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Doorkeeper: "All persons not entitled to the House Floor, please retire to the Gallery. All persons not entitled to the House Floor, will please retire to the Gallery."

Speaker Redmond: "Is Representative Geo-Karis on the Floor? I can't see her."

Geo-Karis: "If you can't see me, it isn't my fault, Mr. Speaker, I've been trying to reduce this, it's a heck of a thing."

Speaker Redmond: "The House will come to Order, the Members please be in their Seats. We'll be led in prayer, by the Reverend Krueger, the House Chaplin."

Krueger: "In the name of the Father, the Son and the Holy Ghost. Amen. Oh, Lord, bless this House to Thy service this day. Amen. In 1776, Sam Adams said, it is injustice and cruelty to our offspring to leave the salvation of this country to be worked out by them with accumulated difficulty and anger. Let us Pray. Oh God, the giver of every good gift. We pray for the people of the State of Illinois and in particular for this House of Representatives who, in their deliberation must do Thy will. Thou who art the strength of the weak, the refuge of the distressed, the comforter of the sorrowful, look with favor upon the Members of this House, that they may be Thy instruments. As thou would have compassion upon all who are worn with toil, support all aged persons, defend all children, comfort all who are suffering in body or in mind, all who travel by land, water and air and have mercy upon all who are pressed, especially those who are persecuted by unfair treatment at any level and for unjust reasons. So,



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we pray Thee, that the Legislation enacted here, will have immediate and lasting value, proving no burden to the future generations and be the fulfillment of Thy will and the joy of Thy creation. All of which we ask in the name of Christ, our Lord. Amen."

Speaker Redmond: "Roll Call for attendance. Committee reports."

Clerk O'Brien: "Representative Boyle, Chairman from the Committee on Appropriations II to which the following Bills were referred. Action taken May 25, 1976. Reported the same back with the following recommendation. Do pass, Senate Bill 1612 and Senate Bill 1632. Representative Schneider, Chairman of the Committee on Elementary and Secondary Education to which the following Bill was referred. Action taken, May 25, 1976. Reported the same back with the following recommendation. Do pass. Senate Bill 1727. Representative Leon, Chairman from the Committee on Financial Institutions to which the following Bill was referred. Action taken, May 25, 1976. Reported the same back with the following recommendations. Do pass as amended. House Bill 3909."

Speaker Redmond: "Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 1650. Eugene Barnes. A Bill for an Act to make an appropriation for the ordinary and contingent expenses of the Illinois Community College Board. First Reading of the Bill. Senate Bill 1651. Stone. A Bill for an Act to amend the Public Community College Act. First Reading of the Bill. Senate Bill 1792. Mahar. A Bill for an Act to make an appropriation to the Illinois Legislative Council. First Reading



of the Bill. Senate Bill 1871. Berman. A Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1872. Berman. A Bill for an Act to amend the School Code. First Reading of the Bill."

Speaker Redmond: "Resolutions."

Clerk O'Brien: "House Resolution 844. Yourell."

Speaker Redmond: "Representative Giorgi. Giorgi. George,

can you give Giorgi a speaking tool?"

Giorgi: "House Resolution 844, by Yourell. Honors Lieutenant Lehman of Evergreen Park, for many years of public service. I move for the adoption of the Agreed Resolution."

Speaker Redmond: "Any questions? Any discussion? The question is on the adoption of the Resolution. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it, the Resolution is adopted. Representative Madigan."

Madigan: "Let the record...the attendance record show that Representative Giorgi is excused because of illness. Giglio."

Speaker Redmond: "Any objections to Representative Giorgi being excused...would you describe the malady, Representative Madigan? Where is he sick? Any objections to Representative Giorgi being excused for illness? Hearing none, the record will so show. Giglio. Roll Call for attendance, the other record was very bad. Messina could you come up to the podium a minute? House Bills, Second Reading. On House Bills, Second Reading appears House Bill 3376. Representative Chapman. Out of the record. 3376? Oh. 3377. Representative Byers, out of the record. 3404. Representative Boyle. Out of the record. 3431. House Bill 3431."



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Clerk O'Brien: "House Bill 3431. Boyle. A Bill for an Act making an appropriation to the Department of Conservation. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3505."

Clerk O'Brien: "House Bill 3505. Birchler. A Bill for an Act to amend the Illinois Egg and Egg Produce Act. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3505 on page 1, by deleting line 22 through 25 and so forth."

