along with the House a year ago when we passed a Bill to do that at a time when we could well have afforded it and planned for the revenue loss but that did not take place. Because of my own concern about the fiscal condition of Illinois and the State Treasury, I am willing now, and I hope the House will

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join me, to amend this Bill to make it a phase out of the Inheritance Tax over a five year period beginning a year from now. The only fiscal impact this year would be from two provisions. One, is to increase the amount of money that the counties keep and return for being the collection agency for this. And secondly, that is increased from 4% to 6% for those who are concerned about funding county government. And secondly, the impact this year would be from an estimate of loss of revenue because of people being able to evade the tax, supposedly, because we are in this Amendment and if this law takes affect, removing the current awful system of administration in which safety deposit boxes and savings and checking accounts are frozen at time of death until State snoop is satisfied and that no taxes owed...or that whatever tax is owed is being paid. The Attorney General's Office estimates that possibly as much as five million dollars might be lost through that. I don't whether that would be the case or not so I can't comment. I do think that the people are little more honest than that and those who would evade the tax, probably have already found ways of sheltering it. But the Amendment would phase it out by taking rates down and it would phase out the entire Inheritance Tax over a five year period beginning a year from now so it would have very minimal fiscal impact during this critical year. I urge adoption of Amendment #2."

Speaker Peters: "Representative Schraeder. Representative Yourell, for what purpose do you rise, Sir?"

Yourell: "Yes, I have an inquiry of the Clerk, Mr. Speaker. It has nothing to do with the present order of business but it has to do with the last Roll Call on Amendment...Committee Amendment #1 to Senate Bill 499. I have before me a Roll Call of the vote on Committee Amendment #1 or the Motion to

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table Committee Amendment #1 to Senate Bill 499 and where my name is printed on the Roll Call there is no notice of a 'yes' or a 'no' or an a vote. So, I'm just questioning as to whether the machine is indeed working."

Speaker Peters: "Representative Yourell, the Clerk informs that if you come up they will make the count to see where there may be an error and then if you were voted, adjust the record which is what they....You're the only one that was missing on the sheet. Evidently, it just didn't print out your number."

Yourell: "Really, it's not important to me about that situation but if that is not there, the machine is not working properly."

Speaker Peters: "Well, you understand the stress that we are operating under. And we have attempted to correct those kinds of situations when they are called to our attention by the Clerk; re-adding the numbers and the making of right notations. Representative Schraeder."

Schraeder: "Thank you, Mr. Speaker. I would like to be recognized for a point of order as soon as you act on this Amendment."

Speaker Peters: "On the Amendment? Representative Dunn."

Dunn: "The arguments on this Amendment are essentially the same as they were on the last motion. This Amendment tries to make a bitter pill swallowed easier by letting it go down slowly. This is a phase in of the repeal of the Inheritance Tax. How can anyone in this room think about voting for the repeal of the Inheritance Tax when many speakers on the last Motion indicated, as we all know, the State is in a critical revenue condition, cannot afford the loss of the Illinois Inheritance Tax revenues? And how can anyone think about repealing the Illinois Inheritance Tax and even consider voting for anyone of the proposed tax

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increases that are coming up? The question simply boils down at this time to whether you're for the needy or for the greedy. If you are for the needy, then vote red on this Motion...on this Amendment. If you are for the greedy, then vote green."

Speaker Peters: "Representative Piel."

Piel: "Thank you, Mr. Speaker. I would ask that you would check with the Parliamentarian, Mr. Speaker, in reference to Rule 64...64B. In reference to your previous ruling, Mr. Speaker, you said that it took a simple majority and 64B states, 'A Motion to table a Committee Bill maybe be adopted only by a vote of 89 Members'. Now, it says nothing in the ruling, whatsoever, as far as a Committee Amendment. But aren't Committee Amendments and Committee Bills when there is no ruling such as that in the rules...stated as 89 votes?"

Speaker Peters: "There are no provisions in the rules and we have made the ruling. We have and it has been the ruling that the Chair has consistently followed. Any further discussion? The question is 'Shall Amendment #2 be adopted?' Those in favor will signify by saying 'aye', those opposed 'no'. The Lady asks for a Roll Call vote. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Representative Ewing, to explain his vote."

Ewing: "Ladies and Gentlemen, I didn't support the Motion to table the first Amendment but I certainly feel that the Sponsor is taking a realistic attitude and everyone, at least, on this side of the aisle, certainly ought to be green on this one and if you were green on the other one you ought to be green on this because it is better to have it in a phase out than an outright repeal and I would encourage green votes up there."



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

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I really want to stand on the floor today and commend the Sponsor of this Amendment and say that I know of no other Representative that has worked harder this Session than Representative Pullen has worked on this particular issue. She has waited for hours and hours in the Revenue Committee to be heard, been back on several different occasions. She had her Amendment put on in the Committee. She has now seen that it is not possible in spite of the thousands of signatures that she has received from throughout this State of people who find the Inheritance Tax one of the most oppressive taxes in this State, and yet she has seen fit to accommodate the crisis in our economy by presenting this particular Amendment. I certainly commend her and I would like for all of you who can to please join with me in voting for her Amendment and her compromise that she has been willing to make. I urge your 'aye' vote."

Speaker Peters: "Further discussion? Representative McPike."

McPike: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I, too, would like to commend the Sponsor for her hard work in trying to help the rich. If the Inheritance Tax is done away with or phased out, only .3%, that is 3 out of 1,000, 3 out of every 1,000 of Illinois' citizens would benefit and only one out of a thousand would receive a benefit of \$250.00 and only 8 out of 10,000 would receive a benefit of \$500.00 and only 15 out of 100,000 would receive a benefit of \$5,000 or more. So, I want to commend her, not for helping the poor or not for helping the middle classed but for all of her efforts to help the filthy rich."

Speaker Peters: "Representative John Dunn."

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John Dunn: "Mr. Speaker, Mr. Speaker, if this gets the required number of votes to pass, I would like a verification of the affirmative Roll Call."

Speaker Peters: "Well, it has, Representative Dunn, to this point. Representative Bowman, on...to explain his vote."

Bowman: "Yes, in explaining my vote, Mr. Speaker, I'd like to pick up where Representative McPike left off and respond to Representative from Cook, Representative Birkinbine, a little earlier. This, in fact, is a benefit to the rich. I mean, William Rigley, was filthy rich and he certainly had to pay a substantial amount of inheritance tax, and in fact, I think for those of you who are fans of the Chicago Cubs know that it's only Mr. Rigley's ineptitude that has caused the team to lose so many teams in its history and getting Bill Rigley out of the baseball business was the best thing that could have happened to the Cubs. I think we need this tax."

Speaker Peters: "Representative Ropp."

Ropp: "Yes, thank you, Mr. Speaker. I'd just like to answer some of those people who say this is helping the filthy rich. I am in the process of purchasing 40 acres of black dirt in Illinois as a result of the passing of my grandmother a couple of years ago and she passed away at 91 years of age and it was just purchased...just finally paid off about two years before she passed away. Now we're in the process, right now, of buying that back again. Two years ago when it was purchased, over the next 35 years in borrowing that money we will rebuy that farm three times, the original purchase price. Just since January of this year the long term interest rates have gone up and over the next 35 years...." (cut off)

Speaker Peters: "Representative Schuneman, for one minute to explain your vote."

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Schuneman: "Mr. Speaker, the past speakers have been debating the Bill not the Amendment. We're on the Amendment. If you voted against the last Amendment then the least you can do is vote for this Amendment which simply phases out the tax. Let's save our rhetoric and vote on the Bill and talk about the Bill later. We're on the Amendment now."

Speaker Peters: "Representative Topinka to explain her vote. Topinka. T-o-p-i-n-k-a. Put on McCormick's thing. Representative Jackson, is your microphone on too?"

Topinka: "Mr. Speaker, I'm on, okay. Mr. Speaker, I would like to just address myself to the comments from the other side of the aisle. I helped to circulate Representative Pullen's petitions when it came down to the inheritance tax and as I've mentioned before, our district has a very high percentage of senior citizens, ethnic peoples, people who came here with nothing and they worked hard all their life. The same kind of people that the Gentleman on the other side purports to represent in all of his high flung union speeches all of the time, that these are the people who are being oppressed. Well, these people worked very hard all their lives and they put it together and they never asked anything from anybody and now that they have, what little that they have after all their years, we are taxing them to death and I don't think it's fair. The people that came to us were not rich, be they filthy rich, clean rich or any kind of rich and this particular Bill is a good Bill. This Amendment is sound. We can't afford it now but it's time to phase it in, and personally, I want to see a lot more green lights on it."

Speaker Peters: "Representative Barkhausen."

Barkhausen: "Mr. Speaker and Ladies and Gentlemen of the House, far be it from me and most of us on this side of the aisle to want to do anything to help the rich. Certainly we

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wouldn't want to go overboard in helping such people as Ted Kennedy and the wealthy standard bearers of your party who, while rich, are always pretending to be protectors of the poor. But I should point out that the kind of person that this is going to help is the average homeowner. The average home in this country now is up to a value of approximately \$80,000 and under the inheritance tax, as it stands now, there is a deduction for a spouse of only \$40,000. So, it's the low to middle income person that's going to be helped by this Bill and not the filthy rich and I just thought the Gentleman from Madison ought to be straightened out on that point."

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

Brummer: "I move the previous explanation."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 96 voting 'aye', 70 voting 'nay'. Representative Dunn. Representative Schraeder."

Schraeder: "Yes, Mr. Speaker, for the record, the Digest indicates this is a Revenue Committee Amendment and I'd like to point out that this is not a Committee...Revenue, this is an Amendment offered by the Chairman of the Committee and I'd like to make sure that that's known as a Republican Amendment not a Democratic Member. And I'd like that to show on the record."

Speaker Peters: "On this question there are 96 voting 'aye', 70 voting 'nay', one voting 'present' and Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. There's a request for a fiscal note, Mr. Clerk."

Clerk O'Brien: "Request for a fiscal note as amended."

Speaker Peters: "Is there a fiscal note filed as amended?"

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Clerk O'Brien: "There is a fiscal note filed as amended with Amendment #2."

Speaker Peters: "Third Reading. The Chair, with the understanding of both the Minority and the Majority...and the Majority and the Majority pursuant to the continued negotiations and agreements in terms of coming up with the short debate list would now go to page one of Supplemental Calendar number one, taking those concurrences that are not appropriations. First one, House Bill 112, Representative Currie."

Currie: "I move nonconcurrency with Senate Bill... with the Amendment #1 to Senate Amendment #1 to Senate Bill...to House Bill, I think it should be House Bill up there, 112."

Speaker Peters: "House Bill 112."

Currie: "Nonconcur."

Speaker Peters: "The Lady moves to nonconcur with Senate Amendment #1 to House Bill 112. Those in favor will signify by saying 'aye', those opposed. Yes, Representative Friedrich."

Friedrich: "The Chair previously ruled that when there was a nonconcurrency we were entitled to an explanation of what the Amendment was that we are not going to concur in. Do you so rule?"

Speaker Peters: "Representative Currie, would you explain to the Gentleman in Leadership what Amendment #1 does?"

Currie: "House Bill 112 is a Land Resources Management Study Commission Bill. Senate Amendment #1 deals with the Committee on the organization of the General Assembly, that Commission and the reason that I'm moving nonconcurrency is because there is an additional Commission that I believe...in the Senate there is a hope that a Conference Committee might be able to offer to this Bill."

Speaker Peters: "The Lady moves to nonconcur in Senate Amendment

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#1. Those in favor will signify by saying 'aye', opposed?  
Amendment #1 is nonconcurrent in. House Bill 120,  
Representative Darrow. Representative Darrow. Out of  
the....House Bill 291, Representative Capparelli. Read the  
Bill, Mr. Clerk."

Clerk Leone: "House Bill 291, a Bill for an Act to amend the  
Illinois Pension Code, Senate Amendments #3, 4, 5, 6, 8, 9  
and 11."

Speaker Peters: "Representative Capparelli."

Capparelli: "Mr. Speaker, I move to concur with House Amendments  
3, 4, 5, 6, 8, 9 and 11 with a brief explanation. The  
original...Amendment #3 deletes the provisions of the first  
Amendment and it makes the following changes on the Cook  
County Employment Pension Fund, raises the post retirement  
increase from 2 to 3% and it provides for an increase on  
the tax multiplier and this was approved by the Pension  
Laws Commission. Amendment #4, the Amendment applies to  
the State Employees Retirement System. It removes the one  
year retroactive limit of the time between filing and  
commencement of the retirement allowance. This Bill was  
also approved by the Pension Laws Commission and has little  
impact. Senate Amendment #5, the Amendment removes the  
provision under which a member's retirement annuity is  
suspended when the member is unemployed as a judge of any  
court of the United States of America. This was  
recommended by the State....by the Pension Laws Commission.  
Amendment #6, the Amendment applies to the Chicago Police  
Pension Fund. This is the Amendment that the original Bill  
was in. It increases the Chicago Pension Fund for the  
survivors of the police and fire department by \$50.00 per  
month. Amendment #8 is the Amendment that applies to the  
General Assembly Retirement System. It raises the  
retirement benefit for those in service, after January

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1st, 1982 so that the maximum pension of 85% of the final salary is payable after 20 years. Amendment #9, it provides that the buy back for four additional years for the retirement system and Amendment #11 amends the...complies with the provisions of State Mandates Act. And I would concur with all Amendments."

Speaker Peters: "The Gentleman moves to concur in Senate Amendments 3, 4, 5, 6, 8, 9 and 11 to House Bill 291. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. This is final action. This is final action. You have to vote. Representative Brummer to explain his vote."

Brummer: "Yes, I'd like you to indicate why we are going to this order of business? You were going to those on which it was nonconcurrence filed, if I understood this correctly, this is a concurrence Motion."

Speaker Peters: "No. Representative Schraeder to explain your vote. That is not what the Chair indicated, Sir."

Schraeder: "Thank you, Mr. Speaker and Members of the Assembly. I apologize for speaking so quickly after having spoken before, but it's one of those Bills that's come up in sequence and since you changed the order, I'm forced to. I would like to say, first of all, that I did support the Bill as it left the House, increasing the Chicago policemen and firemen's Article under the Pension plan. I think those were justified and I'm in fully accord with those. However, when I look at the Amendments that came from the Senate, I'm quite sure that I cannot support them and perhaps many others cannot. First of all, if you remember last Session there was a haste in increasing pension benefits for the General Assembly from 80 to 85%. That's in this Bill and I want to make everybody aware of that. You can vote it accordingly. There are other coverage,

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too, and I understand a former Speaker of the House, now retired-- and that is not Bill Redmond-- it's the previous Speaker to Bill Redmond-- gets some benefits for..under contractual services who...."

Speaker Peters: "Proceed."

Schraeder: "...There are a number of benefits under here that are absolutely horrendous. I certainly remember that we shouldn't increase these benefits. Everybody take a good hard look at it, your constituents will be and I recommend a 'no' vote."

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

Yourell: "Thank you, Mr. Speaker. You can see I'm voting 'aye' on this and there are some that might say I have a conflict of interest and they are absolutely right, because at the end of this term I'll have 20 years and I'll enjoy the benefits of a 85% retirement fund of the last highest salary, instead of 80%. Just so you all know, I'm not hiding anything. I'm voting 'aye' and I want that 5%."

Speaker Peters: "Representative Koehler to explain her vote."

Koehler: "Mr. Speaker, Ladies and Gentlemen of the House, I...to explain my vote. One of the Amendments to this particular piece of legislation means that if some of the new people that are here are fortunate enough to be here for 20 years, we will have put in an extra 30% increase contribution by the one and a half percent to buy a five percent increase. I believe this is bad arithmetic, new or old math. Thank you."

Speaker Peters: "Representative Matijevich to explain your vote. Do you wish to explain your vote, Sir?"

Matijevich: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think that those who are opposing..."

Speaker Peters: "I'm sorry, Sir, proceed."

Matijevich: "Those who are opposing this Amendment, I'm sure,



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wouldn't vote for any Bill to help anybody in the General Assembly and they're always the first in line. I think that Bus Yourell probably hit the mark right on the head. I remember the other day when we voted on that \$20,000 outhouse for the horseshoers, some of you who voted against the salary increase, for example, you could have gotten four of you to contribute your salaries and built it on your own. So, really what you are talking about, the General Assembly has the highest contribution in the retirement system and in any other system, but nobody ever says anything about that. Somebody was talking the other day about per diem."

Speaker Peters: "Conclude your remarks, Sir."

Matijevich: "...About per diem, the fact that the Senate by 2 votes, I guess, lost the increase in the per diem. And Representative Giorgi was just talking to me about that some time ago and he said my hotel bill is higher than my per diem. You know, sometimes you ought to have guts, I think, in what's reasonable for people. We do pay the highest retirement than any other system. I know that when I get my check at the end of the month, my wife tells me, why don't you go show your check to those people that complain about the salary that you get? If they knew what your take home is, I don't think that any of them would complain about what your salary is. So, I think that all we're talking about is some equity and the fact that when you run for the General Assembly, I wonder how many people that complain about retirement pension system...." (cut off)

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. One of the earlier speakers made a comment regarding those Members who've been here who will retire and that we'll be somehow or another be paying

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disproportionately for their pension. I'd like for those speakers to know that some of the Members that served in this General Assembly have seen to it that we have staff, have seen to it that we have contingency expenses, have seen to it that we sit in this surrounding in this Legislature. I don't whether or not some of those people will be back next year, but I think that they've done a hell of a lot to improve this Legislature. I'm proud to vote for their pension because I know if we don't vote for their pension, when it comes time for a pay raise or a pay raise Commission that would affect some of us who hope to come back here, they might not want to vote for us. And so those Members who choose to retire voluntarily or involuntarily, we should vote 'aye' and let them draw their pension because I can assure you if we don't help them they're not going to help us when it comes to a pay raise. And I'll vote for a pay raise because I think I deserve it."

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

Giglio: "Mr. Speaker, Ladies and Gentlemen of the House, I think just two explanations here on some of the statements that were made previously. One..."

Speaker Peters: "I'm sorry, Sir, proceed."

Giglio: "That's okay. Just to make two comments. One about one speaker alluded to it's going to take care of one of the former Speakers of the House. This is not the Bill. I'll be happy to let you know when that Bill comes up, but it is not in this one. With regard to the pension which is very important, this doesn't take care of the so-called old-timers. What this does is put the extra five percent on those that have not been here for 12 years with the constant turnover and the fast turnover that we've had in the last few years with some of the people that served ten

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or twelve years. Those are the people that we're going to take care of, not the old-timers that really and truthfully, when they get their 18 or 20, don't need it. Read the Amendment."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 89 voting 'aye', 75 voting 'nay', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 567? Representative Yourell, for what purpose do you arise?"

Yourell: "Just to congratulate all the 'no' votes that didn't call for a verification."

Speaker Peters: "Representative Madigan, for what purpose do you arise, Sir? The Gentleman...Give the Minority Leader your attention."

Madigan: "Mr. Speaker, having voted on the prevailing side, I now move to reconsider the vote by which that Bill passed."

Speaker Peters: "Representative Sandquist."

Sandquist: "Move ....Table.."

Speaker Peters: "The Gentleman moves to reconsider. Representative Sandquist moves to lie on the Table. All in favor will signify by saying 'aye', all opposed? The 'ayes' have it. House Bill 567. Representative Jaffe? Out of the record. House Bill 663, Representative Christensen? Christensen? Out of the record. House Bill 733. That's appropriations. House Bill 674, Representative Collins? Port District? Port District. Port, P-O-R-T. Which to some people is P-O-R-K. House Bill 674, Collins. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 674, a Bill for an Act to provide for subsidy for Port Districts and Regional Port Districts. Senate Amendment #1."

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Speaker Peters: "Representative Collins."

Collins: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, the effect of Senate Amendment #1 is merely technical and deletes some language from the Port District Act and I would move for concurrence in Senate Amendment #1."

Speaker Peters: "Any discussion? The Gentleman moves to concur in Senate Amendment to House Bill 674. This is final action. All 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 122 voting 'aye', 16 voting 'nay', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1535, Representative McAuliffe? Representative McAuliffe? House Bill 1535. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1535, a Bill for an Act to establish Local Governmental Law Enforcement Officers Fund. Senate Amendments #1 and 2."

Speaker Peters: "Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, there are technical errors in the Amendment, Senate Amendments #1 and 2 and I therefore move to nonconcur."

Speaker Peters: "The Gentleman moves to nonconcur in Senate Amendments #1 and 2 to House Bill 1535. Those in favor will signify by saying 'aye', those opposed? Nonconcurring. House Bill 1614. Representative Keane. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1614, a Bill for an Act in relationship to audits of units of local government and school districts. Senate Amendment #1."

Speaker Peters: "Representative Keane. Representative Keane?"

Keane: "Mr. Speaker, could I go to 991? It's on page two of the

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Supplemental #1 Calendar, House Bill 991. I would like to move to nonconcur in Senate Amendment #1 to House Bill 991."

Speaker Peters: "Representative, can we do this one first?"

Keane: "I haven't...I don't have that material in front of me."

Speaker Peters: "All right. All right. Out of the record, Mr. Clerk. Representative Keane, I hope you will bear with the Chair here. My sheets are set up differently than yours."

Keane: "That's fine."

Speaker Peters: "So, we'll come back and pick it up."

Keane: "Thank you."

Speaker Peters: "1614 out of the record. House Bill 1620, Representative Telcser? Out of the record. 1630, Representative Kosinski? All right. I'm informed that the Amendments are not distributed on the rest of these. Supplemental Calendar #1, Senate Bills, Third Reading. Top of the page, Senate Bill 269, Representative Sandquist."

Clerk Leone: "Senate Bill 269, a Bill for an Act creating the Compensation Review Board, Third Reading of the Bill."

Speaker Peters: "Representative Sandquist."