Speaker Redmond: "Representative Birchler."

Birchler: "Mr. Speaker, this Amendment is a Committee Amendment. There was no one opposed to the Amendment and I so move that it's adopted."

Speaker Redmond: "Any questions? The question is on the adoption of the Amendment. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading 3566."

Clerk O'Brien: "House Bill 3566. A Bill for an Act to restrict the manufacturer's sale on use of PCB's and certain items contained therein. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3566 on page 2, line 4, by deleting 'ten PPM' and so forth."

Speaker Redmond: "Representative Getty. Out of the record. 3605 and 6. Representative McMaster. 356...3605."

Clerk O'Brien: "House Bill 3605. McMaster. A Bill for an Act to amend the surface mine land conservation



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Reclamation Act. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3605 on page 2, line 13 by deleting 'Illinois' and so forth."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker and Ladies and Gentlemen of the House, I have no objections to this Committee Amendment. I move its adoption."

Speaker Redmond: "The question is there any discussion? The question is on the adoption of the Amendment. All in favor indicate by saying 'aye' and the opposed 'no' and the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3605."

Clerk O'Brien: "House Bill 3606, McMaster. A Bill for an Act making appropriations to the Agregate Mining Problem Study Commission. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3606 on page 1, line 5 by deleting \$15,000 and so forth."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker and Ladies and Gentlemen of the House, this Amendment reduces the appropriation from \$15,000 to \$10,000 and it is acceptable to me. And I move the adoption."

Speaker Redmond: "Is there any discussion? The question is on the adoption of the Amendment. All in favor indicate by saying 'aye' and the opposed 'no' and the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3629."

Clerk O'Brien: "House Bill 3629, Von Boeckman."

Speaker Redmond: "Take 3629 out of the record. 3630, Representative Von Boeckman ah... is he on the floor? Out



of the record. 3659. Will the caucus in aisle repair to the rear of the Chamber?"

Clerk O'Brien: "House Bill 3659, Brinkmeier."

Speaker Redmond: "Representative Brinkmier? Out of the record. 3677."

Clerk O'Brien: "House Bill 3677, McCourt. A Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. Six Committee Amendments."

Speaker Redmond: "Representative McCourt? Out of the record. 3816..... 3816, Representative Tipsword. Out of the record. 3819, Representative Lechowicz."

Clerk O'Brien: "House Bill 3819. A Bill for an Act making an appropriation to the State Board of Elections. Second Reading of the Bill. Two Committee Amendments. Amendment #1 failed in Committee. Amendment #2, amends House Bill 3819 on page 1 by deleting line 9 through 21 and so forth."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Committee Amendment #2 breaks up the State Board of Elections by divisions and it also reduces the ah... the agency in the following categories. There's not change as far as the initial boards request. In the Administration Division there is a reduction of \$9,150 or for a total of \$888,444. In the Elections Operations Section ah.. it's a reduction of \$44,195 for a new total of \$980,758. In the Office of the Chief Clerk it's a reduction of \$27,881 or a new total of \$159,097. The total reduction made by Committee Amendment #1 is \$81,226. What we did was eliminate the jobs that have been vacant for ah.. a period of over four months. And I move for its adoption."

Speaker Redmond: "Representative Totten."

Totten: "Thank you, Mr. Speaker. I'm in favor of this Amendment also, but I wonder if the Sponsor would just hold



it on Second Reading, I think that there's an Amendment that I've filed and it may not be printed yet and we can come back to it yet this afternoon."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I've been extremely courteous in reference to this Bill. We had a three and a half hour meeting on this Bill alone. I've held it on Second Reading at the request of the Minority Leader,.... and the spokesman on the Appropriations I Committee for a number of days. I believe that your Amendment has been distributed ah... the one that I've seen has. Is that the reduction for \$750,000?"

Totten: "No, I've just filed another one. I'm going to table that first one."

Speaker Redmond: "What's your pleasure, Representative Lechowicz?"

Totten: "Why don't we go ahead and adopt this one and then hold it on Second and by the time it gets distributed we'll be ah...."

Lechowicz: "Why don't we move the adoption of Amendment #2. I'll put it on to Third and I'll look at the Amendment and I may bring it back from Third to Second."

Totten: "You will bring it back or you may bring it back?"

Lechowicz: "May."