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I am sure you all know what this Bill is. But let me just briefly describe what it does. It takes away the hot potato that we've had down here for a number of years where we have not been able to deal with the real problem of salaries, not only for ourselves, but salaries for judges and also for key people, the elected state officials, and for key executive positions. What this does, it creates a Compensation Review Board. It provides there are 12 Members, three appointed by the Speaker, three by the Minority Leader of the House, three by the President of the Senate, and three by the Minority Leader of the Senate. The Members of this Board cannot be former...they cannot be

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officials of any of the departments. They cannot be former officials of any of the departments. It provides that they must hold hearings. They must...it is subject to the Open Meetings Act. They have...the public will be involved, and then they come up with a recommendation for salary increases. But it also provides that it must come back to us and we have 30 days in the Legislature where either House can knock it out, and it is within 30 days which we are in Session so they cannot in any way come back. And you...I don't have to tell you, anybody who's been around here, if you think there's not going to be a vote on each one of these recommendations, you don't know what you're talking about, because we've got people in this House and there are people in the Senate who, for political reasons, are always going to come up and demand a vote. So people who say there's not going to be any vote don't know what they're talking about. But what it does, it gets people involved to setting up guidelines. And they must take into account the length of time spent in the position, whether or not there can be outside income, and I think this is the way we should deal with a problem, and I think we should have the courage, have the courage to stand up and vote for this because we're losing judges. We're losing good judges because they cannot afford it. We're losing in the executive. We cannot get good people to come and work in top executive positions because of it. We've got to have this problem settled, and we'll also take care of the problem. We won't have any more lame duck pay raises or things like that. I think this is a good Bill. I think the public will understand it, and let's have the courage of our conviction and vote on this Bill 'aye'."

Speaker Peters: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker. Will the Sponsor yield for a

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question?"

Speaker Peters: "He indicates he will."

Bullock: "Representative Sandquist, does this Bill also affect Constitutional officers?"

Sandquist: "Yes, it does."

Bullock: "As well as judges, Legislators?"

Sandquist: "That is correct, and certain top appointed...elected officials, I mean, appointed officials in the executive department."

Bullock: "Thank you. Mr. Speaker, to the Bill."

Speaker Peters: "Proceed, Sir."

Bullock: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of Representative Sandquist's Bill. This Bill, in fact, brings the issue to the forefront for clear and open debate. It is no secret that Members of government deserve the same type of compensation of Members in private industry. Those Members in public service who believe that they are, in fact, doing that kind of job that their constituents will prefer can vote for this Bill in all conscience. They can go back to their constituents. They can confront the issue head on. If you believe in yourself, if you believe in your ability, if you believe in the constituents who send you to the Legislature, you'll vote 'yes' on this Bill. And you'll vote 'yes' because quite often in government if you don't pay an elected official a reasonable salary, you get just what you pay for which is less than the best. You want better lawmakers, you pay better salaries. If you want better books, you pay better salaries. If you want better judges, you pay better salaries. And with those salaries you get commensurate responsibility and commensurate expertise. Mr. Speaker and Ladies and Gentlemen of the House, I would urge an 'aye' vote, an affirmative vote, on Senate Bill 269."

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Speaker Peters: "Representative Dunn, Jack Dunn."

Dunn: "Would the Sponsor yield?"

Speaker Peters: "He indicates he will. Excuse me, will some of the people who are not entitled to the floor please clear the aisles. Thank you."

Dunn: "If this Commission that we're creating here has the authority to regulate salaries, do they have the authority to decrease salaries also?"

Sandquist: "They could do that, and that would have to come back to us."

Dunn: "I'm not sure whether I am for it or not now. I'll give you a 'yea' vote though. Thank you."

Speaker Peters: "Representative Donovan."

Donovan: "Yes, Mr. Speaker. I move the previous question."

Speaker Peters: "The question is 'Shall the previous question be put?' Those in favor signify by saying 'aye', those opposed by saying 'nay'. The 'ayes' have it. Representative Sandquist, to close."

Sandquist: "Yes, I be...I think we all know what is involved. Let's have the courage of our conviction and put a lot of green lights on there to show that the entire House is in favor of this very good legislation. Thank you."

Speaker Peters: "The question is 'Shall Senate Bill 269 pass?' Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Representative Schraeder, to explain his vote."

Schraeder: "Again, very briefly, Mr. Speaker, I just want to point out that there were Amendments on to make it an affirmative vote by the General Assembly and that was defeated. The Bill is in as worse shape possible, and I just ask for a 'no' vote."

Speaker Peters: "Representative Wolf...Peters, 'aye'. Representative Schuneman, to explain his vote."



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Schuneman: "Thank you, Mr. Speaker. I absolutely disagree with the Sponsor when he says the people will understand this. They will not understand this. The public image of our House is not very high. I think we all recognize that. It was manifested last fall when the people decided to cut this House to one-third. It is this kind of action that the people won't stand for. I think a red vote is the right vote on this issue."

Speaker Peters: "The Gentlemen filming in the galleries are reminded of the rules of the House that filming is not permitted during explanation of votes. And I understand and know that the media certainly would be the last in the world to set an improper example for the rest of us. To explain his vote, Representative Steele."

Steele: "Thank you, Mr. Speaker. I rise in opposition to this Bill. I think it is a bad Bill. I think we all know what it is really striving to do. You know, the last time a Commission was appointed to review salaries, I think they came in with a recommendation of \$10,000 more than the salaries range that we actually approved last time which was considered to be rather high. \$10,000 more. This is really a subterfuge. It is a device...it is really just a procedure to get higher wages and higher salaries here, and I think we all know that the people who are appointed to this Commission are disposed to be favorable and disposed to be generous. It merely gives a cloak of respectability to a procedure and a device really to get higher salaries. I think if we're going to address that subject we ought to do it out front. We ought to do it out in the open, and we ought to take that responsibility ourselves rather than using a subterfuge device..."

Speaker Peters: "Representative Ackerman...Ackerman. You're on."

Ackerman: "Thank you, Mr. Speaker. If this Bill had the

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Amendment #4 which I offered previously on it, I would be happy to support it. But in the condition it is now, I am sure my constituents would want us to be responsible for any action we take on our pay raises, and I cannot support this. I must vote 'no'."

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

Yourell: "Yes, you know, this is not the bottom line, Ladies and Gentlemen of the House. What you always have the privilege and the prerogative to do if you want to, if this Commission is created and they see fit to give legislative people a pay raise, you can do as Representative Koehler did and turn your check back. You can always do that, you know. That is a responsible action, but she shouldn't be prevented from forming a Commission to take a look at the Commission. If they see fit they might look at the actions of some of us and decrease our salaries. So this...all this does is creates a Commission, and you can be responsible like Representative Koehler was and return your checks if you're lucky enough to get a pay raise out of this Commission."

Speaker Peters: "Representative Dwight Friedrich, to explain his vote."

Friedrich: "Well, Mr. Speaker, I don't know about your district. I've had quite a little bit of mail on this subject, and I have had not...not had one person who was in favor of forming this Commission because they say it is a cop out, and they do understand it whether the people in your district do or not."

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

McBroom: "Well, very briefly, Mr. Speaker. I had some misgivings about this measure. I don't think it is a perfect solution, but the agony that many of the Members have gone through over the years on pay raises and salary adjustments

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certainly has not been the perfect solution either, Mr. Speaker. I can recall debate when the legislative salary went from \$6,000 to \$7,500. Some people thought it ought to go up \$750. Some people thought it ought to go up \$500. Some people thought it ought to go up \$2,000. There is no perfect way to set salaries for the Executive, the Legislative, and the Judicial. The way we...the procedure that we have used in the past is a long ways from perfect, and I am willing to take a look at a new methodology. I would urge an 'aye' vote."

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

Davis: "It is June 27. We're out in front. That was the problem last time. It is 18 months until the election. It is a fair honest way. I have always supported the concept. This House and the Senate are asked to vote on all the other state Constitutional officers, the judges, and our own. It takes the wisdom of Job and the political courage of Harry Truman to get away with it most of the time. But I can only tell you this, that this is a hell of a lot better than the last time we did it. So you freshman who are voting 'no', think about it when it comes up again. You'll have a chance to vote 'no', because sure as hell as I am standing here, there will be a Motion to deny, there will be a Motion to deny whatever increase the Commission would recommend if it is \$1 or \$10,000. It is out in front. It is honest. It is up front. My papers have editorialized against this and called me, and I told them to go to hell. This is a good..."

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

Laurino: "Mr. Speaker, I move the previous question. I'm tired of hearing all this conversation."

Speaker Peters: "Have all voted who wish? Have all voted who

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wish? Take the record, Mr. Clerk. On this question there are 93 voting 'aye', 66 voting 'nay', six voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Madigan."

Madigan: "Having voted on the prevailing side, I now move to reconsider the vote by which that Bill passed."

Speaker Peters: "Representative Sandquist."

Sandquist: "I move that Motion lie on the table."

Speaker Peters: "You've heard the Motion. The question is 'Shall that Motion lie on the table?' Those in favor will signify by saying 'aye', those opposed 'nay'. On the table. Senate Bill 547, Representative White. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 547, a Bill for an Act to limit liability of persons organizing in connection with the donation of food and free distribution to needy persons. Third Reading of the Bill."

Speaker Peters: "Representative White."

White: "Mr. Speaker and Ladies and Gentlemen of the House..Hello, oh. Mr. Speaker, Ladies and Gentlemen of the House, House...Senate Bill 547 is the good Samaritan Bill and in the city of Chicago we have the Greater Chicago Food Depository which has the responsibility of the collection and the distribution of donated foods. The products that they receive are donated to organizations that are designed to help feed needy families. The food that...The donated food is of high quality. Many times the canning companies will mislabel or over produce food. Rather than throw those products away they would like to donate those items to the Greater Chicago Food Depository. Presently they're in the process of establishing two centers, one in Central Illinois, one in Southern Illinois. This piece of legislation is law presently in 15 states. I ask for an

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'aye' vote."

Speaker Peters: "The question is...Any discussion? There being none, the question is, 'Shall Senate Bill 547 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. Hold on, hold on for Representative Giorgi. Vote Representative Giorgi there please. Representative Ronan, I think we're still open. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 159 voting 'aye', 5 voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Calendar, page seven we pick up where we left off with Representative Terzich. Senate Bill 1127, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1127, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Peters: "Representative Terzich."

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1127 amends the Chicago Firemen's Article of the Pension Code to adjust the post retirement benefit from one and a half to three percent. It also provides for one half percent increase in the employee's contribution to pay for this in accords with the Pension Laws Commission. It also provides that the Chicago firemen will be the third highest paying contingency paying for their pension benefits and this brings it in line with all the other systems throughout the state. And I would be more than happy to answer any questions and appreciate your support."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1127 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'."

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The voting is open. Have all voted who wish? Going once. Going twice. Have all voted who wish? Mr. Clerk, take the record. I think we had a malfunction here. Let's do this one again...again. All right. Yeah, there are 35 people not voting I'm sure that...That's usually ..usually more than we usually have. The question is, 'Shall Senate Bill 1127 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Representative Wolf? Representative Wolf? Peters, 'aye'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lechowicz?"

Lechowicz: "Thank you, Mr. Speaker. This is a Chicago Policemen's Widow Pension Bill. I can't see why this was removed from the record earlier when they were....the respective police pension Bills were flying out of here and I thought it was an injustice and I strongly support this Bill and the remainder of the Bills."

Speaker Peters: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 96 voting 'aye', 50 voting 'nay', 9 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1128. I'm sorry. Senate Bill 1128. Representative Terzich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1128, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Peters: "Representative Terzich."

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill..er..Senate Bill 1128 provides a post retirement benefit from 2 to 3% on an ad hoc basis only for those employees who have retired prior to January 1, 1982. It has been put before the Pension Laws Commission. It has been approved. It is not as high as the rest of the state's since they have the 3% ad infinitum. This is only

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for those retiring prior to January 1, 1982. It also has a disclaimer benefit. It only applies to the Chicago municipal employees and the laborers. And I'd be more than happy to answer any questions and would appreciate your support."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1128 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? Have all voted who wish? Take the record, Mr. Clerk. This question there are 99 voting 'aye', 41 voting 'nay', 6 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1149, Representative Ropp. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1149, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Peters: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1149 revises the filing schedule for charitable institutions. It puts a three year limitation on the claim for refund of tentative tax payment. It does add the penalty for failure to file withholding returns and revises the penalties for failure to pay taxes on a timely basis. There was an Amendment that was placed on this which said that on income tax forms, beginning next year, that are filed there will be a line on which you will place the school district in which you reside. I ask your favorable support."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1149 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Representative McAuliffe to explain

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his vote? Mr. Electrician, that was an accident. Turn..All right fine. Thank you. Have all voted who wish? Representative Martire, would you vote Representative McBroom 'aye' please? Thank you, Sir. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 149 voting 'aye', 3 voting 'nay', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1160, Representative McClain. Representative Wolf, for what purpose do you seek recognition? Sam Wolf?"

Wolf: "He's on his way out here, Mr. Speaker, if you'll just hold off just a second."

Speaker Peters: "The Chair was informed, Representative Wolf, that he did ask leave to have Representative Stuffle handle that. So the Chair will put the question. Representative McClain asks leave to have Representative Stuffle handle the Bill. Does he have leave? No objection. Representative Stuffle. Senate Bill 1160. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1160, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Peters: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members of the House, Senate Bill 1160, which is Representative McClain's Bill, deals with the starting salaries of teachers in the downstate school districts of Illinois and provides for an annual starting salary that is geared to and based upon the median starting salaries earned two years previously by school teachers in Illinois who reside outside of the city of Chicago School District. The city of Chicago School District is not within the consideration of the salaries in the Bill. According to the fiscal analysis of the Illinois Office of Education, there would be about 146 teachers in downstate



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Illinois affected by the Bill. With regard to the Bill, Representative Hallstrom attached an Amendment #1 to the Bill which provides that the state shall reimburse 100% of the additional costs of the Bill beginning in this fiscal year. Now, without the appropriation, the Bill could not have effect due to that Amendment. We have attached in the Senate an Amendment to House Bill 492 which is back before us on Concurrence to pay for this particular Bill which would cost about, according to the IOE, \$200,000.00 a year. That Amendment is on the appropriation Bill and as I indicated, the Bill could not have affect without that appropriation and payment by the state. I would be happy to answer questions and ask for an 'aye' vote."

Speaker Peters: "Representative Wolf."

J.J.Wolf: "Yes, Mr. Speaker and Members of the House, I reluctantly rise in opposition to this particular Bill. I would just like to point out that this Bill does fall under the State's Mandate Act. It's a way of eroding the local School Board control on setting the salary rates, the minimum rate, for their teachers. The Illinois Association of School Boards is, of course, opposed to this legislation. As the Gentleman pointed out, there are some 200,000 some odd dollars cost on the first year on this and probably increase. And because the state's responsibility is to pay this, I think it's another way of eroding local control which should be left up to the local School Boards to set the salaries and here the state is set up to bail out for it and I would urge the Members of the House to resist this costly piece of legislation."

Speaker Peters: "Representative Schneider."

Schneider: "Thank you, Mr. Speaker, Members of the House. I notice we don't have any hesitancy when it comes to lifting the maximum salaries on various county officials when it

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suits our political purposes. Whether or not you respect those persons in that level of employment, may or may not be a factor. But when you're looking at teachers, people that you trust in the classroom with your children, and when you look at the minimum salaries that are effected, that are currently in effect, they are nine, ten and eleven thousand dollars. You're asking people who are professionals, as you like to call them, who are making the greatest commitment you could ask, of dealing with your children's future, their emotional development, their academic development...they're in the classroom five, six, seven hours a day and you're asking them to take home a paycheck that can barely put any food on the table. This is a Bill that has faced all the requirements that this Legislature put upon us. It has dealt with the Mandates Act. It has acknowledged the Mandates Act. It has appropriated the money to fund that money. It has made...it affects only 150 or so teachers. Why would we oppose those individuals and not be too chagrined about lifting maximums for sheriffs and coroners and clerks throughout the State of Illinois amazes me. These are more important to me in my judgment than those individuals and I would ask you to support 1160 as it's before you at this moment."

Speaker Peters: "Representative Wikoff."

Wikoff: "Yes, thank you, Mr. Speaker. Previous speaker alluded to us raising the maximum salaries of various elected public officials. I know of no state mandate or state requirement that has a maximum for teachers. And it's true. We're only talking about maybe 150 teachers, more or less, maybe a couple hundred thousand dollars, but it's the philosophy of it that again, through this Session of the Legislature, we are completely doing everything possible to

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remove control from the local officials. Philosophically this is a bad move. I don't think it should be supported. If the local people want to give their teachers \$50,000.00 a year, I think that should be their prerogative, but I don't think that there's any way, shape or form that we should be telling the local governments their minimum salaries."

Speaker Peters: "Representative Hastert. Representative Hastert."

Hastert: "Mr. Speaker and Ladies and Gentlemen of the House, a couple of days ago I got up and addressed this Body and talked about House Bill 733. Now we talked about local control and we talked about, you know, what teachers are going to do and the state of education and public education in this state. We're looking today at a Bill that does affect public education. It's asking that you set a minimum salary for teachers at \$10,000.00, \$10,000.00. You're asking somebody to raise a family, to feed mouths, to take care of their homes, to pay their insurance, to pay rent, to become productive citizens and pay them at least \$10,000.00 a year. Let me suggest, Ladies and Gentlemen, if we don't pay those people at least \$10,000.00 a year, then you really will see collective bargaining, then you really will see the erosion of local control. I think this is a good Bill and I urge an 'aye' vote."

Speaker Peters: "Representative Klemm."

Klemm: "Will the Sponsor yield?"

Speaker Peters: "He indicates he will."

Klemm: "Do I understand there are only 58 positions of a Bachelor's Degree and 88 positions of a Master's Degree that would be needed to be reimbursed by the state?"

Stuffle: "Over here, Dick. That's the analysis of the Office of Education, 58 people in the one category."

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Klemm: "And they would be reimbursed by the state in this case to bring them up, is that ..."

Stuffle: "Representative Hallstrom's Amendment requires 100% reimbursement or the Bill would have no effect and that appropriation is on a House Bill which is back here for Concurrence which I'm the Sponsor of."

Klemm: "All right. May I speak on the Bill please?"

Speaker Peters: "Proceed, Sir."

Klemm: "You know, maybe it's difficult to understand. I was the president of a board of education and normally you would think I would oppose this Bill, but I think the previous speaker had indicated that ten thousand and some hundred dollars for a teacher as minimum is certainly less than adequate at today's standards. And I would think if you look at....though it's only maybe nine months of education, it's slightly over a thousand dollars a month. And I think anybody here, when we were talking about salaries for the General Assembly and others, I would really think that ten thousand dollars for a person with a Bachelor's Degree in ..who is responsible for the education of our children is not really too much to ask. And it may not be a very popular Bill for a former school board member to do, but I certainly am supporting it and I hope you will join me."

Speaker Peters: "Representative Flinn."

Flinn: "Well, Mr. Speaker, I move the previous..."

Speaker Peters: "Excuse me. Representative Dunn, do you have a problem?"

Dunn: "Yes. I'd like to move the previous question, Mr. Speaker."

Speaker Peters: "I believe Representative Flinn just did..."

Flinn: "I beat him to it. I'm first. I've got more seniority."

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye',

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opposed? The 'ayes' have it. Representative Stuffle to close."

Stuffle: "Yes, very briefly, Mr. Speaker and Members of the House. This Bill does affect only the 146 people that I mentioned in over 1,000 school districts in downstate Illinois. That means one teacher in every seven school districts. That means an increase from a minimum salary base of \$10,000.00 to \$10,400.00 for those 146 people, basically. It means, too, I don't think that we're talking about erosion of local control. Representative Wikoff made that statement. I would point out that we've had for many years in this state a minimum salary schedule to which this Bill is afixed. I would ask for the reasons given by Representatives on both sides of the aisle for an affirmative vote for this minimal increase for those one in seven..one person in seven school districts downstate that are affected by the Bill, on behalf of myself and the real Sponsor, Representative McClain."

Speaker Peters: "The question is, 'Shall Senate Bill 1160 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 127 voting 'aye', 34 voting 'nay', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1168, Representative Joyce (sic, Representative Terzich)."

Clerk Leone: "Senate Bill.."

Speaker Peters: "I'm sorry. Representative Terzich."

Clerk Leone: "Senate Bill 1168, a Bill for an Act to amend an Act relating to State Fire Marshall. Third Reading of the Bill."

Speaker Peters: "Representative Terzich."

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

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Bill 1168 amends the State Fire Marshall's Act to authorize the Fire Marshall to provide grants to Fire Protection Districts or municipalities to develop fire rescue programs for invalids and handicapped persons. It provides that the Fire Marshall shall promulgate rules of eligibility for such grants. Also, it ..there are two..three Amendments. Amendment #1 clarifies. It provides that 10% money be collected for the Fire Prevention Fund and I ask for a favorable Roll Call."

Speaker Peters: "Is there any discussion? There being none, the question is, 'Shall Senate Bill 1168 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 134 voting 'aye', 15 voting 'nay', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen of the House, if we might have your attention, if you'd want to write a couple of numbers down. In putting together some list, we're attempting to take one from each side of the aisle, hopefully a relatively noncontroversial list. The first Order would be Economic and Industrial Developments and that would be Senate Bill 68, McCormick and 223, Stiehl. The next Order will be regarding those relating to the Criminal Code, 490, Leverenz...I'm sorry. 490, Katz, 618, Leverenz and then two Bills relating to health and health services; 685, Braun and 1206, Kelley. So we will proceed in that order. Senate Bill 68. Jim Kelley. Jim Kelley. Senate Bill 68, Representative McCormick. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 68, a Bill for an Act authorizing any town having a population of less than 500,000 to establish, acquire and purchase and operate public hospital and to

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levy taxes and issue bonds therefore. Third Reading of the Bill."

Speaker Peters: "Representative..Representative McCormick."

McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill affects only four hospitals in Illinois and there's only four township hospitals in the state. A few years ago the Legislature changed the law in regard to district hospitals where they allowed them to issue revenue bonds and I'm not talking about general obligation bonds, revenue bonds and therefore, they left out the township hospitals. Now, we need that same authority for the township hospitals that the other hospitals have in the state. And it's endorsed by the Illinois Hospital Association. It's endorsed by all but one of the trustees of the townships. And we'd appreciate very much an 'aye' vote on this Bill and I'd be glad to answer any further questions."

Speaker Peters: "Any discussion? Representative Bradley."

Bradley: "Yes, Mr. McCormick, I don't know if the question is really for you on this Bill. But there's an Amendment I think attached to the Bill, isn't there?"

McCormick: "Yes. Oh, I'm sorry. There's an Amendment attached to the Bill by the Committee..er..by Representative McMaster and let me see if I can..I'm able to..."

Bradley: "Maybe Representative McMaster could answer my question."

McCormick: "Well, Representative McMaster stepped out to get a bite to eat. Ask me the question and maybe this young man can answer it. He prepared it."

Bradley: "All right. The way I read Amendment #1, I think Amendment #1 was a House Bill that got caught late in the Session and didn't get addressed."

McCormick: "That's right, a township evaluation. It says, for an

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example, a township with an evaluation of 16 million would have a maximum rate of 0.44 with..if you went up to...if that valuation went up to 17 million, it would drop to 43 instead of dropping to 25."

Bradley: "Yes, I think that the Amendment...the Amendment was a Committee Amendment..er..was adopted in Committee..."

McCormick: "Yes, Sir?"

Bradley: "...And then cleared up with Amendment #9. There were some problems with it and they...technical problems."

McCormick: "Yes, I think that's true."

Bradley: "Okay. But Amendment #1, if I read it correctly, and I think the Members of the Committee maybe could enlighten me, cause most of them...I think it was a voice vote or something...voted for the Bill. But I..as I read it, you have the situation here in a township where you could have a 60%.64% in some cases increase in taxes without a referendum. Is that correct?"

McCormick: "Well, wait a minute. He says...the young man here that's with the department says the rate would go up if you were between 15 million and 36 million..."

Bradley: "But the..."

McCormick: "..About 80 townships in the state that that could affect he says.."

Bradley: "Yes, but ask the young man what would happen with a township that went from 15 to 29 million dollars assessed valuation or say 30 and the maximum tax today would be 75 thousand. But under Amendment #1 it would be 90 thousand dollars, an increase of 15 thousand dollars and without a referendum."

McCormick: "Well, I didn't know that. He says that is correct."

Bradley: "Yes. I just want to call that to the attention of the Members. I have no problem with your Bill, but I think you've got an Amendment tacked on it that ..without a



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referendum. It's a tax increase without the people of the various townships having any opportunity to voice their opinion. And, for that reason, with this Amendment on it, I'm going to have to oppose your Bill and I think there would be probably many Members who were quite concerned about any kind of a tax increase in the climate that we have today. And I don't, C.L., if you were aware of it, but there's no question about it. You have a tax increase here from the point of 16 million dollar assessed valuation on up to 35 million dollar assessed valuation all the way through in those particular townships and those people in the townships have no opportunity at a referendum to say whether they want to increase their taxes or not. And I just want everybody to be aware that they are voting for a tax increase in about 90 percent of the people of the State of Illinois."

McCormick: "Well, Jerry, I don't..I don't want to..I'm not that familiar with township government, but wouldn't it also..would it also be a cause for not having a tax increase because of the rate? Or would it?"

Bradley: "No, because you're changing the formulas, C.L., in the Bill. You're changing the formula as...There was a limit up to 15 thousand and then up to 35 thousand. There was a limit of 20..."

McCormick: "Yes."

Bradley: "..Well, there was a particular formula. This Bill changes the formula. And when you change the formula, as it increased from 15 million assessed valuation on up to your 35 million level, you allowed a tax increase that gets to be rather sizable and at one point it gets to be a 64% increase in taxes in that particular township without ..without a referendum. I don't know if you were aware of that, but that's the Bill you're carrying."

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McCormick: "All right. Now, I...When we was in..brought this to the Committee, I didn't even know anything about the Amendment. They just...The Chairman of the Committee proposed the Amendment and it was adopted. I'll tell you this. I will do this with you, Jerry, if it will meet the agreement. Because I don't intend to vote for a Bill that's going to increase taxes without a referendum either. If..I don't whether you can trust me or not, but if you will support this Bill, I will ask Senator Vadalabene to nonconcur in that Amendment."

Bradley: "C.L., you do...you've been here a long time. You do as you please. I'm going to have to...I can't vote for this Bill with this kind of an Amendment on it right now..."

McCormick: "...The thing that I'm..."

Bradley: "...If you want to take it back to Second Reading tonight and take it off, that's fine. But I...Whatever you wish to do. I'm just pointing it out to you. I didn't...Evidently you were not aware of what was ...."

McCormick: "No, I wasn't aware of that. I'll show you the Republican analysis and the Republican analysis states.."

Bradley: "It's too bad that the Sponsor of the Amendment is not on the floor."

McCormick: "No. And I'm sorry he's not here."

Speaker Peters: "Representative Bradley, have you concluded?"

McCormick: "All right. Mr. Chairman (sic, Speaker)? Mr. Speaker and Ladies and Gentlemen, why can't I take it back to Second and table that Amendment right now? Leave? Can I have leave to do that?"

Speaker Peters: "Representative Hannig? You can. The Gentleman...It requires unanimous leave..."

McCormick: "Then I move, Mr..."

Speaker Peters: "Now, wait a minute. Just..It requires unanimous consent. There has been objection. It is your right,

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however, to move that the Bill be taken back to the Order of Second Reading for the purposes of handling the Amendment. And that will take 89 votes."

McCormick: "Well, that takes 89 votes and I don't have any...I'm going to try my very best to do it because, Mr. Speaker, this Bill is important and it's very important to Senator Vadalabene. It's important to the four hospitals in Illinois and I certainly had no idea about this township..."

Speaker Peters: "All right. The Gentleman..."

McCormick: "I move..."

Speaker Peters: "The Gentleman moves to take Senate Bill 68..."

McCormick: "...I appreciate 89 votes..."

Speaker Peters: "...Back to the Order of Second Reading. All those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk? The voting is open. It takes 89 votes on the Motion. Take the record, Mr. Clerk. Take the record. On this question there are 130 voting 'aye', 8 voting 'nay', 1 voting 'present'. The Gentleman's Motion prevails. Senate Bill 68 is now on the Order of Second Reading. Representative McCormick."

McCormick: "Move ..."

Speaker Peters: "Just a second, Sir..."

McCormick: "Well, I'd like to have unanimous consent to come back to Third Reading and pass the Bill, Mr. Speaker."

Speaker Peters: "Okay. Proceed, Sir."

McCormick: "Well, I want to move to table that Amendment first, yes."

Speaker Peters: "What's the number of the Amendment, Sir?"

McCormick: "Amendment #1. Was there another, #9 Amendment. No? Okay. Amendment #1. Yes."

Speaker Peters: "The Gentleman moves to table Amendment #1 to Senate Bill 68. Those in favor will signify by saying

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'aye', opposed? In the opinion of the Chair, the 'ayes' have it. Amendment #1 is tabled. Any further action relative to the Amendments?"

McCormick: "Pursuant to Rule 35-C, I would like now to bring it back to Third Reading, Mr. Speaker."

Speaker Peters: "On that question, Representative Brummer."

Brummer: "Yes, I notice there were two House Amendments. They were House Amendment #1 and House Amendment #9. I wonder if he..if the Sponsor is certain that he tabled the correct Amendment? I am not and .."

Speaker Peters: "Representative, let me suggest this, Representative Brummer. Representative McCormick, the Chair will promise to get back to you after you have our staff person and the minority staff person make an exact determination of what has to be done. I think that will save everybody a lot of time rather than going through the microphone. Is that all right with you, Sir?"

McCormick: "Just one second.."

Speaker Peters: "Proceed."

McCormick: "I believe #9 Amendment was just a correction of a...and it's okay just to table 9, too, isn't it? Let's just table 9 right now and get it over with.."

Speaker Peters: "All right. Wait now. Mr. Electrician, when someone on this Bill gets through talking, close it off. Because there are four names at the one time and it's difficult for me to understand what's happening. All right? The Gentleman now moves to table Amendment #9 to Senate Bill 68. Those in favor will signify by saying 'aye', opposed? In the opinion of the Chair, the 'ayes' have it. Amendment #9 is tabled. Do we have that, Mr. Clerk? Fine. Third Reading. Proceed, Sir. Representative McCormick, Senate Bill 68, Third Reading."

McCormick: "Now, Ladies and Gentlemen, it's back to what I

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explained a while ago.."

Speaker Peters: "Excuse me, Representative. Representative Hannig, for what purpose do you arise, Sir?"

Hannig: "Mr. Speaker, I have a Parliamentary inquiry. Now that the Gentleman has brought the Bill back to Second and tabled the Amendments, is it in order that he called it on Third Reading at this time?"

Speaker Peters: "Representative Matijevich?"

Matijevich: "Well, we haven't amended the Bill. We took one off, so he..."

Speaker Peters: "Pursuant to the rules, the Gentleman is within his rights, Sir. He is within his rights. We have not amended. We have taken Amendments off, a slight technicality. Proceed. Representative McCormick now on Senate..."

McCormick: "Mr. Speaker..."

Speaker Peters: "...Bill 68."

McCormick: "...And Ladies and Gentlemen of the House, I explained that part of the Amendment (sic, Bill) and I represent ..and my Representative friend over there that's opposing it is all because of a Lady that testified in the Committee. And that Lady testified in the Committee that the township trustees --and they had just talked to them-- were opposing it. I'm telling you I have the letters from the township trustees after she left, Representative. And every one of them say they support it, with the exception of one. And no other hospital in Illinois is restricted like you're trying to restrict the township hospitals. We need your vote and we need your support and I would appreciate it."

Speaker Peters: "On that question, Representative Bullock."

Bullock: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Representative

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McCormick. I take some partial responsibility for the Act that he alludes to, having once worked for the Hospital Association. I can tell you that hospitals in southern Illinois, many of whom are..er..many of which are municipalities or township or public hospitals, need all the assistance that they can get in terms of capital construction. Representative McCormick indicated exactly correct, these are revenue bonds. There is no general obligation to the State of Illinois and it certainly is no full faith and credit State of Illinois behind these bonds. They're paid from the revenue of the bond sale. It, in fact, will enhance the quality of care that you get in southern Illinois. Representative McCormick, this Bill does not effect Chicago in any way, shape, form or fashion. But I want you to know that just as we stand and rise and ask for support of Cook County Hospital, that I'm proud to stand in support southern Illinois public hospitals because that's exactly what this Bill does. It helps southern Illinois and I want to vote for southern Illinois because I want to come down in your store and we can sing, 'Oh, Happy Days'. Let's give him an 'aye' vote."

Speaker Peters: "Representative Ewell."

Ewell: "Mr. Speaker, I've been here just a little longer than my colleague to my left. So, Mr. McCormick, I've got to get..I've got to ask..to ask a question. What are you willing to pay?"

Speaker Peters: "Representative Fawell."

Fawell: "Seeing as this is such a noncontroversial Bill, Mr. Chairman (sic, Speaker), I suggest we move the previous question."

Speaker Peters: "Yes, Representative Matijevich?"

Matijevich: "I know we don't have too much time left till midnight, but I'm not going to vote for it until I hear the

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mosquito speech. A lot of you people haven't heard it and I want to hear it."

Speaker Peters: "The question...The question...Representative Bartulis, for what purpose, Sir? You're under the lights."

Bartulis: "I have a question of the Sponsor, Mr. Speaker."

Speaker Peters: "Proceed."

Bartulis: "C.L., I've heard the words of wisdom from some .."

Speaker Peters: "Excuse me. Representative Brummer, there's about 18 lights on here. I'll allow one question here and hopefully it gets solved. Otherwise, we'll be with explanation of votes. Proceed, Representative Bartulis."

Bartulis: "C.L., my question is.."

Speaker Peters: "Excuse me. Representative Bartulis, this is the way we're going to do this. You ask the question in the explanation of votes cause.."

Bartulis: "Okay."

Speaker Peters: "The previous question...The question is, 'Shall the previous question be put?'. Now, you see what you guys are starting here? I understand that, but a little civility. The man has one question to ask. He'd ask it and it would have been over with already. Am I right? Go ahead, Representative Bartulis. Representative Fawell withdraws her Motion. Go ahead."

Bartulis: "First of all. My light was on long before theirs were. And if you want to recognize them on the other side of the aisle, fine. But, Mr. Speaker, I want to ask C.L. one question..."

Speaker Peters: "She withdrew the Motion."

Bartulis: "These are revenue barns...revenue bonds, aren't they?"

McCormick: "...Authority to issue revenue bonds and only revenue bonds. They are not general obligation bonds and the only money that can be used to pay them is the money that is earned by the hospital or money they have coming in and

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that's the only way."

Bartulis: "All right. C.L., my question is, since it's a township hospital and the taxpayers who own the township, if they cannot meet their obligations who is going to pay for it?"

McCormick: "Well, the bond holders."

Bartulis: "And who are the bond holders?"

McCormick: "Whoever buys them.."

Bartulis: "You're sure it's not going to be taxpayers?"

McCormick: "..The bond holder is just like if you loan me ten bucks and I don't pay you, you just lose it. You don't fall back on the obligation .."

Bartulis: "But it falls back on the township."

McCormick: "No, it does not. That's the truth."

Bartulis: "Yes, it does."

McCormick: "No, it doesn't."

Bartulis: "It's a township hospital."

McCormick: "It does not do no such a thing. It is not...It's not a general obligation bond. It's a revenue bond and everybody in this House knows the difference."

Bartulis: "Well, Ladies and Gentlemen of the House, I want to address the Bill.."

Speaker Peters: "Proceed on the Bill, Representative Bartulis."

Bartulis: "I just..I just want you to think about this. This is a township hospital and the people of the township or the taxpayers of the township own the hospital and who's going to be obligated? That's my question. Think about that one."

Speaker Peters: "Now, Representative Steele."

E.G.Steele: "Well, thank you, Mr. Speaker. This affects the township hospital in my district and it's a lot more important than you might just think from the conversation taking place so far. It has a fine Sponsor but it's a bad



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Bill. Many people here in this House have a principle in which you don't take away the referendum right of people that now have a referendum right to vote on bond issues. Now, what you're doing is taking away from the local level, the local township hospitals, the right to a referendum. Now, they just defeated a bond issue in Wood River Township and this is where this Bill began with Senator Vadalabene. Eleven million dollars and because that was defeated four to one, this Bill was introduced which now would permit that eleven million dollars to be funded and bonded against that public hospital without a referendum. Now, I think it's good principle to not put bond issues upon people without a referendum and certainly not to take away the referendum rights that they've now got. Now, if you believe in local government, you'll vote 'no' against this Bill. If you believe in referendum rights of people that have got it now and you don't want to take it away from them, you'll vote 'no' against this Bill despite their fine Sponsor. I think the people at the local level voting four to one know what they need and what they want. Don't take referendum rights away from people that have got the referendum rights now and I urge a 'no' vote on a bad Bill."

Speaker Peters: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker. I, too, would oppose this Bill. It allows the selling of revenue bonds in connection with new construction and does so without a referendum. Now I really think we have to stop and ask ourselves if million of dollars of bonds are issued, how are those bonds going to be paid off? Well, basically there's only two ways. The hospital in one instance could raise the rates that they charge their customers or they could increase their tax levy on the property taxpayers in order to pay

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off the revenue bonds. Now, that is probably the most likely way that they will do it. Now this Bill provides for no referendum and simply will allow the director of the hospital with his board to issue the bonds which will be sold. Now, my feeling is that without a referendum, we should not be issuing bonds to allow taxes to be raised. This is not a good Bill. In my district which does have a township hospital, an obligation bond referendum was voted down four to one. Now, I think this is simply a way to circumvent the will of the people in that Legislative District. I would ask for a 'no' vote."

Speaker Peters: "Representative Watson."

Watson: "I'd like to move the previous question."

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', those opposed by saying 'nay'. The 'ayes' have it. Representative McCormick to close."

McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, everybody in this House that has been here two days knows that general obligation bonds are voted on by the people. Every hospital in this state has a right to issue revenue bonds and they are not against the property of the people of the district and everybody in this state knows that it isn't right to hold four township hospitals in 'obeyance' just because some woman don't happen to like what's going on somewhere in the district. Four hospitals are being cheated and they can't operate like they should and I would appreciate your 'aye' vote."

Speaker Peters: "The question is, 'Shall Senate Bill 68 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Representative Piel. Representative Peters votes 'aye'. Thank you, Sir. 'Aye'. Thank you. Have... Representative Yourell to explain his vote."

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Yourell: "All right. I don't want to explain my vote, but my vote has not been recorded. I've been voting 'aye' on these Roll Calls and they've been taking care of it up there, the Clerk's Office. And now it's been suggested that I cast a 'no' vote to see how it's being recorded. So the machine is consistent so watch for this 'no' vote."

Speaker Peters: "Representative Henry to explain his vote. No? All right. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 129 voting 'aye', 21 voting 'nay', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 223, Representative Stiehl. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 223, a Bill for an Act to amend Sections of the Illinois Industrial Development Authority Act. Third Reading of the Bill."

Speaker Peters: "Representative Stiehl."

Stiehl: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 223 amends the Illinois Industrial Development Authority to increase the Authority's outstanding bond authorization to 500 million dollars. The Authority was created to provide a funding mechanism for industrial and manufacturing development to create new jobs in Illinois. These bonds..."

Speaker Peters: "Representative Stiehl."

Stiehl: "These bonds are revenue bonds and they are not an obligation of the state, but are paid solely from revenue and income of the Authority. As amended, the Bill includes the CDB authorizations. An Amendment offered by Representative Van Duyne and Leinenweber to expand the title on the building authority from Industrial Building to Projects and an Amendment by Representative Madigan to increase the Membership of the Board from eight to

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thirteen. I would ask for a favorable vote."

Speaker Peters: "Any discussion? Representative Kane."

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

Speaker Peters: "She indicates she will."

Kane: "Well, first of all, parliamentary inquiry. How many votes does this take to pass?"

Speaker Peters: "Proceed with the questioning and then we'll come to your.."

Kane: "Okay, thank you. Representative Stiehl, you went over very quickly the CDB increase in bond authorization. Would you tell us what that includes and how much? You emphasize very much that this was revenue bonds. What general obligation bonds are in this Bill and would you expand a little on what you tried to sneak by us?"

Stiehl: "Just a minute, Representative Kane. The only general obligation bonds, Representative Kane, are on the CDB authorizations."

Kane: "And how much is that for?"

Stiehl: "The total authorization is one billion, six hundred and fifty-eight million, as approved by the Bureau of the Budget."

Kane: "How much? One billion, six hundred million?"

Stiehl: "Yes, approximately. Six hundred and fifty-eight million."

Kane: "Okay. If that is the case, can you tell us...We've had this ability to issue general obligation bonds for the state by the Legislature without referendum now for approximately ten years. Can you tell us the total amount of general obligation bonds that we have authorized in those ten years?"

Stiehl: "That's the total, Representative Kane."

Kane: "No, not just for CDB, but also highways and coal development and all of those things. Could you tell us

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what the total general obligation debt of the state will be that we have authorized in the last ten years if we add this 102 million dollars to it?"

Stiehl: "Representative Kane, I don't have that because those other authorizations that you're asking for are not included in this Amendment. This Amendment includes school construction bonds, correction facilities, conservation projects, mental health, veterans and public health projects and the projects for state agencies in Port Districts and water resources."

Kane: "But we are adding to the total debt obligation of the state, are we not? And I think that if we are going to be adding to the total general debt obligation of the state, I think that the Membership should be told what our total debt obligation will be if we add this 103 million and I'm asking you if you would give us that number."

Stiehl: "I don't have it, Representative Kane."

Kane: "Do the staff people next to you have it?"

Stiehl: "Pardon? I didn't hear you."

Kane: "Do the staff people next to you have it?"

Stiehl: "No, they don't. If they had had it, I would have told you."

Kane: "Would it be in the neighborhood of four and a half billion dollars?"

Stiehl: "I don't really know."

Kane: "Would you take this Bill out of the record until you could tell us?"

Stiehl: "Well, I can't do that. That would jeopardize all of the projects that are in that Amendment."

Kane: "Might also jeopardize the debt structure of the state. Mr. Speaker, Ladies and Gentlemen of the House, can I address myself to the Bill?"

Speaker Peters: "Proceed, Sir."

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Kane: "Yes. Mr. Speaker, Ladies and Gentlemen of the House, what this Bill does which the Sponsor tried very quietly to slip by us is to increase the total general debt obligation of the state that we have authorized under the new Constitution, which just went into affect in 1970, increase that general debt obligation to about four and a half billion dollars. We have been told by the Governors that have been governing this state during that period of time that they have balanced their budgets. They come in here every year and say, 'Here is a balanced budget.' But if you look carefully those budgets have been out of balance by four and a half billion dollars and that's just the original debt. If you add the principle and if you add the interest payments to that four and a half billion dollars, at today's interest rates, the state now owes somewhere in the neighborhood of eight billion dollars or will owe about eight billion dollars if we increase this debt authorization by 102 million dollars. It's an awful lot of debt that we have run up in the last ten years. The feeling was that under the old Constitution in which the state had to go to the general public by referendum to get authorization to issue debt, that that was too restrictive. And the feeling was that the Legislature and the General Assembly, if there were a three-fifths required vote, would keep a limit on debt. But we haven't. We've gone wild in the last ten years. And we have authorized four and a half billion dollars worth of debt that we will have to pay back. This is entirely too much. Each Governor has come to us when they have issued their budgets and have said, 'We're going to try to slow down the speed and rate at which we are going to go into debt'. And each year and the succeeding year, the Governor comes back and asks for the same increase in authorization. This is the

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same direction that New York went into; This is the same direction that other states have gone into. And one of the reasons why the Governor is asking us now for a sales tax increase is because there is a danger of jeopardizing the state's triple A bond rating. Because we don't have the revenue to cover expenditures. We don't have the revenue to cover our debt payments. The Road Fund is in trouble and why is the Road Fund in trouble? Because our interest payments this year amount to eighty-five million dollars off the top of the Road Fund. That's why our Road Fund is in trouble. Our General Revenue Fund is in trouble. And why is that? Because our ..our principle and interest payments on this debt, in this budget, is now about two hundred and fifty million dollars a year off of the top, just for interest payments. And those are on bonds that when we sold them six and seven years ago we were selling at five percent. The last time that we...that the Bureau of the Budget issued ..sold bonds, the interest was somewhere in the neighborhood of nine percent, which means that the cost of these projects, by the time we pay for them, are going to be double what they would otherwise cost. And half of that is going to be going in interest payments. So, Ladies and Gentlemen of the House, Members of the House, I think that we should vote this Bill down at this time. There is no reason to increase the debt of this state by 102 million dollars. And I think that it was a disservice to this House that the Sponsor of this Bill chose to ignore this in the original presentation of the Bill. And I would respectfully request a ruling from the Chair as to the number of votes required to pass this Bill and I would urge a 'no' vote."

Speaker Peters: "Representative Wolf."

J.J.Wolf: "Thank you, Mr. Speaker and Members of the House. Let

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me just point out in case some of the Members don't know what these bonds go for; education, corrections, conservation, mental health, public health, veterans services, state agencies, water resources and the like. This bond authorization of course is going to be necessary to fund the state projects for FY '82. Some of the projects specifically would be the conversion of the two university power plants from oil to gas to Illinois coal, which is important I think to downstate coal minors; construction of a six stack addition to the University of Illinois Library, expansion of the Sheridan Correctional Center to 350 beds, rennovation and expansion of the East Moline Correctional Center to add 200 new beds, construction of a combined laboratory in EPA and for the SIU School of Medicine located right here in Springfield, grants for water treatment facilities to communities where the growth is restricted by sewer bands and new construction maintenance of state highway system. I believe that it is necessary if we are going to have these projects. If you don't think these are necessary, of course, that's something else. But there's just absolutely no other way to fund these projects and to do these state projects for the coming fiscal year unless this bond authorization is granted. And I would urge affirmative votes."

Speaker Peters: "Representative Balanoff. Representative. Yes, Ma'am. Representative Balanoff."

Balanoff: "Thank you, Mr. Speaker, I move the previous question."

Speaker Peters: "Mr. Clerk? The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', those opposed? The 'ayes' have it. Representative Stiehl to close."

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



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House, without this Bill there will be no authorization for revenue bonds to create new jobs in industrial development in Illinois. Mr. Speaker, would you put me on, please?"

Speaker Peters: "Representative Stiehl."

Stiehl: "Without this ...Without this Bill there will be no funding for new industrial expansion for the creation of new jobs. There will be no money for new school construction, for water resources, for conservation, for prisons, for our state universities. This CDB Amendment is an authorization of one hundred and two million dollars to fund these programs. If we don't have this, we cannot fund any of the very vital, necessary state programs. I would ask for a favorable vote."

Speaker Peters: "The question is, 'Shall Senate Bill 23 (sic, Senate Bill 223) pass?'. It will take 107 votes to pass, 107 votes to pass. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, the voting is open. Representative Neff to explain his vote."

Neff: "Thank you, Mr. Speaker. In explaining my vote, it's been brought out here we'd better start taking a look at the bonds we're issuing. Back approximately ten years ago the State of Illinois had about 700 million dollars for the bonds. What do we have today? We have over 4.1 billion dollars and it's been brought out of the Highway Fund, one of the problems that we're short on money in th Highway Fund. Last year it took eighty million dollars out of the Highway Fund to pay off bonds and the interests. And if we continue this, continue as we've been doing, increasing bonds as we have the last ten years, the day is going to come when the State of Illinois is going to be probably like New York City was a few years ago. I would oppose this Amendment (sic, Bill)."

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

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Reilly: "Thank you, Mr. Speaker. Let me make a couple of things clear. First is, this Bill is going to pass....must pass before we go home. It's just as simple as that. This is kind of like appropriations. You can pass it now or you can pass it in a couple of days. But either way, it has to pass. This is an integral part of the process that we're involved in. We have already passed the appropriation Bills in many cases that are going to ...that are..for which this bond authorization is needed. Each one of you voted for the projects. Each one of you sent out the press releases that said, 'Yes, I'm a good guy. These are wonderful projects and they're going to go'. Now you have to have the courage of your convictions and vote these and again, I repeat, you can vote for them now or you can vote for them at 3:00 o'clock in the morning on July 3rd. Those are your choices and basically, the only choices. I would say, in terms of those who have argued against this as a matter of principle, that the fact is that under this administration and indeed in the last days..."

Speaker Peters: "Conclude your remarks, Sir."

Reilly: "In the last days of the last administration while the absolute number of dollars of bonds the state has issued have been going up, the fact is that in terms of a state budget, in terms of a percentage of the state budget that is going for debt service, they're going down. We've been very careful over the last few years. The number of bonds to be issued this year will be down, not up and this is absolutely necessary for the operation of State Government that this Bill pass."

Speaker Peters: "Representative O'Connell. O'Connell."

O'Connell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Bill. Let me point out two very important things with regard to Amendment #1.

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When we're talking about 500 million dollars worth of industrial development bonds, it's important to remember that these are secured by the private businesses which are the users of these industrial revenue bonds. There are no tax monies that are secured as a lien for the default of these bonds. These are secured by private businesses where large pieces of equipment or buildings are expanded. The security is on the buildings and the equipment. In effect, there is a mortgage on the businesses that are the users of the industrial development bonds. The 500 million dollars is not state money. It is private money that is used to create jobs. Forty thousand jobs in the last eight years have been created through the industrial development bonds. Five hundred and fifty-five million..."

Speaker Peters: "Conclude your statement, Sir."

O'Connell: "Five hundred and fifty million dollars worth of wages have been created in new jobs. Number two, very quickly, Mr. Speaker, with regard to the increase in capital development bonds, I was very happy to report that my Bill that put a limit on 2.57 of personal income of outstanding indebtedness has passed the Senate. It is here for Concurrence. That figure included this particular allocation. Please vote green."

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

Schuneman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm usually not very enthusiastic about increasing the bonding authority of the state. But I think we have an exception here that we should look carefully at and vote in favor of it. What is being done here, as I understand it, is increasing the bonding authority of the industrial revenue bonds in this state by some 400 million dollars. That's the area of bonding that Representative O'Connell has been talking about that's providing new jobs in

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Illinois. And it's something that we should be supporting. We're increasing the capital development bonding authority by 100 million dollars and those are the funds of course that go to the universities and other state building projects. I think this is a reasonable proposal and we should support it."

Speaker Peters: "Representative Huff. Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What we're really talking about here is the same principle as when you buy a house. You don't pay for that house out of current income because it's going to have a 20, 30, 50 year life. So you pay the rental value basically of the house and you avoid..you avoid paying all the price of the house because it's going to have a long useful life. That's the same principle this has. You amortize it over the useful life. Now there have been some misstatements here. There's only two point six billion outstanding in Illinois...in Illinois debt right now, down the line, highways, mass transit, CDB, everything. A total of two point six. We've got a triple A rating; We've got a Governor and a Legislature which has demonstrated some degree of fiscal integrity and protection for the bond rating is evidenced by the vote...that the financial community gives us. The same argument was once made by Mr. Paul Simon on the Illinois highways subject. He made that argument at a time when bond rates were 4.4%. Now they're up to nine and ten percent. If we had built those highways and issued those bonds back then, 12, 13 years ago, we would have paid for, paid those highways and had them in use today, rather than have to bond for them today and we would have had them in use today at a 4% interest rate rather than at a 9% interest rate. I urge an 'aye' vote on this."

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

Huff: "Thank you, Mr. Speaker. I just want to comment on one of the previous speaker's assertion that we can vote for this now or vote for it at 3:00 o'clock Tuesday evening. Well, I'm not going to vote for it now or ever because none of us, and I'm sure I don't and I'm sure many of you don't know what the state's bonding liability is and you can't trust the Department of the Budget and you can't trust the man on the second floor. For all I know, the state could be broke right now. I think the safe vote for the people would be a red vote."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Representative Ewing."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, it's never been my policy to support wild bonding programs in this state. I don't think this is one. Industrial development bonds are one of the best investments we make. The other hundred million for projects is necessary. I'm surprised to see some of my Democratic colleagues up there voting 'no'. Last year when we raised that hundred million for the new civic center in Chicago, Illinois Building, I'm sure they were all in favor of that. I'd like to see a little more support for this measure. We are going to have to fund our capital development program."

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

Winchester: "Thank you, Mr. Speaker, and for the purpose of some of the freshmen Legislators, this is not legislation as Representative Kane indicated that we were trying to slip by on anyone else. This is legislation that comes before this House every year. It's the authorization to spend dollars for educational projects, for correctional projects, for conservation projects, for mental health projects and veterans projects throughout the State of

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Illinois. Yes, even Port Districts and water resources projects. They are projects that if we ignore and let go by the side, it's going to cost us twice as much in two years or three years when we come back and realize that we've got to do something about it. The responsible vote is to vote 'aye' on this because it does take 107 votes. We're either going to have to address ourselves to it in the next couple of days, or we're probably going to have to come back in a Special Session. Let's save ourselves that time and give us that 107 votes that we need to pass this Bill."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 97 voting 'aye', 62 voting 'nay'. Representative Stiehl."

Stiehl: "Mr. Speaker, could I put this on Postponed Consideration?"

Speaker Peters: "Postponed Consideration. Senate Bill 490, Representative Katz."

Clerk Leone: "Senate Bill 490, a Bill for an Act in relationship to fitness of criminal defendants to stand trial. Third Reading of the Bill."

Speaker Peters: "Representative Katz."

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, this is a Bill to protect the community from the hazards that have been associated with the premature release of an individual after a discharge hearing when the individual is found to be a danger to the public or to himself. It requires a judicial hearing be conducted before the Department of Mental Health, may release a former defendant who was committed after being found unfit to stand trial on a criminal charge. It passed the Senate 55 to nothing. Passed the Judiciary Committee 16 to nothing. There's no

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opposition to the Bill and I would urge its approval."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 490 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, voting is open. 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 149 voting 'aye', none voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 618, Representative Leverenz. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 618, a Bill for an Act to add Sections to the Criminal Code. Third Reading of the Bill."

Speaker Peters: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 618 would amend the Criminal Code to provide a new offense of aggravated indecent liberties with a child and defines the offense in detail. The penalty for the offense would be a Class X felony. An offense may be committed by a person over the age of 17 upon person under the age of 12. It is an affirmative defense to the crime if the accused reasonably believe that the victim is over 12 years of age. This makes a new available punishment to the Judiciary System. We put the two Agreed Amendments on that were suggested by the Judiciary Committee. I would ask for your 'aye' vote."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 618 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 146 voting 'aye', none voting 'nay', none voting 'present'. This

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Bill, having received the Constitutional Majority, is hereby declared passed. Special Order of Business, Health and Human Services, Senate Bill 685. Representative Braun. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 685, a Bill for an Act to amend Sections of the Health Services Education Grants Act. Third Reading of the Bill."

Speaker Peters: "Representative Braun."

Braun: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Bill came out of Committee with no negative votes. It provides...gives the Board of Higher Education the authority to give grants to hospitals, not hospitals...give grants to public education medical schools basically for admissions for stabilization and grants based on the increases in the number of minority students at those medical schools. There is no dollars associated with this Bill and I urge your favorable vote."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 685 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? Take the record, Mr. Clerk. On this question there are 140 voting 'aye', 3 voting 'nay' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1206, Representative Jim Kelley. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1206, a Bill for an Act to amend Sections of the DES Act. Third Reading of the Bill."

Speaker Peters: "Representative Kelley."

Kelley: "Mr. Speaker and Members of the House, Senate Bill 1206 amends the DES Act to delete the requirements of the Department of Public Health, maintain a registry of all persons exposed to DES as a mandate to enter into



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contractual agreements. This Bill was originally introduced as a total repealer of the Act due to the inability of the agency to comply with the mandates of the Act. However, the Bill was amended in the Senate after discussions with several concerned persons. Now only repeals the mandated Sections and makes other portions permissive. Under this amended Act, the Department would act as a clearing house providing information on DES and would be in a position to contract for screening services. I am not aware of any opposition to this Amendment. This Bill is supported by the Illinois Department of Public Health, Illinois Medical Society, Illinois Hospital Association. I ask for a favorable vote."

Speaker Peters: "Any discussion? Representative Wolf."

J.J.Wolf: "I was wondering if the Clerk could tell us what DES stood for?"

Speaker Peters: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I stand in opposition to this legislation. The ..DES is the initials for a chemical which was used in medication that was prescribed for pregnant women back in the '40's. It was not, as some people think, a fertility drug or something like that. It was supposed to prevent miscarriages. The reason that people took it was to prevent miscarriages. Also, the ..it was commonly mixed with vitamins and many people took it as a...pregnant women took it as a vitamin supplement. The problem is that the children, the female children of people who took DES, have a higher incidence of cancer of the cervix and they are literally carrying time bombs in their bodies. And, the reason that we put this mandate on the Department of Public Health in the first place was precisely because a lot of people are high cancer risks and don't know it. To make it permissive it seems to me

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doesn't do anything at all and we might just as well repeal the whole Act if we're going to make it permissive because it seems to me the Department of Public Health, within the scope of the..its own enabling legislation, could probably serve as a clearing house for anything it wants to serve as a clearing house for. It seems to me that if they're not discharged of their mandate properly, then the Legislature ought to really get on their case and make them discharge their mandate. The response to the Department's inability to do what it's supposed to be doing is not to repeal the law, but to ..to get on their case. So, I stand in opposition to this legislation."

Speaker Peters: "Representative Ropp."

Ropp: "Would the Speaker (sic, Sponsor) yield...Sponsor?"

Speaker Peters: "The Sponsor will; the Speaker will not."

Ropp: "Thank you. Mr. Sponsor, can you tell me what is the test by which you determine whether or not an individual has been exposed to DES?"

Kelley: "I understand from the Illinois Department of Public Health there is no test."

Ropp: "Then how in the world can you keep a record of it, then if there's no test to determine who has been exposed?"

Kelley: "Well, that's the problem. The registry is difficult to comply (sic, comprise) because the use of DES began in the late '40's. And the Public Health tells me it's virtually impossible to track down these old medical records."

Ropp: "Well then this is a good Bill and ought to be passed."

Speaker Peters: "Representative Chapman."

Chapman: "I wasn't going to say anything until Mr. Kelley remarked that it was very difficult to track down who might be subject to cancer as a result of having a mother who took DES. I think it's very clear. If you're a young woman who was born at the time that this drug was routinely

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used that one of the things you ought to do is check with your mother and ask her what medication she took when she was pregnant and so it isn't something I'm sure that the Department of Public Health isn't interested in. I happen to know the Department of Public Health is very interested in this. But they have fallen to the Reagan ax; They have fallen to the Reagan budget ax. This Bill was a Bill that was proposed and was pushed through to approval by Representative Ron Griesheimer. Nobody sees Representative Ron Griesheimer as a wild-eyed liberal, a wild-eyed feminist, a supporter of women's causes, but Ron was so concerned with the kind of problems that would occur for women and for their daughters that he pushed this Bill through. The Governor signed it. The Department of Public Health was going to implement it, could have implemented it except that they got the Reagan ax. They didn't get the money they needed for their state lab and the state lab is an operation that is a priority operation. So this, being a new program, I can't blame the Director for this. The Director said, 'Let's drop..let's drop this mandate because we really don't have the money to do it'. So, any of you who have heard people say that women are the ones who are one of the chief...the chief persons, the group to suffer, the victims...thank you, John...the chief victims, women and children and the old and the poor, this is just one more indication that it's indeed true. This good program supported by this House and this Senate and the Governor two years ago, we are now being asked to repeal simply because we don't have the money to do the job for the public health of the people of this state that we should be able to do. So who cares about the young women? Thank you. I do too."

Speaker Peters: "Representative Tuerk."

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Tuerk: "I move the previous question."

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', those opposed? The 'ayes' have it. Representative Kelley to close."

Kelley: "Mr. Speaker and Members of the House, as I understand it, Public Health is not getting out of the DES field, but there's certain parts of the Act that's now in that they cannot comply with. There's just physical impossibility. This Bill is supported by Public Health, Illinois Medical Society and the Illinois Hospital Association. I'd ask for a favorable vote."

Speaker Peters: "The question is, 'Shall Senate Bill 1206 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. To explain her vote, Representative Satterthwaite and then Stewart. Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, we all know that political reality means that we have to make compromises sometimes and I believe that this is a true compromise. It is true that the Department originally planned to repeal the law completely having to do with DES and we were able to get the gracious consent of the Department Director to allow us to have the Bill in its present form. The Bill now keeps something in the Statutes so that there will be a reference to responsibility of the Department to have some available information. There are a number of groups throughout the state already doing some educational projects, already doing some of the things that we hoped could be done on a statewide basis under the law as it currently stands. That not being feasible since no money is really available to take care of it, this is a compromise that I believe is a good one allowing the

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Department still to have some responsibility to provide some information as to where services might be available and hopefully, in the very near future, if funds become available, they can expand and go back to their original obligation and I would urge them to do so in the very near future."

Speaker Peters: "Representative Stewart to explain her vote."

Stewart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think a 'no' vote is an appropriate vote on this particular Bill. I have talked to the Sponsor and with people from the Department who assure me that while we are softening the mandate if still, in fact, does exist. However, it's not the American Hospital Association or the Department that carries the risk of developing the cancer and I know because I happen to be one of the daughters of one of those unsuspecting mothers who took the drug. Now, granted, I understand that the Department is not funded to the extent that it can carry out this program, but at least we ought to keep the mandate on the book because it is important. As I said, it perhaps is not important to those of us who are on this floor and who are male and who were born before 1952. But to those of us who were born since then, who are female, who carry that risk, it's important. I would urge a 'no' vote."

Speaker Peters: "Representative Satterthwaite, is that the way you want to be recorded? You're recorded as voting 'aye'? Okay. Have all voted who wish? Take the record, Mr. Clerk. I'm sorry. Representative Alexander, do you wish to speak? Representative Alexander."

Alexander: "Mr. Chairman (sic, Speaker) and to the House, I took the drug DES and I have a conflict of interest at this time so I'm voting 'present' at this point."

Speaker Peters: "On this question there are 100 voting 'aye', 55

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voting 'nay', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentleman of the Assembly, if you want to write down the next two Orders, next two groups of like subject matter, state finance, Senate Bill 446, Representative Dwight Friedrich; Senate Bill 629, Representative Matijevich: Wage Payments and Collections, Senate Bill 714, Representative Bullock and 717, Representative Bullock. Representative Daniels in the Chair."

Speaker Daniels: "Senate Bill 446. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 446, a Bill for an Act in relationship to state finance. Third Reading of the Bill."

Speaker Daniels: "Representative Dwight Friedrich."

Friedrich: "Mr. Speaker, this is a Bill that came out of the Legislative Audit Commission. It came out of the Senate. It is designed to clear up the voucher system in the State of Illinois so it will be uniform and it's also designed so that the money that is vouchered will have been spent within the lapse period. We've had some problems in some of the departments with this and I think this should be adopted."

Speaker Daniels: "The Gentleman moves for the passage of Senate Bill 446. Is there any discussion? Being none, the question is, 'Shall Senate Bill 446 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'.

The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Bill there are 147 'ayes', no 'nays', none voting 'present'. Senate Bill 446, having received a Constitutional Majority, is hereby declared passed. Speaker, 'aye'. 148 'ayes'. Senate Bill 629, Representative Matijevich."

Clerk Leone: "Senate Bill 629, a Bill for an Act to amend

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Sections of an Act in relationship to state finance. Third Reading of the Bill."

Speaker Daniels: "Representative Matijevec."

Matijevec: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 629 amends the State Finance Act to delete refunds as an object for which transfers from line items appropriations within the same Treasury Fund may be made. Its purpose is to clarify the legislative intent relating to 2% transferability. The inclusion of refunds in the transfer base has allowed the Department of Revenue to have an effective transfer base of 9% in FY '81 and 11% in FY '80 and the Treasurer's Office a transfer base of 5% in FY '80. The actual dollar amounts available for transfer in the case of the Department of Revenue in FY '80 climbs from 924,000 with refunds excluded from the transfer base to 4.9 million with refunds included. I believe strongly in the 2% transferability to allow the flexibility needed. But when we include refunds, I don't think any of us believe in it as far as legislative intent. And I move for the passage of House..Senate Bill 629."

Speaker Daniels: "The Gentleman moves for the passage of Senate Bill 629. Is there any discussion? Being none, the question is, 'Shall Senate Bill 629 pass?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On this Bill, there are 135 'ayes', 6 'no', 2 'present'. The Bill, having received a Constitutional Majority, Senate Bill 629 is hereby declared passed. Wage Payment and Collection, Senate Bill 714, Representative Bullock."

Clerk Leone: "Senate Bill 714, a Bill for an Act to add Sections to the Illinois Wage Payment and Collection Act. Third Reading of the Bill."

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Speaker Daniels: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 714 deals with the subject of wage payment and collections. It provides that an employer or an agent of an employer who knowingly, knowingly issues a check, an invalid check or a bad check, to one of his employees is guilty of a Class A misdemeanor. And it specifies is the circumstances where prima facie evidence by the employer must be presented. The Illinois Department of Labor supports the legislation. It's a modification of one of its proposals and the real cutting edge of this particular Bill is that it transfers the functions to the Wage Payment Collection Act to the Department who in turn will issue warning letters and seek to mediate between the employer and the employee before, and I underscore before, criminal proceedings are commenced. The Bill passed out of the Senate 45 to 2. It came out of Labor and Commerce Committee. I know of no opposition. There has been no opposition stated. One Amendment has been added. It was technical and clarifying in nature and it merely includes, 'who knowingly issue a check', referring to the employer. I'd be glad to answer any questions. I would urge an 'aye' vote."

Speaker Daniels: "Representative Beatty."

Beatty: "Would the Sponsor please tell me what a bad check is?"

Speaker Daniels: "Representative Bullock."

Bullock: "My seatmate when the money comes up short, but I'm not going to use that definition, Representative Beatty. In this particular instance, there are certain prima facie evidence to indicate that an invalid check was knowingly issued, that the employer did not have an account with the drawee, that at the time the check was issued by the employer, he lacked sufficient funds on his account and at



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the time the check was presented for payment by the employee, the employer lacked sufficient funds in the account. The employer then must rebut prima facie evidence for violation of the Act."

Beatty: "Well, thank you."

Speaker Daniels: "Further discussion? Representative Hannig."

Hannig: "Yes. Will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Hannig: "I have just one question and that is, it's difficult for me to understand exactly what 'knowingly issues the check' means. Could you perhaps clarify that a bit?"

Speaker Daniels: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker. Representative Hannig, as I indicated, there was in fact an Amendment offered to this legislation by Representative Getty and that Amendment #1, in my estimation, clarifies that any employer, agent, as I said before, who issues a check in order for the payment of wages in full compensation and who at the time of issue knows or intends that the check order will not be paid. That language in my definition, clarifies one who knowingly issues a bad check."

Speaker Daniels: "Further discussion? Representative Dwight Friedrich."

Friedrich: "I would yield to a question please?"

Speaker Daniels: "Indicates he'll yield."

Friedrich: "What is the penalty for issuing a check with insufficient funds in the ordinary course of business? I'm not sure what the difference is."

Bullock: "Class A misdemeanor."

Friedrich: "Pardon me?"

Bullock: "It's a Class A misdemeanor."

Friedrich: "And this is what?"

Bullock: "This doesn't change the penalty.."

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Friedrich: "Well, so it would be the same."

Bullock: "Yes."

Friedrich: "Well, I...What...That's the reason I asked the question. I wonder what the need for the Bill is. If I issue a bad check, I'm guilty of a misdemeanor either way then."

Bullock: "Well, as I indicated earlier, Representative Friedrich, this Bill further, in addition to clarifying the language, allows the Department of Labor to enter into the mediation dispute between the employer and the employee before criminal proceedings. I think that's rather substantive."

Speaker Daniels: "Representative Yourell."

Yourell: "Move the previous question."

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

Bullock: "Thank you, Mr. Speaker. I'd urge a favorable vote."

Speaker Daniels: "The Gentleman has moved for the passage of Senate Bill 714. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. 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 152 'aye', 1 'no', none voting 'present'. Senate Bill 714, having received a Constitutional Majority, is hereby declared passed. Representative Ronan. Change Representative Ronan from 'no' to 'aye'. It's 153. Senate Bill 717, Representative Bullock. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 717, a Bill for an Act to amend Sections of the Illinois Wage Payment and Collection Act. Third Reading of the Bill."

Speaker Daniels: "Representative Bullock."

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Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill also addresses the subject of Wage Payment and Collections Act. This Bill deals with payment disputes, disputes of wages between the employer and the employee. In essence what the Bill does is that the employer's payment of wages are conceded by him to be due and the employee's acceptance of those wages do not constitute a release of the balance of the employee's claim. What it says in effect is that employer A, employee B, if the employer alleges to abode \$400.00 to the employee and the employee says, 'You owe me five.', if they agree on 300, that individual can receive the \$300.00 while the balance is being disputed. Now, that quite simply is what the Bill does. It is supported as I said earlier. The department supports the legislation. And I don't know of any opposition to the Bill. I'd be glad to answer any questions about the Bill and I would urge an 'aye' vote."

Speaker Daniels: "Representative Schuneman."

Schuneman: "Thank you, Mr. Speaker, Ladies and Gentlemen. As the Sponsor explained, this is a perfectly reasonable Bill. The Bill passed out of the Labor and Commerce Committee on a vote of 16 to nothing and I would recommend an 'aye' vote."

Speaker Daniels: "Representative Yourell."

Yourell: "Move the previous question."

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

Bullock: "Thank you, Mr. Speaker. I would urge an 'aye' vote."

Speaker Daniels: "The question is, 'Shall Senate Bill 717 pass?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who

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wish? Have all those voted who wish? Have all those voted who wish? Take the record. On this Bill there are 151 'aye', no 'nay', none 'present'. Senate Bill 717, having received the Constitutional Majority, is hereby declared passed. Supplemental Calendar #2, Senate Bills, Third Reading, Short Debate Calendar. It's on your desk. Supplemental Calendar #2. First Bill, Senate Bill 62, Representative Stewart. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 62, a Bill for an Act to amend the School Code, Third Reading of the Bill."

Speaker Daniels: "Representative Stewart."

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 62 requires... Senate Bill 62 addresses the problem of teenage pregnancy which we all know is epidemic. We all know creates great problems for society in general. The provisions of Senate Bill 62 as amended are as follows: First of all, it requires that pregnant girls stay in school. Second of all, it makes possible... it lowers the age for young people to take the GED once they become parents or once a young female student is expecting. Also it includes a provision for, a permissive provision for infant care labs which, in effect, would have a local, a school district providing care for the young baby while the parents are in school. At the same time teaching young parents how to care and provide for infants. I think this is a good Bill. It addresses a problem that a lot of us don't like to face or think about. But it offers some real and positive alternatives for young people who find themselves in this predicament. And I would urge a 'yes' vote. I'm, of course, willing to answer whatever questions Members may have."

Speaker Daniels: "Representative Reilly."

Reilly: "Will the Sponsor yield for a question?"

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Speaker Daniels: "Indicates she will."

Reilly: "This does have on it, Representative Stewart, the Amendment that was worked with the Department. Is that correct? The Department of Public Aid?"

Stewart: "Certainly. The Amendment you are referring to is the infant care labs which has been worked out with the Department with Amendment #5."

Reilly: "Thank you. To the Bill, I think the Bill with the Amendment worked out with the Department is a good Bill. I would commend it to the Legislature and urge an affirmative vote."

Speaker Daniels: "Representative Stewart, to close."

Stewart: "Thank you, Mr. Speaker. As I said, teenage pregnancy is an epidemic. It's a question we can no longer sweep under the rug. It's one that we have to address with some positive reinforcements for these young parents in teaching them how to take care of their children. If we don't address this problem now all we're doing is adding to the welfare roles and the child abuse stories in the future. I would urge a 'yes' vote. Thank you."

Speaker Daniels: "The question is, 'Shall Senate Bill 62 pass?' All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Have all voted who wish? Take the record. On this Bill there are 136 'aye', 9 'no', 3 'present'. Senate Bill 62, having received the Constitutional Majority, is hereby declared passed. Senate Bill 115, Representative Greiman. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 115, a Bill for an Act relating to interspousal torts, Third Reading of the Bill."

Speaker Daniels: "Representative Greiman."

Greiman: "Thank you, Mr. Speaker. Briefly, this Bill changes the

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interspousal tort immunity law in a very narrow way and allows one spouse to file appropriate action against the other for willful physical torts or injuries. In the House Judiciary Committee it was suggested by the Members that we amend it so that anything that was heard in divorce case, for example, we have testimony or findings could not be used against anybody in a personal injury case either for impeachment purposes or any other purposes. It was thought to be a good Amendment. We put that on. I recommend the Bill. I think it's a good Bill."

Speaker Daniels: "Anyone in opposition? Being none, the question is, 'Shall Senate Bill 115 pass?' All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record, Mr. Clerk. There are 150 'aye', 3 'no', 4 'present'. Senate Bill 115, having received a Constitutional Majority, is hereby declared passed. Senate Bill 137, Representative Bullock. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 137, a Bill for an Act to add Sections to the Illinois Banking Act, Third Reading of the Bill."

Speaker Daniels: "Representative Bullock."

Bullock: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 137 amends the Illinois Banking Act. Senate Bill 137 requires banks to inform existing and new depositors but the bank's liability for deposits made in its outside depository does not begin until the deposit is recorded by the bank. The Bill passed the Senate without a descending vote, 7 - 0 in Committee and 57 - 0 on the floor of the Senate. The Bill has subsequently been amended in the House at the request of the Commission of Banks and Trusts. The amended portion of this Bill permits the Commission of Banks and Trusts to conduct examinations of

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bank holding companies if he finds business being conducted in an unsafe and unsound manner including actions of officers and stockholders. The Commissioner may obtain current lists of stockholders including numbers of shares held in the address of each stockholder. Requiring written consent before a bank can establish a facility closer than 600 feet. Currently consent is required but the law does not specify that it be in writing. Permitting banks to identify the offices of employees is authorized for corporation. Provides that certain open-ended credit arrangements for offices or amounts less than five thousand are not being credited as described in the office's loan section of the Banking Act. Provides that the Commissioner shall examine services provided by bank and an EDP type organization. The Bill also provides for one time transfer of approximately seventy thousand dollars from the Bank and Trust Company Fund to the State Employees Group Insurance premium to cover FY 1980. This procedure was recommended by the Auditor General. The section that I've just read was offered in an Amendment encompassed by the Chairman of the Financial Institutions Committee, Representative McBroom and co-chair by Minority spokesman Representative Leon and myself. These requests were made by Commissioner William Harris. I'd be glad to answer any questions that you have relative to the Bill. If there are no questions, Mr. Speaker, I would urge an affirmative vote."

Speaker Daniels: "There being none, the Gentleman moves the passage of Senate Bill 137. The question is, 'Shall Senate Bill 137 pass?' All those in favor will signify by voting 'aye', and all those opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? Take the record, Mr. Clerk. The question, having received 153 'yes', 5

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'no', 6 'present', Senate Bill 137, having received the Constitutional Majority, is hereby declared passed. Senate Bill 257, Representative Oblinger. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 257, a Bill for an Act to provide exemptions from certain use and occupation taxes for ethyl alcohol distribution machinery and equipment, Third Reading of the Bill."

Speaker Daniels: "Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, last year we voted and again we'll vote this time on exempting equipment for 'ethynol' and gasohol only this is for individuals for having the equipment on their own farms for their own personal use. Last year it was vetoed by the Governor. This year we've tried very hard to meet the veto requirements and we've also added that the local authorities are given the option of reimposing local taxes on this 'ethynol' equipment."

Speaker Daniels: "Anyone in opposition? Representative Schneider."

Schneider: "Just an inquiry of the Sponsor towards a commitment."

Speaker Daniels: "It's short debate, Representative."

Schneider: "I understand that so it's not in opposition. I just want to be sure, Madame Sponsor, that this has not become the vehicle for the sales tax that you're going to rush this to the Governor's desk."

Oblinger: "No. This Bill is not. We only have the one Amendment that was offered and that's the only Amendment I accept."

Schneider: "It will not be the vehicle?"

Oblinger: "As far as I know it is not."

Schneider: "That's not the answer, Representative. It will not be the vehicle, right Josephine?"

Oblinger: "Alright."



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Schneider: "Thank you very much. I think it's a good Bill."

Speaker Daniels: "The question is, 'Shall Senate Bill 257 pass?'"

All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all voted who wish? Have all voted who wish. Take the record, Mr. Clerk. Senate Bill... whoops it didn't lock. This Bill having received 143 'aye', 9 'no', 5 'present'. Senate Bill 257, having received the Constitutional Majority, is hereby declared passed. Senate Bill 300, Representative Watson. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 300, a Bill for an Act in relationship to the rights of debtors and creditors, amending certain Acts therein named, Third Reading of the Bill."

Speaker Daniels: "Representative Watson."

Watson: "Thank you, Mr. Speaker. This deals with increasing the state exemptions for bankruptcy. And I'll just read through here what exactly it will do. It will make the following changes in regard to homestead exemptions and it makes it applicable to individuals whether then heads of households with families. It decreases the maximum amount from ten thousand to seventy-five hundred, however, husband and wife and file jointly to have a total exemption of fifteen thousand. It adds condominiums, cooperatives and personal property occupied as a residence to the list of homesteads eligible for exemption. Personal property is also included. This, of course, is wearing apparel, bible, school books, family pictures of the debtor and his dependents. Equity is increased up to two thousand dollars worth of personal property. Up to twelve hundred dollars in interest in a motor vehicle not subject any liens. Equity interest not to exceed \$750 value for implements, professional books or tools of the trade of the debtor.

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Professionally prescribed health aids for the debtor and his dependents. The Bill is supported by the Banking Industry, Household Finance, the Legislative Support Committee, Consumer Finance Association and I'd appreciate any and all 'aye' votes."

Speaker Daniels: "Anyone in opposition? There being none, the question is, 'Shall Senate Bill 300 pass?' All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. 146 'aye', 7 'no', 1 'present'. Senate Bill 300, having received the Constitutional Majority, is hereby declared passed. Senate Bill 356, Representative Terzich. Representative Terzich. Is the Gentleman on the floor? Out of the record. Senate Bill 370, Representative Tuerk. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 370, a Bill for an Act to amend an Act to revise the law in relationship to coroners, Third Reading of the Bill."

Speaker Daniels: "Representative Tuerk."

Tuerk: "Mr. Speaker and Members of the House, Senate Bill 370 provides the death occurring in a trauma center may be transferred for investigation purposes to the county where the incident causing death occurred. It has no opposition that I'm aware of and it has an effective date of about fifteen months down the road. I ask for your support."

Speaker Daniels: "Anyone in opposition? There being none, the question is, 'Shall Senate Bill 370 pass?' All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 150 'aye', no 'nay', 1 'present'. Senate Bill 370, having received

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the Constitutional Majority, is hereby declared passed. Senate Bill 376, Representative Nelson. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 376, a Bill for an Act to amend the Illinois Municipal Code, Third Reading of the Bill."

Speaker Daniels: "Representative Nelson."

Nelson: "Thank you, Mr. Speaker and Members of the House. House Bill.. Senate Bill 376 is identical to the Bill that we passed out of here when it was House Bill 1503. What it does is set up variable interest rates for municipalities that are making special assessments. It changes the interest rate with respect to special assessments to conform with the general interest rate law."

Speaker Daniels: "Anyone stand in opposition? There being none, the question is, 'Shall Senate Bill 376 pass?' All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Representative Preston, to explain his vote. Preston."

Preston: "Thank you, Mr. Speaker. In explaining my 'no' vote on this, this is a Bill that is similar to one that has previously passed the House and the Senate and that the Governor has vetoed. It's similar to a Bill that passed one House previously and did not pass the other House. This is a bad Bill. It infringes on a number of prerogatives of taxing bodies and I would urge a 'no' vote."

Speaker Daniels: "Representative O'Connell, to explain his vote. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Representative Preston."

Preston: "Mr. Speaker, I ask for a verification."

Speaker Daniels: "Representative Kane."

Kane: "Change my vote to 'no', please."

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Speaker Daniels: "It hasn't been taken yet. Change your own vote. Anyone else? Have all voted who wish? Take the record. Representative Wikoff."

Wikoff: "Yes, thank you, Mr. Speaker. And I didn't speak on the Bill. I think the action that was requested, there's only 88 votes up there but a similar Bill did pass the House and is in the Senate. I don't know what the problem is with this. In fact, it came out of Cities and Villages on Consent Calendar."

Speaker Daniels: "Representative Ralph Dunn."

Dunn, Ralph: "Change me from 'present' to 'aye', please."

Speaker Daniels: "Record Representative Ralph Dunn as 'aye'. Representative O'Brien, 'aye'. Further additions? Alright, the Lady requests a poll of the absentees. Neff from 'no' to 'aye'. Representative Chapman from 'no' to 'aye'. Anyone further? Proceed with the poll. 92 'aye', 58 'no'. Proceed with the poll of the absentees."

Clerk Leone: "Barnes. Breslin. Capparelli. Cullerton. Deuster. Ebbesen. Garnisa. Greiman. Griffin. Huff. Jones. Katz. Krska. Margalus. Martire. Pierce. Redmond. Sandquist. Stearney and Telcser. Terzich."

Speaker Daniels: "Representative Breslin. Record Representative Breslin as 'aye'. Representative E.G. Steele from 'no' to 'aye'. Anyone further? Representative Mulcahey from 'aye' to 'no'. Representative McClain from 'no' to 'yes'. Anyone further? Okay. What's the count, Mr. Clerk. Going the wrong way, Mr. Preston. Representative Hallock from 'no' to 'aye'. Anyone further. Alright, Representative Bowman from 'no' to 'aye'. Representative Turner from 'aye' to 'no'. Representative Stewart from 'aye' to 'no'. Representative Rhem. Alright, alright, alright. From 'aye' to 'no'. That's it. Proceed with the poll. Topinka. Record Topinka as 'aye', from 'no' to 'aye'."

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Representative Levin from 'no' to 'aye'. Representative Nelson, your light is on."

Nelson: "It should not be."

Speaker Daniels: "Okay, proceed. Representative Zwick."

Zwick: "Would you change me to 'aye', please?"

Speaker Daniels: "Representative Zwick from 'present' to 'aye'. O'Brien."

O'Brien: "Mr. Speaker, could you tell us what the count is now?"

Speaker Daniels: "What's the count? ... 'aye'. 97 'aye'. Representative Smith, Margaret Smith from 'no' to 'aye'. 98 'aye'. Anyone further? Alright, proceed."

Clerk Leone: "Poll of the affirmative. Abramson. Ackerman. Alstat. Barkhausen. Barr. Bartulis. Bianco. Birkinbine. Boucek. Bowman. Braun. Breslin. Carey. Catania. Chapman. Collins."

Speaker Daniels: "Mautino from 'present' to 'aye'. Mautino."

Clerk Leone: "Conti. Currie. Daniels. Davis."

Speaker Daniels: "Wikoff. Representative Wikoff."

Wikoff: "May I have leave to be verified?"

Speaker Daniels: "May Representative Wikoff be verified. Leave is granted."

Clerk Leone: "Davis. Deuchler. Donovan. Jack Dunn. Ralph Dunn. Epton. Ewing. Fawell. Findley. Flinn. Virginia Frederick. Dwight Friedrich. Giglio. Grossi. Hallock. Hallstrom. Hannig. Hastert. Hoffman. Hoxsey. Hudson. Huskey. Johnson. Karpel. Jim Kelley. Klemm. Kociolko. Koehler. Kucharski. Kustra. Leinenweber. Levin. Macdonald. Mautino. Mays. McAuliffe. McBroom. McClain. McCormick. Roland Meyer. Miller. Neff. Nelson. Oblinger. O'Brien. O'Connell. Ozella. Peters. Piel. Polk. Pouncey. Pullen. Reed. Reilly. Richmond. Rigney. Robbins. Ropp. Satterthwaite. Schraeder. Schuneman. Irv Smith. Margaret Smith. Stanley. E.G.

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Steele. C.M. Stiehl. Stuffle. Swanstrom. Tate.  
Telcser. Topinka. Tuerk. Vinson. Watson. Wikoff. J.J.  
Wolf. Woodyard. Younge. Zwick and Mr. Speaker."

Speaker Daniels: "Questions? Representative Preston. What are we starting with, Mr. Clerk? 99 'aye', 54 'no'. 99. Questions of the affirmative Roll. Representative Preston."

Preston: "Representative Abramson."

Speaker Daniels: "Excuse me. If all Members please be in their seats. It's a verification. If all Members would please be in their seats it'll go quicker and smoother. Alright, first question."

Preston: "Abramson."

Speaker Daniels: "Abramson. Is the Gentleman in the chambers? Abramson. How is he recorded?"

Clerk Leone: "As 'aye'."

Speaker Daniels: "Remove him."

Preston: "Representative Ackerman."

Speaker Daniels: "Ackerman is in his seat."

Preston: "Representative Alstat."

Speaker Daniels: "Alstat, in his seat."

Preston: "Representative Bartulis."

Speaker Daniels: "Bartulis. He's in the rear."

Preston: "Representative Boucek."

Speaker Daniels: "Boucek is in his seat."

Preston: "Representative Carey."

Speaker Daniels: "Carey is in the back."

Preston: "Representative Collins."

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

Clerk Leone: "As 'aye'."

Speaker Daniels: "Phil Collins, remove him."

Preston: "Representative Deuchler."

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Speaker Daniels: "Representative Deuchler. Susan Deuchler. Raise your arm so we can see you. She's in the center aisle."

Preston: "Jack Dunn."

Speaker Daniels: "Representative Jack Dunn. He's right here in his seat as usual."

Preston: "Representative Ebbesen."

Speaker Daniels: "Representative Ebbesen. Joe Ebbesen."

Clerk Leone: "He's not recorded."

Speaker Daniels: "He's not recorded, Representative. Are you going down the Roll?"

Preston: "No, Mr. Speaker. I don't know who the people changed their votes after the last one."

Speaker Daniels: "Well, I don't want any delays here."

Preston: "Representative Epton."

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

Clerk Leone: "As 'aye'."

Speaker Daniels: "Remove him."

Preston: "Representative Fawell."

Speaker Daniels: "Representative Fawell. Back there. You should be in your seat, Ma'am. Further questions?"

Preston: "I don't see Representative Fawell."

Speaker Daniels: "She's here."

Preston: "Representative Giglio."

Speaker Daniels: "Representative Giglio. Giglio. How is the Gentleman recorded?"

Clerk Leone: "As 'aye'."

Speaker Daniels: "Remove him."

Preston: "Representative Hoffman."

Speaker Daniels: "Hoffman. How is the Gentleman recorded?"

Clerk Leone: "As 'aye'."

Speaker Daniels: "Remove him."

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Preston: "Representative Hoxsey."

Speaker Daniels: "Representative Hoxsey. Representative Hoxsey.

How is the Lady recorded?"

Clerk Leone: "As 'aye'."

Speaker Daniels: "Remove her."

Preston: "Representative Kociolko."

Speaker Daniels: "Representative Kociolko is in his seat as  
always."

Preston: "Representative Kucharski."

Speaker Daniels: "Representative Kucharski. Ed Kucharski. How  
is the Gentleman recorded?"

Clerk Leone: "As 'aye'."

Speaker Daniels: "Remove him."

Preston: "Representative Leinenweber."

Speaker Daniels: "Leinenweber. Representative Leinenweber. Is  
the Gentleman in the chambers? How is he recorded?"

Clerk Leone: "As 'aye'."

Speaker Daniels: "Remove him."

Preston: "Representative McAuliffe."

Speaker Daniels: "McAuliffe. Roger McAuliffe. Is the Gentleman  
in the chambers? How is the Gentleman recorded?"

Clerk Leone: "As 'aye'."

Speaker Daniels: "Remove him."

Preston: "Representative McClain."

Speaker Daniels: "I'm sorry."

Preston: "Representative McClain."

Speaker Daniels: "McClain. Representative McClain is in his  
seat. Return Representative Collins to the affirmative  
roll."

Preston: "Representative Roland Meyer."

Speaker Daniels: "Representative Roland Meyer is in his seat as  
always."

Preston: "Representative Ozella."



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Speaker Daniels: "Representative Ozella is in his seat."

Preston: "Representative Richmond."

Speaker Daniels: "Representative Richmond. In his seat."

Preston: "Representative Stanley."

Speaker Daniels: "Stanley. Roger Stanley. Is the Gentleman in  
the chambers? How is he recorded?"

Clerk Leone: "As 'aye'."

Speaker Daniels: "Remove him."

Preston: "Representative Watson."

Speaker Daniels: "Watson. Frank Watson. In his seat."

Preston: "Representative J.J. Wolf."

Speaker Daniels: "J.J. Wolf, in the center aisle on your right."

Preston: "Representative Woodyard."

Speaker Daniels: "Woodyard. In his seat."

Preston: "How is Representative Turner recorded? I think he  
changed his vote."

Speaker Daniels: "Representative Turner."

Clerk Leone: "Is recorded as voting 'no'."

Speaker Daniels: "Further questions?"

Preston: "Yes. Representative Pouncey."

Speaker Daniels: "Not the Board, Sir. People in the room. Not  
the Board. Representative Pouncey. Representative  
Pouncey. How is the Gentleman recorded?"

Clerk Leone: "As 'aye'."

Speaker Daniels: "Remove him."

Preston: "Representative Vinson."

Speaker Daniels: "Vinson. He's right up here, Sir."

Preston: "Representative Davis."

Speaker Daniels: "Davis is in his seat."

Preston: "Representative Oblinger."

Speaker Daniels: "Representative Oblinger is in her chair as  
usual."

Preston: "Representative Stuffle."

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Speaker Daniels: "Stuffle. Larry Stuffle. How is the Gentleman recorded?"

Clerk Leone: "As 'aye'."

Speaker Daniels: "Remove Representative Stuffle."

Preston: "Could I have the count, Mr. Speaker?"

Speaker Daniels: "Any further questions, Sir?"

Preston: "May I have the count?"

Speaker Daniels: "Further questions first. We want to get done with this."

Preston: "At this moment I have no further questions. I want to know if it's necessary to have any further questions."

Speaker Daniels: "Have you completed?"

Preston: "It depends what the count is, Mr. Speaker."

Speaker Daniels: "Sir, we want to finish this so just tell us if you're done."

Preston: "Mr. Speaker, I'm finished."

Speaker Daniels: "Return Representative Stuffle to the Roll."

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

Speaker Daniels: "Give us the count, Mr. Clerk. Representative Winchester, for what purpose do you rise, Sir? Winchester, change from 'no' to 'aye'. McGrew from 'no' to 'aye'. On this question there are 91 'aye', 52 'no'. This matter, having received the Constitutional Majority, is hereby declared passed. Senate Bill 390, Representative Getty. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill...."

Speaker Daniels: "Representative Barr, for what purpose do you rise, Sir."

Barr: "Mr. Speaker, I see that this Bill is on the Short Debate Calendar and it's a very controversial...."

Speaker Daniels: "Sir, Sir, now what a second. We're going to read it first and then...alright. Read the Bill, Mr."

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Clerk."

Clerk Leone: "Senate Bill 390, a Bill for an Act to amend the Condominium Property Act, Third Reading of the Bill."

Speaker Daniels: "Alright, Representative Barr."

Barr: "Thank you, Mr. Speaker. I see that this Bill is on the Short Debate Calendar. It's very controversial. A number of people want to speak on it and I ask that it be removed from Short Debate."

Speaker Daniels: "Alright. Representative Getty?"

Getty: "Well, Mr. Speaker, since Representative Barr feels that way. I'd be happy to join him in that request. That would give me more time to speak and I know you would all like to hear a lot of debate because I think everybody here knows their position, one way or the other, on this issue anyway but if you want to make it a lengthy debate, that's fine with me."

Speaker Daniels: "Your point is well taken, Representative Getty, but we will remove this from Short Debate. Alright, Representative Getty, on Senate Bill 390."

Getty: "Mr. Speaker, Members of the House, Senate Bill 390 is a Bill that would create a Uniform Condominium Act throughout the State of Illinois with the exception of the City of Chicago which has a large population and an existing municipal ordinance that has been functioning for many years and also, for the unincorporated areas of Cook County which do not have any regulation however, the State Act would apply so there is in effect by the passage of this Act, there will be only two laws which the people of the State of Illinois will have to contend with when seeking whether or not to buy a condominium, when seeking what actions to take as owners of a condominium which a lawyer would have to advise his client in representing him and which a realtor would have to know, or a developer would

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have to know in the practice of the sale of condominiums and the development of condominiums. The purpose of this is to provide uniformity in the law. The same way we have uniformity relative to divorce cases, to the ownership of real estate and fee simple, joint tenancy, tenancy and common and the like. There should not be a multiplicity of types of ownership. There should not be a multiplicity of the types of condominium law. Mr. Speaker and Members of the House, there is a trend throughout this country to go towards uniformity in this area. The National Conference of Commissioners on uniform State laws, the American Bar Association has promulgated a Uniform Act. Ours is quite similar to that and can be updated in the near future to mirror it. In Committee there were objections. The objections come from municipalities who have existing acts. It was interesting to note that almost all of those objections went to issues that had to do with zoning or building codes not with the ownership or the management of condominiums. They went to building codes and zoning. This preemption would not effect either zoning or building codes. It affects only our laws relative to condominiums. I believe that this Act will make it much easier for the people of Illinois, for the businessman, for the consumer to do business in the purchase, management and ownership of condominiums because of that I've sponsored it, because of that I ask your support. So, you know what the positions are and so that there's no disagreement, the Municipal League opposes this. The Municipal League would like to have the ability to have 92 separate laws in the State of Illinois relative to the ownership of condominiums, to create a patchwork quilt that would confusing to the people of this State, confusing to businessmen, confusing to people in the practice."

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Speaker Daniels: "Excuse me. Representative Conti, for what purpose do you arise, Sir?"

Conti: "Mr. Speaker, first of all, the noise level is pretty high here...."

Speaker Daniels: "May the Gentleman please have your attention?"

Conti: "This is probably one of the most important Bills that we are going to have here tonight. And I know the tactics of the speaker that's speaking now. He's going to talk and he's going to talk and he's going to talk and somebody is going to move the previous question and you're going to put a timer on the debate. And there is no way that we can explain, in a minutes time..."

Speaker Daniels: "You will be recognized, Sir, before the previous question is put."

Conti: "But the previous question will be put and there's quite a few of us that want to be heard on this particular Bill. It's a very important Bill."

Speaker Daniels: "You, Sir, will be recognized. May he finish his remarks? And we will recognize you, Sir, first we will recognize Representative Bowman for an inquiry of the Chair and then we will recognize you, Sir, when that's cleared. Representative Getty, on his opening."

Getty: "Mr. Speaker, Members of the House, as I was saying, thank you, Representative Conti. I appreciate your courtesy in getting the noise level reduced. As I was saying, let there be no mistake, the Municipal League would like there to be 92 separate laws relative to the ownership, management of condominiums. The law ought to be uniform. The realtors support this legislation. It is probably one of the most important things that they are supporting in this Legislative Session. I believe that this will be good for all the people of Illinois and I would ask for your support."

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Speaker Daniels: "The Gentleman moves for the passage of Senate Bill 390. Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I rise in opposition to Senate Bill 390. I attempted to offer several Amendments on Second Reading because the Gentleman who is the Sponsor of this Bill has represented this as an attempt to make the Condominium Act uniform, however, he acknowledges that Chicago is not included in the Bill, neither is unincorporated Cook County. It seems to me that there is indeed, no justification for that exclusion. That the only possible reason for it would be of the political question of whether Chicago Legislators would vote for such measure if it were in the Bill. I think that is a very poor reason for putting forth a Bill that purports to be a uniform or to impose uniformity statewide. The simple fact of the matter is that if this Bill were to pass, one-third of the population of this State would reside areas which would not be covered by State legislation. Moreover, the legislation that we have on the books at the present time does not address many of the points which are addressed in local ordinances. If this Bill were to pass, many local ordinances throughout, mostly in suburban Cook County, would be wiped clean. There would be no regulation requiring buildings be brought up to code before the units could be sold. There would be no protections for the consumer. This Bill is not uniform. It would wipe the slate clean of good legislation which is already on the books and lastly, Mr. Speaker, I would suggest to the Membership of the House, that if local control, local community control is to mean anything, it must mean control over the housing stock. Local building codes and local zoning ordinances are among the most cherished of all local prerogatives. The condominium legislation which is on the

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books in many locations around the State is an extension of that kind of control. It is the control over one's building stock. If you cannot...if a local community does not have control over its building stock, it does not have control over its own life blood, over its assessment base, over its citizens. This Bill is a very pernicious Bill. It is the thin edge of the wedge. It is the nose of the camel under the tent. It is the foot in the door. If this Bill is to pass, I can guarantee you that next year or the year after that we will see legislation to put Chicago in. I can guarantee you that we will see further legislation to preempt home rule in the area of tenant landlord relations. This Bill must be stopped because it is only the beginning of a steady erosion of local communities prerogatives to legislate in the area of housing and I think that this is a very, very pernicious piece of legislation that we must stop now. I urge its defeat."

Speaker Daniels: "Representative Bowman, for inquiry of the Chair."

Bowman: "Thank you, Mr. Speaker. I would now ask if...what the requisite vote to pass is, since this does preempt home rule?"

Speaker Daniels: "Mr. Clerk, can we see the Bill? Representative Bowman."

Bowman: "I would point out for the benefit of the Parliamentarian a couple of things. First of all, I would observe that in the Senate this Bill was ruled to require three-fifths majority. Moreover, if one, if the Parliamentarian is concerned about the question of exclusivity of jurisdiction, I would point that Chicago and unincorporated Cook County is not covered by this legislation. Therefore, I do not see how the State can exercise exclusive jurisdiction if one-third of the population of the State is

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not covered by the legislation. I do not believe this is exclusive at all."

Speaker Daniels: "On the question, Representative Getty."

Getty: "Mr. Speaker, Members of the House, while the Parliamentarian is looking this over, I would respectfully..."

Speaker Daniels: "Excuse me, Representative Getty. Members of the House, can we please have your attention? This is a very important piece of legislation. We have an inquiry of the Chair. Representative Getty, as to the inquiry of the Chair. May we please have your attention?"

Getty: "On the point, Mr. Speaker. Senate Bill 390 adds a Section to the Condominium Property Act declaring the provisions of the Act to be exclusive of the State powers and functions and prohibiting the exercise of those powers or functions by home rule powers other than Chicago and suburban...unincorporated Cook County. The home rule preemption of Senate Bill 390 falls under paragraph (H) of Section 6 of Article VII of the Constitution and therefore, Senate Bill 390 requires only a Constitutional Majority for passage. That question of whether a particular home rule preemption requires 89 or 107 votes depends on the nature and scope of the particular Bill. If the preemption affects the power to tax or any power or function which the State, itself, does not exercise, then that preemption falls under paragraph (G) and requires the three-fifths, 107 vote. Any other preemption where the taxing power is not involved and where the preemption covering the powers which the State does perform requires only a Constitutional Majority. Senate Bill 390 preempts home rule only with respect to powers and functions covered by the Condominium Property Act. Senate Bill 390 does not preempt any taxing powers and accordingly, Senate Bill 390 is a paragraph (H)



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limitation and may be passed by the Constitutional Majority of 89 votes."

Speaker Daniels: "Representative Bowman, Ladies and Gentlemen of the House, we have examined the Act. We've examined an anticipation of this question, the State Constitution and the Record of the Constitutional Convention, as well as the history behind the convention and several Supreme Court cases. This Act purports to exercise State jurisdiction exclusively with regards to Condominium Regulation, and having reviewed the Constitution and its record of proceedings, it is clear that the drafters of the Constitution intended that the State could and should be able to require exclusive jurisdiction of the State Regulatory Scheme with an 89 vote majority, pursuant to Section (H) of Article VI of the Constitution. Based upon the State Constitution, the legislation has drafted and before us and the record of the Constitutional Convention, it's the ruling of the Chair that it'll take 89 votes to pass. Representative Bowman."

Bowman: "Well, Mr. Speaker, I will not move to overrule the Chair but then I would, respectfully, suggest that the Bill is constitutionally flawed and would probably not stand the scrutiny of the courts and I do not believe that there has been a ruling yet on this point by the courts but that, I do not see how a Bill which purports to exercise exclusive jurisdiction of the State and still exempt a very large portion of the State, indeed, approximately a third of the State's population, could conceivably exercise exclusive jurisdiction and I would suggest, very respectfully, Sir, that the...if that's the way you rule, then that this must be constitutionally flawed and probably...and violates our Constitution. Thank you."

Speaker Daniels: "Alright, further discussion on Senate Bill 390?"

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Representative Conti."

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House, if I can have your attention? The Sponsor of this Bill is made it appear that I am standing up here tonight as a mayor of a community and trying to defeat this Bill because the Municipal League is against it. Let me tell you something, Ladies and Gentlemen, because of my leadership position and because I will not prostitute my principles, I have repeatedly voted against what the Municipal League wanted this year on many issues and I will continue to do so if it means that I have to prostitute my principles. But let me first tell you that I don't agree with the ruling of the Chair for the simple reason that this Bill was drafted very cleverly to exclude one municipality. Ladies and Gentlemen, one municipality in the whole State, in one county in the whole State and why is that one county and that whole one municipality excluded? Because the County of Cook has a large unincorporated area. I'm asking the collar county people and the downstaters to stop and realize what they're doing to some 67 other municipalities that under home rule, the City of Chicago, it's fine, you can do whatever you want. The unincorporated area of Cook County, fine, you can do whatever you want. The other 67 or 70 municipalities that have home rule, no, it's not good enough for you. I live in a municipality that has 30,000 population. One mile, Ladies and Gentlemen, by two miles. One mile by two miles, some of my buildings that are zoned, multiple dwelling before I came mayor there are on 30 foot lots. If you have a State Uniformity Law on Condominiums, who is going to decide the density of that piece of property? As mayor of this community for 32 years, the biggest problem I faced with my constituents was zoning. And if I didn't have zoning problems, my job as mayor would

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be reduced to going to parades, cutting ribbons and making speeches as social functions. Zoning is the primary concern of anyone who makes an investment of 100 to 150 thousand dollars in their home and then to wake up some morning and find out that they've got a condominium living next door to them or being built next door to them. The house is being raised because years ago it was built on a multiple dwelling lot. I, again, have another problem, living in one of the smallest and compact areas, faced on Chicago by three sides. I have the largest unincorporated area with large, large lots that are served without sewer and water. And the County of Cook says you cannot build on a septic tank unless you have 20,000 square feet. How is the State Uniformity Law going to act as to the density and to the sewage problem and to the problems that we face in Leyden Township. No, Ladies and Gentlemen, I don't want you to vote for this Bill because I'm a mayor of a town or because I'm asking you to vote for it. I'm saying that it's unfair that you're singling out one community in home rule. And I cannot believe the drafters of the 1970 Constitution could be so foolish to allow one community and one county and allow the other municipalities to comply with State laws with three-fifths vote. If there was ever was an important Bill, as I stated before in my opening remarks, yes, I voted against the Municipal League many a times but I don't know whether the Municipal League is for it or not. They haven't contacted me on this particular Bill. I am also a realtor and I have backed every realtor's Bill that's here. Every realtor Bill that's been up in this Session every since I've been here. I've been a realtor since 1940 and I have voted for every realtor's Bill that came before this House and the realtors know that this is a request by the contractors. The contractors

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throughout the State. The realtors know that sincerely a Uniformity Act on the condominium laws could not be possibly made and made intelligently throughout the State of Illinois. I beg the downstaters, I beg the other home rule communities that the State Legislators represent down here. You make this one exclusion, you make this one exclusion tonight and you're going to find that you're going to find legislation after legislation coming in here excluding the City of Chicago, excluding the County of Cook and saying the rest of you take it. I urge everybody to vote against this piece of legislation."

Speaker Daniels: "Representative Greiman."

Greiman: "Thank you, Mr. Speaker. Very briefly, I'm in shock. I'm absolutely in shock. Michael Getty, defender of lawyers, who always speaks so highly of his own profession, thinks so highly of lawyers has told us tonight that it's so difficult for those lawyers to go and check the laws and check the ordinance from community to community. It's so hard to go to Skokie and see what their law is, it so hard then to maybe...Evanston is a little different. However, he's saying then, that lawyers ain't as smart as architects because they have to do that. And they ain't as smart as plumbers or electricians or carpenters or dry wall guys or tapers or ornamental steel workers or brick layers or sewer men or everybody else who has to go from suburb to suburb and look at the ordinances...sanitariums too, and look at the ordinances and say, here's what the ordinances are in Skokie, here's what they are in Evanston. I've got to do my work but lawyers aren't smart enough to do that. Well, what the hell do you get paid for? You get paid to look up the law of the community. Now, Representative Getty, I just hope...I wish he had more faith, more faith in the ability of lawyers because we're smart enough to know the

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law from one town to the other. This ought to be defeated for that reason."

Speaker Daniels: "Representative Kustra."

Kustra: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to oppose this preemption on the issue of local control. The Sponsor of this Bill has raised some questions about what's good for the consumer and what's good for business and he argues that we need a statewide law. That statewide law that we have now, the Condominium Property Act, is inadequate and I'd like to explain to you exactly why it's inadequate."

Speaker Daniels: "Excuse me, Sir. Ladies and Gentlemen of the House, could we please have some quite, some order?"

Kustra: "On the issue of tenant protection..."

Speaker Daniels: "Excuse me, can we please have some order? Representative Greiman, we can hear you way up here, Sir. We'd like to hear the debate on this most important Bill."

Kustra: "Existing state law on condominium conversions is inadequate. It's inadequate on a number of grounds. Number one, tenant protection. One of the most basic protections, the required time lapse between notice on intent to convert and the conversion itself. State of Illinois law provides 120 days. Evanston provides 210 days. Niles, a city in my own district, provides 180 days. Why the differences? The differences are quite simple. It's because in many communities there are elderly who live in those apartments that are being converted and they need more time. They need the time in many cases to find another place to live because they cannot come up with the money it takes to convert and buy that condominium. And it seems to me, that if that's the case it's a good reason to have diversity. Now, let's look at the consumer. Let's look at buyer protections. Let's look at what's required.

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State law, is there an estimation of projected monthly assessments to prospective buyers. No, the State of Illinois does not provide that. The village of Arlington Heights does. Evanston does. And also Oak Park. Let's look at the disclosure of building code violations to prospective buyers of condos. The State of Illinois law does not provide that. Arlington Heights does. Evanston does. Let's look at the estimation of expected useful life of common building elements: roof, foundation, hallways, to prospective buyers. Ladies and Gentlemen of the House, we're talking consumers now. The State of Illinois does not provide for that. Arlington Heights does. Evanston does. Oak Park does. Skokie does. Go around the State of Illinois and what you find is that local communities have fashioned laws to deal with the people in their own communities. This law is inadequate. It does not provide for the elderly and I suggest to you, if you're interested in the elderly and where they're going to go when many of these condos convert, you'll vote against this Bill. I have nothing to gain by pushing for this Bill. Realtors are friends of mine. They supported me in my last campaign. I think they're wrong here. Over a hundred years ago a Frenchman came to America and he wrote a book called Democracy in America and he talked about local government. He talked about diversity and he said that was the very strength of this country. And here we have a Bill that's going to strike at the very heart of that strength. Local control, letting people at the local level fashion laws to determine their own future to take care of their own people. I suggest to you that this legislation is not, is not in any sense in the best interest of the people of the State of Illinois and I would urge you to vote 'no'."

Speaker Daniels: "Representative Johnson."

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

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

Getty: "Well, Mr. Speaker, Members of the House, I did not rise on the point of personal privilege that I could have made relative to the Gentleman's comments. The comments that he made clearly sought to raise a red herring. Representative Greiman knows full well the difficulty that there is in anybody. A consumer, a realtor, a lawyer, a builder, a carpenter, in obtaining and keeping up with municipal ordinances. They're passed before you know it. It doesn't have the same sort of process that our state laws have. Every Session since I've been here we have amended and tuned up the Condominium Act to make it be a good law and a better law. Every year we have made it better and I hope that in the near future this General Assembly will see fit to adopt the Uniformed Condominium Act as recently promulgated by the National Conference. Notwithstanding that the law that we have in Illinois is a good, inadequate law to take care of all of the people without having a multiplicity, a patchwork quilt of laws that confuse all the people. Consumers as well as the more skilled realtors and lawyers. You don't know where you stand. We heard comments again on the floor tonight that went to zoning. The Gentleman from Cook talked about worrying about zoning and that zoning was most important to his village. This is not a zoning preemption. It's a Condominium Act. It preempts the uniform Condominium Act, nothing to do with zoning. That's the same thing we heard in Committees. They talked about building codes and they talked about zoning. This isn't either. They're confused. But we

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should not be confused about this issue. We have a fine State Act and I would seriously ask you to vote 'aye' to make the laws of the State of Illinois uniform rather than a patchwork quilt of some 92 possible separate ordinances. Thank you."

Speaker Daniels: "The Gentleman moves for the passage of Senate Bill 390. The question is, 'Shall Senate Bill 390 pass?' All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Representative Barr, to explain his vote."

Barr: "Thank you, Mr. Speaker. Let me just mention one point. The Sponsor of this Bill, Representative Getty, has spoken of the fine Act that we have in Illinois. In fact, we don't have a fine Act in Illinois and Representative Getty knows it because he is the principal Sponsor of House Bill 1887 which is the Uniformed Condominium Act. That Bill is not law. It's on the Interim Study Calendar. It may or may not be good. It's 71 pages long but we're putting the cart before the horse if we preempt home rule before we even have a statute to take its place. I urge people to vote 'no'."

Speaker Daniels: "Representative O'Brien, to explain his vote. The timer's on, Sir."

O'Brien: "Thank you, Mr. Speaker and Members. I rise also in opposition to this Bill and I'd like to talk to some of the Members from my side of the aisle, especially those out of the City of Chicago. In my estimation we are setting a bad precedent. A very bad precedent voting against any preemption of home rule. This would be a bad precedent for the City of Chicago. One of the finest things that Dick Daley ever did was come up with home rule in the 1970 Constitution. This ought to be, Mr. Speaker and Members, a mushroom vote because the big boys in the real estate



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industry are picking on the little guys once again. Evanston is racially balanced. It has a university and why should the real estate industry pick that one little town out. They've got their own code and they've done a good job with it. I'd encourage everybody to vote 'no' and I'd like to verify the Roll Call if no one else is going to ask for it."

Speaker Daniels: "Representative Jack Dunn, to explain his vote. The timer's on, Sir."

Dunn, Jack: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to vindicate the good name of the Illinois Municipal League. I don't think the League wants a patchwork condominium law in Illinois. Their thrust is simply local control. Illinois is a large state of different needs. Cook County has more condominiums than the entire state and is exempt. It simply don't make sense in Congress posture for Cook County to take. There have been many attempts during this Session to subvert local control and I would urge a red vote up there."

Speaker Daniels: "Representative Leverenz. The timer's on, Sir."

Leverenz: "Thank you very much, Mr. Speaker. The Gentleman's uniformity argument that he offers up here doesn't fit. The Gentleman voted 'no' on Amendment #1 to Senate Bill 160. This will be an ununiform rather than uniform law. Rather than 92 I understand there'll be 2, Chicago and the rest of the state. It will be devastating to local control as Representative Conti said. Therefore, I request your red vote."

Speaker Daniels: "Representative Vinson, to explain his vote. Representative E. G. Steele, to explain his vote."

Steele: "Thank you, Mr. Speaker. I'd like to urge some more 'yes' votes for this good Bill. It's very much needed. It'll help eliminate the confusion, the duplication, the

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complex and conflicting laws that are slowing down the development of condominiums in this state. And I tell you we don't need to slow down construction. There's too little construction now. Your 'yes' vote on this Bill will help encourage construction. It will help encourage more jobs for the brick layers, and the plumbers, and the carpenters, the concrete finishers and I'll tell you there's nothing more important that we can do in these closing hours than to do something to help the private sector. And this measure will help eliminate duplication and confusion and conflicts in the law. It's really needed to help the private sector. It's good for the people. It's good for labor. It's good for construction in this state and I urge more green lights on this good measure."

Speaker Daniels: "Representative Cullerton, to explain his vote."

Cullerton: "Thank you, Mr. Speaker. Mr. Speaker, Members of this side of the aisle are in a quandary. Mr. Speaker, Mr. Speaker, Members of this side of the aisle are in a quandary. Mr. Justice Getty has advised you and you have accepted his advise that this Bill only requires 89 votes. Now, you have consistently made that ruling against us all year and when you have done that, Mr. Justice Getty has filed a dissent. But, Sir, Mr. Justice Getty is the Sponsor this Bill and my question is, 'Who shall file our dissent?'"

Speaker Daniels: "It took him a long time to come around to my way of thinking but he finally did it, Sir. Representative Bowman and Greiman file a dissent. On that question, or on the Bill, Representative Jim Kelley, from Winnebago to explain his vote. The timer's on, Sir."

Kelley: "Thank you, Mr. Speaker, Members of the House. I am not an attorney. I'm not a mayor and I'm not a real estate expert but I am a politician who is very sensitive to what

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people in my district have asked me to do. On this issue I have had input that I should vote 'yes'. That explains my green vote."

Speaker Daniels: "Representative Bullock, to explain his vote."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill and the affirmative votes on this Bill rival the vote we took last year on bankruptcy. This is atrocious. This is an atrocious matter to treat the consumer. The housing market rental units are diminishing and declining and to stand on the floor of this House and give a green vote to Senate Bill 390 is no more and no less than anti-consumer. You're telling the renter you don't care and as Representative O'Brien said, perhaps the best testimony of the late Mayor Daley left in Chicago was, in fact, his concern for the city and the condominium ordinances. I'm ashamed at those Members who are Democrats that normally fight for consumers that would have the audacity to yield to greed rather than need and vote 'yes' on this Bill. I urge a 'no' vote."

Speaker Daniels: "Representative Roland Meyer, to explain his vote. The timer's on, Sir."

Meyer, Roland: "In explaining my 'no' vote I would just like to say that this is one of the best Bills that money can buy. Thank you."

Speaker Daniels: "Representative Flinn, to explain his vote. The timer's on, Sir. Have all voted who wish? Have all voted who wish? Take the record. On this Bill there are 110 'aye', 51 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared... Alright. The Gentleman's within his rights. Representative O'Brien. There are 110 'ayes', 51 'no'. Representative O'Brien."

O'Brien: "Mr. Speaker, I defer to Representative Barr."

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Speaker Daniels: "Representative Bowman."

Bowman: "Well, I just want to point out in case the membership is restless that since there is a lot of, there is a question about the preemption that has been raised and we do plan to file a dissent that if this is verified down below 107..."

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

Bowman: "Yes, that is very important whether or not it gets 89. It's very important that we verify this down at least below 107. That's exactly what we're planning to do."

Speaker Daniels: "Are you requesting a verification, Sir? The Gentleman requests a verification. The Gentleman, Representative Getty requests a poll of the absentees. Proceed with a poll of the absentees."

Clerk O'Brien: "Barnes. Bell. Deuster. Epton. Garnisa. Hoffman. Huskey. Margalus. Pierce. Redmond. Robbins. Sandquist. Stanley. Stearney. Topinka. No further."

Speaker Daniels: "Alright, proceed with a poll of the Affirmative Roll. Alright, Ladies and Gentlemen, may we please have your attention? Will you please retire to your seats? All those not entitled to the floor, will you please remove yourself to the rear of the floor? There are many Bills that we have yet to go. We have less than an hour until the midnight deadline. Many of you want to put your Bills so may we please have your attention? Alright, proceed with a verification of the Affirmative Roll."

Clerk O'Brien: "Abramson. Ackerman. Alexander. Alstat. Barkhausen. Beatty. Bianco. Boucek. Bower. Braun. Breslin. Brummer. Capparelli. Carey. Christensen. Collins. Daniels. Darrow. Davis. DiPrima. Domico. Donovan. Doyle. Ralph Dunn. Ebbesen. Ewing. Farley. Findley. Flinn. Dwight Friedrich. Getty. Giglio. Grossi. Hallock. Hanahan. Hannig. Hastert. Henry. Hoxsey. Huff."

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Speaker Daniels: "Alright, Representative Bartulis requests to be returned from 'no' to 'aye'. Is that correct, Representative Bartulis, in the center aisle? And request leave to be verified. Do you see him, Representative Bowman? The Gentleman has leave to be verified. Representative Bartulis. Continue."

Clerk O'Brien: "Jackson. Johnson. Jones. Kane. Karpiel."

Speaker Daniels: "Representative Bowman.. Representative McClain said he had leave to be verified. Is that correct, Sir? And McPike. McClain and McPike are verified. Proceed. Oh, I'm sorry and Ralph Dunn. Ralph Dunn, leave to be verified. Does he have leave? Leave is granted."

Clerk O'Brien: "Keane. Jim Kelley. Dick Kelly. Kornowicz. Kosinski. Krska. Kucharski. Kulas."

Speaker Daniels: "Representative Domico asks for leave to be verified. Does he have leave, Sir? Leave is granted, Representative Domico. Proceed."

Clerk O'Brien: "Laurino. Lechowicz. Leinenweber. Leon. Macdonald. Madigan. Martire. Mautino. McAuliffe. McBroom. McClain. McCormick. McGrew. McMaster. McPike. Miller. Mulcahey. Murphy. Neff. Nelson. Oblinger. O'Connell. Ozella. Pechous. Peters. Piel. Polk. Pouncey. Rea. Reilly. Rhem. Richmond. Rigney. Ropp. Schraeder. Schuneman. Slape. Irv Smith. Margaret Smith. E. G. Steele. C. M. Stiehl. Stuffle. Swanstrom. Tate. Terzich. Van Duynes. Vinson. Vitek. Watson. White. Winchester. J.J. Wolf. Sam Wolf. Woodyard. Younge."

Speaker Daniels: "Representative Koehler, for what purpose do you arise?"

Koehler: "Mr. Speaker, would you change me to 'no', please... I mean to 'yes', please?"

Speaker Daniels: "Representative Koehler, from 'no' to 'aye'. Representative Zwick, for what purpose do you arise? Okay,

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proceed."

Clerk O'Brien: "Zito and Mr. Speaker."

Speaker Daniels: "Questions of the Affirmative Roll.  
Representative Bowman."

Bowman: "Representative Collins."

Speaker Daniels: "Okay, now will all Members please be in their  
seats so we can get the verification over with? All  
Members please be in their seats. Representative Collins.  
Is the Gentleman in the chamber? Representative Collins,  
how is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Bowman: "Representative Leinenweber."

Speaker Daniels: "I'm sorry. Representative Leinenweber.  
Representative Leinenweber. Representative Leinenweber.  
Is the Gentleman in the chambers? How is he recorded?"

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

Speaker Daniels: "Remove him."

Bowman: "Huff."

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

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

Speaker Daniels: "Remove him."

Bowman: "Farley."

Speaker Daniels: "Representative Farley. Alright, excuse me.  
Representative Huff has returned. Return him to the  
Affirmative Roll. Representative Farley. Farley is at the  
door. Next question."

Bowman: "Okay, that must be a crowded corridor. Let's see.  
McGrew."

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

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

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Speaker Daniels: "Remove him."

Bowman: "Christensen."

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

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

Speaker Daniels: "Remove him."

Bowman: "Darrow."

Speaker Daniels: "Now, return Representative Collins to the Affirmative Roll. Alright, next question, Sir."

Bowman: "Darrow."

Speaker Daniels: "Darrow. Is the Gentleman in the chambers? How is he recorded?"

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

Speaker Daniels: "Remove him."

Bowman: "Hoxsey."

Speaker Daniels: "Representative Hoxsey. Representative Hoxsey. Is the Lady in the chambers? How is the Lady recorded?"

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

Speaker Daniels: "Remove her."

Bowman: "Hanahan."

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

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

Speaker Daniels: "Remove him."

Bowman: "Hastert."

Speaker Daniels: "Representative Hastert is in his seat."

Bowman: "Kulas."

Speaker Daniels: "Kulas is back by his seat."

Bowman: "Okay, Woodyard."

Speaker Daniels: "Woodyard. Babe Woodyard. Representative Woodyard. Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Bowman: "Stuffle."

Speaker Daniels: "Stuffle. Larry Stuffle. Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Bowman: "White."

Speaker Daniels: "Jesse White. Representative White. Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Bowman: "Jones."

Speaker Daniels: "Who is it, Sir? Representative Jones. Representative Emil Jones. Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove Representative Emil Jones and return Representative White to the Affirmative Roll. Representative Jones, return him to the Affirmative Roll."

Bowman: "I'm sorry. Who was just returned? Jones?"

Speaker Daniels: "Jones."

Bowman: "Thank you."

Speaker Daniels: "Return Representative McGrew to the Affirmative Roll."

Bowman: "Keane."

Speaker Daniels: "Keane, right there."

Bowman: "Kucharski."

Speaker Daniels: "Ed Kucharski. Representative Kucharski."

Bowman: "Laurino."

Speaker Daniels: "He's over there. Alright, now wait a second. Representative Robbins wishes to be recorded as 'aye'. Record Representative Robbins as 'aye'. Alright, now your



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next question, Sir?"

Bowman: "Did we determine about Representative Laurino?"

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

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

Speaker Daniels: "Remove him."

Bowman: "Leon."

Speaker Daniels: "Leon. Representative Leon. Is the Gentleman in the chambers? He's right here by the door, Sir."

Bowman: "Thank you. Capparelli."

Speaker Daniels: "Capparelli. Coach. Coach is in the center aisle. By the way, you all know he won his game today and he's gonna win his game tomorrow. Alright, next question. Representative McAuliffe. Roger McAuliffe. Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Bowman: "Nelson."

Speaker Daniels: "Representative Nelson is in the center aisle."

Bowman: "He? Are we talking about the same person? Representative..."

Speaker Daniels: "Who?"

Bowman: "Nelson."

Speaker Daniels: "She's in the center aisle."

Bowman: "Oh, she. I'm sorry. I thought you said he. Peters."

Speaker Daniels: "Peters. Representative Peters. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove Representative Peters."

Bowman: "Slape."

Speaker Daniels: "Slape. He's behind you, Sir."

Bowman: "What's he doing there? Tate."

Speaker Daniels: "Representative McAuliffe has returned. Return

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him to the Affirmative Roll. Now, Tate was your question?

He's in his chair."

Bowman: "Thank you. Winchester."

Speaker Daniels: "Winchester is in his chair."

Bowman: "Okay, Sam Wolf."

Speaker Daniels: "Peters has returned. Return him to the Affirmative Roll."

Bowman: "Sam Wolf."

Speaker Daniels: "Sam Wolf is I can't see him. Where is he at? He's in his chair."

Bowman: "Zito."

Speaker Daniels: "Zito is by his chair."

Bowman: "Virginia Frederick."

Speaker Daniels: "Virginia Frederick is in the center aisle."

Bowman: "Watson."

Speaker Daniels: "Watson is in the center aisle."

Bowman: "It would really be a help if everyone were in their chair. I apologize for ..."

Speaker Daniels: "Representative Braun, for what reason do you arise?"

Braun: "Thank you, Mr. Speaker. I suppose I'm going to have to explain this change to Michael Braun but I would like to change my vote to 'no' please."

Speaker Daniels: "Change Representative Braun from 'aye' to 'no'."

Bowman: "McBroom."

Speaker Daniels: "McBroom. Representative McBroom. How is the Gentleman recorded? McBroom. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Bowman: "Miller."

Speaker Daniels: "Miller. Representative Miller. How is the

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Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Bowman: "Piel."

Speaker Daniels: "Piel is in his seat."

Bowman: "And Bianco."

Speaker Daniels: "Bianco is in his seat as usual."

Bowman: "No further questions."

Speaker Daniels: "Alright. Return McBroom to the Affirmative Roll. Okay, Representative Carey wishes to be changed from 'aye' to 'no'. Alright, any further changes? Alright, who's calling? Who are you pointing to? Representative Getty."

Getty: "I wondered if Representative Leon was.."

Speaker Daniels: "No, he was not removed, Sir."

Getty: "Thank you."

Speaker Daniels: "He returned. Okay, further changes? Okay. Who are you pointing to? Alright, Representative Lechowicz. Not yet. Alright, afterwards. Right now. Announce the roll. There are 102 'aye', 51 'no'. Representative Davis. Representative Davis, you were not removed. Okay, 102 'aye', 51 'no', 1 'present. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lechowicz."

Lechowicz: "I make a Motion to lay it on the table."

Speaker Daniels: "The Gentleman moves to reconsider. Representative Getty moves to lie that Motion on the table. All those in favor signify by saying 'aye'. The 'ayes' have it. Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I want to make it perfectly clear that I had nothing to do with the verification of this Roll Call nor will I have anything to do if anyone so decides to file a dissent. However, I

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want to make it for the record that since 1970 Constitution was adopted this is the first time, the first time that a single municipality, home rule municipality is preempted and the unincorporated area making it the County of Cook and with 67 municipalities in.. within the County of Cook that are home rules. This is definitely class legislation if I've ever seen it. And I want to make it perfectly clear that Mr. Getty or whoever sponsors any other such legislation such as this will rule the day that they ever had because this is definitely aimed at the City of Chicago and the County of Cook and you're really going to have patch quilt zoning throughout the State of Illinois."

Speaker Daniels: "Representative Bullock,"

Bullock: "Thank you, Mr. Speaker. Mr. Speaker, I would like to request leave to place Senate Bill 733, on the Spring Calendar."

Speaker Daniels: "Alright. Senate Bill 733?"

Bullock: "Yes, Sir."

Speaker Daniels: "Leave for the Spring Calendar. Any objections? No objections, leave is granted. Representative Getty."

Getty: "Mr. Speaker, while we're on the Order of Spring Calendar, I would ask leave to place Senate Bill 142, on the Order of Spring Calendar."

Speaker Daniels: "Okay, this will be the last one, then those people who want to place their Bills on Spring Calendar, come up to the front well here, put it on the well, we'll create a list for Spring Calendar. You can put your Bill on the Spring Calendar, we'll put it all in one Motion. Now, Representative Getty, what was that that Bill?"

Getty: "Senate Bill 142, on the Order of Spring Calendar."

Speaker Daniels: "Gentleman requests leave to place 142, on Spring Calendar. Does he have leave? Leave is granted. Alright. We're now on the Order of Short Debate, Regular

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Calendar. It's page 1, of the Regular Calendar, Senate Bill 697. Read the Bill."

Clerk O'Brien: "Senate Bill 697, a Bill for an Act to amend the State Employees Group Insurance Act. Third Reading of the Bill."

Speaker Daniels: "Representative Wolf."

Wolf, J.J.: "I ask leave of the House to return this Bill to the Order of Second Reading for an Amendment."

Speaker Daniels: "The Gentleman asks leave to return to Order of Second Reading. Representative Kane. Representative Kane."

Kane: "Would the Gentleman explain to us what Amendment he wants to put on, so we know whether or not to grant him leave."

Speaker Daniels: "Representative Wolf."

Wolf, J.J.: "Yes, Representative Kane, we took this Bill out of the record before, there was some confusion about whether or not you would have to pay for....this is the insurance plan to allow Members of the...who will retire from the General Assembly, who are not quite old enough to pick up pension. There was some confusion about whether they would have to pay. They would like to bring it back to the Order of Second Reading, which I say we would, to put an Amendment on to make certain that, that Member would have to contribute and pay for that insurance, so it would not be free."

Speaker Daniels: "Alright. The Gentleman asks for leave, does he have leave? Leave is granted. Representative...alright, Second Reading, Senate Bill 697. Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Leverenz. Amends Senate Bill 697 on page 1, line 1...."

Speaker Daniels: "Representative Leverenz, Amendment #1. Is the Gentleman in the chambers, Representative Leverenz."

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Representative Wolf. Representative Leverenz, Amendment #1."

Leverenz: "I believe that is....we are withdrawing that Amendment."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Leverenz."

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

Leverenz: "The Amendment would provide that the individual would pay for any coverage he would receive at the same rate as a regular state employee would receive. Move for the adoption of Amendment #1."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #1. Is there any discussion? Being none, all those in favor signify by saying 'aye', oppose 'no'. The 'ayes' have it, Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Daniels: "Third Reading. Representative Wolf."

Wolf, J.J.: "Now pursuant to the Rule of 35 (c), I would ask that the Bill has been read a third time, and it be voted on at this time."

Speaker Daniels: "The Gentleman moves pursuant to Rule 35 (c), have this Bill heard on Third Reading. Is there any objections? Leave is granted. Representative Kane."

Kane: "I think that that suspension requires 107 votes, and I don't think you can do it by leave, I think you have to take a Roll Call."

Speaker Daniels: "We're asking leave for the Attendance Roll Call, if there are no objections. Attendance Roll Call, leave is granted. Representative Wolf, Senate Bill 697. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 697, a Bill for an Act to amend Sections of the State Employees Group Insurance Act. Third

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Reading of the Bill."

Speaker Daniels: "Representative Wolf."

Wolf, J.J.: "Thank you, Mr. Speaker and Members of the House. The Bill as now amended, amends the State Employees Group Insurance Act, to allow a retired former participating Member of the General Assembly, who is eligible for the annuity under that system to participate in the State Employees Group Health and Life Insurance Plan. He will pay the premium and it will be no cost then to the state, and I would ask the favorable votes of this House."

Speaker Daniels: "Anyone in opposition? Representative Schuneman."

Schuneman: "No, Mr. Speaker, I'm not in opposition. I think this is a reasonable approach to this problem and I support the Bill now."

Speaker Daniels: "Alright. The question is, 'Shall Senate Bill 697 pass?' All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Representative Greiman."

Greiman: "Very briefly, to explain my vote. I'm going to vote 'aye', but I would remind this House, that a few days ago we had a Bill for unemployed old people and who are going to get the same benefits and the same premium payments. And we didn't give it to those people, those unemployed people. I'm joining the vote for ourselves and I'm going to do that, but we should remember, once in a while, them that ain't got jobs like we got."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record. This Bill, there are 104 'ayes', 33 'no', 9 'present. Senate Bill 697 having received the Constitutional Majority is hereby declared passed. Senate Bill 864, Representative Telcser. Out of the record. Alright, special order of business. Special order of

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business, may I give you the special order, being Pensions, copy the Bills down. Here are the Bills, Pensions. First Bill, 512, 513, 558, 740 and 1196. Once again, 512, 513, 558, 740, 1196. Senate Bill 512, read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 512, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Daniels: "Representative Beatty."

Beatty: "Mr. Speaker, Members of the House, the basic Bill here really is just a technical Bill, making technical Amendments from the Senate. There are two House Amendments...three House Amendments. The one Amendment is a states mandate requirement showing that there will be no cost to the State of Illinois. That whatever cost there is will be paid by the individual Pension Fund. The first Amendment is the Amendment that we discussed previously, relative to the Chicago police officers, duty disability, allowing them duty disability based on their wages at the time that they take their disability, or allowed it. And that allows them a greater benefit, because they may have been shot four or five years, or ten years earlier when wages were lower. But that will not cost the state any money, it will be paid by the Chicago Police Departments Pension Fund. The other Amendment deals with the Chicago Park Districts, and that cost is less than fifty thousand dollars. Whatever cost there is, there will be no cost according to, Representative Doyle, who's Amendment it is, and we have filed a mandates Amendment on this. It makes changes in the retirement fund to assist people who go to work for the Pension Fund when they are rather elderly, it allows them to retire under a limited benefits, if they go to work and retire. And I ask for a favorable vote."

Speaker Daniels: "The Gentleman has moved for the passage of



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Senate Bill 512. Is there any discussion? Being none, the question is, 'Shall Senate Bill 512 pass?' All in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? Take the record, Mr. Clerk. They're 106 'aye', 29 'no', 10 'present'. Senate Bill 512, having received the Constitutional Majority is hereby declared passed. Senate Bill 513, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 513, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Daniels: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 513 amends the Pension Code to make technical changes in investment Sections, and also includes a provision for the Cook County employees, which I might mention, we previously passed on Senate Bill 291 (sic, House Bill 291). It also makes changes in Sanitary District, Article of the Code to increase retirements, surviving spouse and children of disability benefits. It provides funding through a multiplier. It has been presented through the Pension Laws Commission and also the Board of Commissioners of the Sanitary District. It has a hold harmless clause in there, under the state mandate program and it has been approved by the Pension Laws Commission. I would appreciate your support and would be more than happy to answer any questions."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall Senate Bill 513 pass? All in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. All those voted who wish? Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? Have all those voted who wish?"

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wish? All voted who wish? Take the record. Stuffle."

Stuffle: "Record me, 'aye', please."

Speaker Daniels: "Stuffle, 'aye'. Poll the absentees. Oh, excuse me, Kosinski, 'aye'. Stuffle, 'aye', Kosinski, 'aye'. Any other changes? Poll the absentees."

Clerk O'Brien: "Poll of the Absentees: Barnes. Barr. Bluthardt. Conti. Daniels. Deuster. Ralph Dunn. Fawell. Dwight Friedrich. Garmisa. Hoxsey. Huff. Huskey. Kucharski."

Speaker Daniels: "Huskey, 'aye'. Nelson, 'no'. Proceed. Barr, 'aye'."

Clerk O'Brien: "Continuing the Poll of the Absentees. Margalus. Pierce. Redmond. Reed. Reilly. Rhem. Sandquist. Stearney. Topinka. Vinson. Winchester and Mr. Speaker."

Speaker Daniels: "Alright. Fawell, 'no'. Kustra, 'aye' to 'no'. Further changes? McPike, 'aye'. Rhem, 'aye'. Steczo, 'aye'. Currie, from 'present' to 'aye'. Huff, Huff, is 'aye'. There are 89 'aye', 56 'no', 12 'present'. Senate Bill 513, having received the Constitutional Majority, is hereby declared passed. Senate Bill 558."

Clerk O'Brien: "Senate Bill 558, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Daniels: "Representative J. J. Wolf."

Wolf, J.J.: "Thank you, Mr. Speaker and Members of the House. The Bill as originally introduced, amends the State Employees Pension Code, which will allow a state employee to purchase up to eight years...get eight years credit for contractual services to the Pension Laws Commission. They would have to pay their employees contribution and the employers contribution, plus interest, and that was approved by the Pension Laws Commission. Amendment #2, added the Legislative Advisory Committee on Public Aid.

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Amendment #3, was tabled. #4 added also, employees of the Attorney General and G.A., they would pay the employees contribution, plus interest and they would have to do it before, July 1, of '82, and the Act would self destruct on, July 1, 1982, and I would ask your support."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall Senate Bill 558 pass?' All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? All those voted who wish? Have all those voted who wish? Take the record. Take the record. There are 94 'aye', 55, 'no', 8 'present'. Senate Bill 558, having received the Constitutional Majority is hereby declared passed. Alright, next order will be, Court Bills, 623. We're moving to special order of business, Court Bills. Senate Bill 623, 650. Senate Bill 623, read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 623, a Bill for an Act to amend Sections of the Juvenile Court Act. Third Reading of the Bill."

Speaker Daniels: "Representative Kane."

Kane: "You announced to us several minutes ago that you were going to go to the Order of Pensions and you listed five Bills and you have now gone through only three of them. And now you're going to another Order. I think that the point was made several days ago that we should know what we're going to do, that you should not be arbitrarily jumping all over the Calendar to pick and choose whatever might strike your fancy..."

Speaker Daniels: "Correct, Sir.."

Kane: "And on behalf of the Members of the House, I would ask that you do let us know in advance, hopefully more than two and three Bills ahead of time..."

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Speaker Daniels: "I'll do my best, Representative Kane. As soon as I know, I will let you know, Sir. I'll do my best. The two Bills that we're on now are court Bills. 623 is Representative Grossi and 650 is the next Bill. Representative Grossi, the Bill has been read a third time."

Grossi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 623 is a Bill that limits the juvenile court's jurisdiction over minors who are engaged or have engaged in noncriminal behavior. Basically, these are young people that run away from home or are having problems with their parents. Under this Bill law enforcement officers are allowed to take into custody, or limited custody that is, for up to six hours any minor that's picked up that they believe has run away or is in their belief in danger for their own physical safety. The law officer is required under this Bill to make every attempt to contact the parents. If he cannot contact the parents or the minor refuses to return home, then the police officer must contact a social agency that would take the child in and that agency then will contact or attempt to contact the parents."

Speaker Daniels: "The Gentleman moves the adoption of Senate Bill 623. All those in favor will signify ... Representative Kane, you do not have your light on, Sir. All right. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Representative Mautino, to explain his vote. Timer's on, Sir."

Mautino: "I'm sorry, Sir. I'm going to take a little more time in explaining my vote. Number one, because the light was on before you called the question. But I would like to know from the Sponsor whether there's any money or any appropriation in this legislation to cover the cost of the

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alternate residential facility of which the minor is going to be assigned to? Number two, I'd like to know what role that the judicial system plays in the placement of this particular minor, in fact, where does the petition for neglect if in fact the parents cannot be found right away on that particular question? This is a far reaching piece of legislation and I would assume there would be some other people that are interested in the mechanics of something that is in theory probably very good, but workable very difficult."

Speaker Daniels: "Representative Grossi."

Grossi: "To answer your last question first, in this Bill there is alternate placement authorized if the parent and the child cannot agree and the court would have to have a hearing in which they would hear testimony as to any alternate placement. This is only in the case where the minor and the parent could not agree on alternate placement. As to the amount of money that may be available to help out these people, I understand ...."

Speaker Daniels: "All right. Have all those voted who wish? Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. I rise in opposition to this Bill. This Bill says that the police and sheriff's officers are going to be the ones who are going to have to decide what's going to be done to the people who are now called minors and in need of supervision. It takes them out of the juvenile courts. Now, we heard this Bill in Judiciary II and I voted against it because I'm not persuaded by the presentation in Committee that the juvenile courts really have to have the minors taken out of their jurisdiction. Perhaps they're not doing the job that they should be doing, but to simply take the children away from them and say that the law

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enforcement officers are going to have to be running a babysitting service and retaining custody of these children and deciding what to do with them and take them to services which may or may not have adequate funding as Representative Mautino points out, is a terrible idea. I think we should all vote 'no'."

Speaker Daniels: "Representative Grossi, there's a question you were answering."

Grossi: "To answer Representative Mautino, I understand DCFS has \$400,000.00 available for social agency services of this."

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

Schneider: "There's been significant controversy surrounding 623 and I believe part of it relates to the apprehension that some of us who are seeing the custody of that child, as I read my print-out here, falling into the hands of that group of individuals, let's say the police departments, who are unable to deal with those children in keeping them for a sustained period of time without any kind of protection. So it seems to me that not only are we making a serious mistake in terms of who has the control of the child for a period of time and that time is not stipulated on the synopsis that I have --It could be six days, 20 days-- who's responsible for that child. There's no involvement it seems to me by the state at a level where the child has had his first contact with an enforcement officer. So, aside from the fact that we're concerned about where the money's coming from, I think we have serious problems with who is controlling the child at any given point..."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Representative Hallstrom, to explain her vote. Timer's on."

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

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the House. I just felt that the Members of the House should know that the Commission on Children is opposed to this legislation. They did do a three year study on youth and the law. And a couple of questions that they have asked: They say that advocates of Senate Bill 623 indicate that it will free-up more of the court's time to work on delinquency cases and they wonder, couldn't that bring about a greater influx of delinquency cases and that the Bill eliminates the court's preventive influence and borderline mens' petitions may have delinquency petitions filed instead."

Speaker Daniels: "Representative Ebbesen."

Ebbesen: "Well, yes, Mr. Speaker and Ladies and Gentlemen of the House, I would just like to say that I've received a tremendously large number of phone calls and communications and I'd like just to address maybe the downstate area of Legislators. This particular piece of legislation is a great deal of concern by the Judges and the courts on this legislation. And some of you people that are voting green up there better kind of reminiscence just a little bit and call your attention to where your communications have come from. Because this is something of an area of great concern. It's Senate Bill 623. Remember that number because you're received communications, a great deal of concern about what this legislation does. You ought to be voting 'no'."

Speaker Daniels: "Representative Schuneman."

Schuneman: "Thank you, Mr. Speaker. One of the finest young Judges in our part of the state contacted me about this Bill and advised me of his concern. He said that if this Bill passes in our area there will be simply no one to look after the kids, that the Judges are doing this job...the judicial system is now doing this job..."

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Speaker Daniels: "Representative Grossi?"

Grossi: "Mr. Speaker, apparently this Bill is causing some controversy. And I do not want to take up any of your time of the House. We don't have that much time left. I will try to satisfy both problems at another time. Spring Calendar."

Speaker Daniels: "Leave for the Spring Calendar? Leave is granted. Senate Bill 650. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 650, a Bill for an Act to amend Sections of the Court Reporters Act. Third Reading of the Bill."

Speaker Daniels: "Representative Jones."

Jones: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 650, amends the Court Reporters Act and establish a new fee schedule for...for a transcript of court proceedings. For original transcripts, it would be two dollars a page, to be delivered within 30 days. For expediting transcript, that's 7 days, the costs would be two-fifty. For daily transcripts, it would be three dollars, and for hourly transcripts, to be delivered within two hours, that would be three-fifty. Currently, the fee is twenty-five cents, per one hundred words, which comes to a dollar, thirty per page. Amendment #1 to the Bill, took away any fiscal impact, so therefore, the States Attorney Office, the state as well as the county would pay half of what is schedulely in this particular Bill. And I don't know of any opposition and ask for a favorable vote."

Speaker Daniels: "Representative Currie."

Currie: "Just a parliamentary inquiry, Mr. Speaker. Did Senate Bill 623, go to the Spring Calendar on the Order of Postponed Consideration?"

Speaker Daniels: "It went to the Spring Calendar."

Currie: "I would have thought the appropriate place for it,



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was..."

Speaker Daniels: "There's no vote on it, Ma'am, and we got leave of the House."

Currie: "It was...it was the middle of the record."

Speaker Daniels: "Turn her off. Alright. On the Bill, Senate Bill 650. Further discussion? Being none, on Senate Bill 650. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On this Bill there are 117 'aye', 21 'no', 5 'present', Senate Bill 650, having received the Constitutional Majority is hereby declared passed. Now, the previous Bill...excuse me. The previous Bill was placed on the Order of Spring Calendar, Third Reading. The Gentleman placed it on Spring Calendar, leave was granted, there were no objections raised, nobody said, Postponed Consideration. No vote was taken, now we have ten minutes left and we're moving forward. The next order of business, is Senate Bills, Third Reading, Senate Bill 423, Representative Ebbesen. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 423, a Bill for an Act to amend Sections of the State Printings Contract Act. Third Reading of the Bill."

Speaker Daniels: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker, I'd like leave of the House to have this placed on the Spring Calendar, please."

Speaker Daniels: "The Gentleman asks leave to place 423, on the Spring Calendar. Is leave granted? Hearing no objections, leave is granted. Senate Bill 499. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 499, a Bill for an Act to amend and renumber, add and repeal various Sections of the inheritance and transfer tax law. Third Reading of the

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Bill."

Speaker Daniels: "Representative Pullen."

Pullen: "Mr. Speaker, Ladies, Gentlemen of the House. This Bill would phase out the state inheritance tax over a five year period, beginning a year from now. The immediate effect would be to remove the nuisance administration of locking safety deposit boxes and checking and savings accounts that would have very minimal immediate fiscal impact. And within, six years, beginning a year from now, over a five year period, the inheritance tax would be gone. So, that people would no longer be faced with having to pay taxes again, and again, and again on the same properties, and having to pay them at a time when their are down in their darkest hours. I think we are all familiar with the issue and I urge your favorable consideration."

Speaker Daniels: "Representative Johnson."

Johnson: "Mr. Speaker, I move the previous question. We've all heard this issue for two weeks, I move the previous question."

Speaker Daniels: "Alright. Representative Kane."

Kane: "I would ask for a Roll Call on that Motion."

Speaker Daniels: "Representative Kane, just proceed on the Bill, Sir. I didn't recognize the Motion. Proceed."

Kane: "Would the Sponsor then yield to a question?"

Speaker Daniels: "He will. She will."

Kane: "What is the...you said, that this tax is going to be phased in over a period of, five years. Could you tell us what the fiscal impact is going to be in each of those fiscal years?"

Pullen: "I said, phased out, Sir."

Speaker Daniels: "Representative Pullen."

Pullen: "Taxes to be phased out, not phased in. Here it is. Fiscal note on file...pardon me. Excuse me, Sir, I've been

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asked to take it out of the record. Please take the Bill out of the record."

Speaker Daniels: "The Lady takes it out of the record. Desire to place on Spring Calendar, Ma'am?"

Pullen: "No."

Speaker Daniels: "Out of the record. Representative Meyer, Ted Meyer."

Meyer, Ted: "1193, on the Spring Calendar, Mr. Speaker."

Speaker Daniels: "Leave to place 1193, on the Spring Calendar. Is leave granted? Spring Calendar. Representative Yourell."

Yourell: "Yes, appearing on the Calendar, on the Order of Senate Bills, Second Reading, appears Senate Bill 501. I would ask leave to place that on the Spring Calendar."

Speaker Daniels: "Leave to place 501, on Spring Calendar. Leave is granted. Representative Stuffle."

Stuffle: "Place 723, on the Spring Calendar, please."

Speaker Daniels: "What page, Sir?. Senate Bill 723, leave granted, placed on Spring Calendar. 723, leave is granted. Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. On page 2, of the Calendar, Senate Bill 59 and 60. Leave to place on the Spring Calendar."

Speaker Daniels: "Senate Bill 59 and 60, leave to place on Spring Calendar. Leave is granted."

Lechowicz: "Thank you."

Speaker Daniels: "Representative Getty."

Getty: "Just an inquiry, Mr. Speaker. I understand there's a list up there, will all those be put at one time?"

Speaker Daniels: "Okay, if everyone would come up that wants to place their Bill on, Spring Calendar, there is a list up here. We will do it all at one time."

Getty: "Fine."

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Speaker Daniels: "Up to the list. Now, Representative Terzich has returned, Representative McAuliffe is on the floor. Pension Bills, the last two Bills in the Pension Bills. 740, read the Bill. Representative Terzich."

Clerk O'Brien: "Senate Bill 740, a Bill for an Act to amend the Illinois Pension Code..." Speaker Daniels: "Representative Terzich."

Clerk O'Brien: "Third Reading of the Bill."

Speaker Daniels: "740, Sir."

Terzich: "Spring Calendar."

Speaker Daniels: "Spring Calendar, Senate Bill 740. Representative Stiehl for what purpose do you arise? Cissy Stiehl. Alright. Senate Bill 1196, read the Bill."

Clerk O'Brien: "Senate Bill 1196, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Daniels: "Representative McAuliffe."

McAuliffe: "Senate Bill 1196 would merely allow you to designate someone else than your spouse to be your beneficiary in case of your death. Anybody that is a blood relative, your child, your mother, your father, your brother, anybody else but your spouse. Would give you option to designate someone else."

Speaker Daniels: "Alright. The question is, 'Shall Senate Bill 1196 pass?' On that question, Representative Kane."

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

Speaker Daniels: "Indicates he will."

Kane: "What pension systems does this Bill and these provisions apply too?"

McAuliffe: "General Assembly."

Kane: "Just to one? And what does it do, I....?"

McAuliffe: "It allows you to designate someone else other than your spouse, to be your sole surviving beneficiary in case

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you die. You can leave your money to your child, or to your mother or father, your brother, your sister, had to be a blood relative."

Kane: "Are there....are there any other pension systems that have this provision in it?"

McAuliffe: "I really don't know."

Speaker Daniels: "Representative Piel." Piel: "Move the previous question, Mr. Speaker."

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

McAuliffe: "Move for a favorable vote."

Speaker Daniels: "The question is, 'Shall Senate Bill 1196 pass?' All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill having received 108 'yes', 37 'no', 8 'present', having received the Constitutional Majority is hereby declared passed. Consideration Postponed, Supplemental, Third Reading, Senate Bill 223, Representative C. M. Stiehl. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 223, a Bill for an Act to amend Sections of the Illinois Industrial Development Authority Act. Third Reading of the Bill."

Speaker Daniels: "The last Bill, 1196, received 107 'aye', 39 'no', 9 'present', having received the Constitutional Majority is hereby declared passed. Representative Stiehl on Senate 223, Consideration Postponed. Read...Representative Cissy Stiehl."

Stiehl: "Thank you, Mr. Speaker. This is a very important Bill. Without it, the Illinois Industrial Authority will be out

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of business. I would ask for a favorable vote. We'll have no authority for any economic development in this state, nor will we have any for CDB. I would ask for a favorable vote."

Speaker Daniels: "Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that we debated about an hour and a half ago. And in which I mentioned on a number of occasions, how much our bonded indebtedness has increased over the last ten years. And the numbers which I used at that time...."

Speaker Daniels: "Excuse me, Representative Kane. Representative Hastert, for what purpose do you arise, Sir?"

Hastert: "I would like to move the previous question as soon as possible."

Speaker Daniels: "No...no...no. Representative Stiehl for what purpose do you arise, Ma'am? Representative Stiehl."

Stiehl, C.M.: "Mr. Speaker, I would like to move to take this back to Second Reading for purposes of taking off the Amendment with the Capitol Development Authorization. They told..."

Speaker Daniels: "What Bill...what Amendment is that? #2?"

Stiehl, C.M.: "It's Amendment #2."

Speaker Daniels: "Alright, the Lady has requested leave to return Senate Bill 2...Representative Lechowicz, quit making a fool out of yourself. Alright. The Lady asks for leave to return it to 223. Does she have leave? Representative...alright, excuse me. Okay. Representative Lechowicz, the Chair extends its apology to you, Sir. It was out of line. Alright. Excuse me, Sir. The Chair was out of line and apologizes to you, Sir. Now, Representative Stiehl has asked for leave to return to Second Reading for purposes of removing Amendment #2. On that issue, Representative Kane."

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Kane: "Mr. Speaker, I don't believe that that Motion is in order.

I was recognized, I had the floor and I don't believe that you can go to someone else to make a Motion. If someone has a point of order to make, or a point of personal privilege, or some other privilege Motion under Roberts, that can be recognized. But to recognize someone else to make a Motion, while I have the floor, I believe, is out of order. And I would ask that...."

Speaker Daniels: "Representative Matijevich."

Matijevich: "Well, I have a point of order. I understand that we're past midnight and this Bill now has been tabled by rule. So, I think that the only Motion she can probably make is, take from the table, but this has been tabled by rule."

Speaker Daniels: "Okay. I believe you are right, Sir. I think the tapes will exhibit that, since they do keep time and it is past midnight. Do you object to that, Representative Lechowicz? Okay. On the Calendar, page 12, Regular Calendar, page 12. Order of Concurrence, House Bill 70. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 70, a Bill for an Act to amend the Illinois Municipal Code with Senate Amendment #1."

Speaker Daniels: "Representative Jaffe. Representative Conti. Out of the record. Representative Telcser."

Telcser: "Representative Madigan, come up to the podium."

Speaker Daniels: "Representative Madigan."

Madigan: "Mr. Speaker, I think we should all congratulate Mr. Telcser on his great performance today on behalf of the Members."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Madigan, thank you, very much. Without your help, it would not have been possible. Mr. Speaker, I move the House adjourn until, 1:00 o'clock, tomorrow afternoon."

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Speaker Daniels: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, the House stands in adjournment until 1:00 o'clock, tomorrow. And, Representative Lechowicz, I once again offer my apologizes to you, Sir."



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