Speaker Redmond: "The question is on the adoption of the Amendment. All in favor indicate by saying 'aye' and the opposed 'no' and the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Totten. Amends House Bill 3819 on page 1 by deleting lines 9 through 20 and so forth."

Speaker Redmond: "Representative Totten."

Totten: "Mr. Speaker, thank you. Does the Clerk have Amend-



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ment #4? All right, I at this move to table Amendment #3."

Speaker Redmond: "The Gentleman has moved to table Amendment #3. Are there any objections? Hearing none, then Amendment #3 is tabled. Are there any further Amendments?"

Clerk O'Brien: "Amendment #4, Totten. Amends House Bill 3819 by deleting everything after the enacting clause and inserting in lieu thereof the following: Section I and so forth."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Well, Mr. Speaker, as was indicated by the Sponsor of Amendment #4, Representative Totten, this Amendment just reached the Clerk's desk and I don't believe that it has been distributed. And I don't think that it can be considered at this time."

Speaker Redmond: "It can not. Representative Madigan."

Madigan: "For purposes of an announcement, Mr. Speaker. In the rear gallery ah... a group of students from the Eli Whitney Elementary School in Chicago. They're accompanied by Mr. Michael Shaughnessy and they're from the district represented by Representatives McPartlin, Downs and DiPrima."

Speaker Redmond: "3819, Third Reading. Representative Totten."

Totten: "Thank you, Mr. Speaker. I don't believe that you can move that to Third Reading with an Amendment filed with the Clerk, can you?"

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "I believe that you can, Mr. Speaker. The Amendment is untimely as I pointed out earlier ah.. that it has been on Second Reading at the request of the Minority Leader and Spokesman and in turn ah... I don't know how much longer you want me to hold this Bill, but



I told you that I would move it to Third and then look at your Amendment and maybe bring it back."

Totten: "Well, the Amendment was filed timely with the Clerk so that the Bill should remain on Second Reading. I'll be more than happy ah... as soon ah... as soon as the Amendment is distributed, Ted, ah.. and the Speaker wants to go back to it ah... to move with Amendment #4, but the Amendment was filed timely ah.. and it has just not been distributed yet. So I believe, Mr. Speaker, that this Bill should remain on Second Reading."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Well, Mr. Speaker, I would like to have a ruling ah.. whether it's timely or not."

Speaker Redmond: "Well, it's the opinion of the Chair ah.. this Bill has been on this order of business as least three days. And I think that we've called it at least nine or ten times. And the business of the House, I think, demands that we proceed expeditiously. I think it's incumbent upon every person that wants to submit an Amendment, to make sure that he ~~ah...~~ he puts... he submits it in time and has it printed. Now you can move to have it returned from the order of Third Reading to Second Reading when the matter is proper form, but I don't think that it is possible and ah... isn't good business, in my opinion, to delay the process of this House by filing Amendments. Ah... this way we could prevent a Bill from ever being called on Third Reading. Representative Collins."

Collins: "Mr. Speaker, I object to your ruling. The Clerk has already read the Amendment. And it was only when it was pointed out that the Amendment has not yet been distributed that ah.... that you pulled it back. So the Amendment is obviously timely. You recognized the Gentlemen for the purposes of having his Amendment heard. So I don't see how you can move it to Third



with an Amendment that has just been read and ah.. we're still hanging on it ah... and move it to Third without any action on that Amendment. So I would submit to you, Sir, that it is timely and I don't see any other way that you could construct it."

Speaker Redmond: "Well, I disagree with you, but just in order to maintain peace, let's say that from here on in; it's incumbent upon every proponent of an Amendment to make sure that it is filed timely and that it's distributed. Because by this procedure we could delay the business of state government indefinitely by just putting something in there. So we will leave it on Second Reading, but tomorrow ah.... Mr. Totten. 3848. Representative Berman. "

Berman: "Mr. Speaker, I would just ask that the Calendar be corrected ah.. to indicate that I'm the Sponsor ah... or I'm handling the Bill for the Committee on Education on 3848, rather than ah... Chairman Schneider."

Speaker Redmond: "The Calendar will so show. 3848."

Clerk O'Brien: "House Bill 3848. A Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Representative Berman. Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Jaffe. Amends House Bill 3848 on page 3, line 32 and so forth."

Speaker Redmond: "Representative Berman."

Berman: "This Amendment is new to me. I'll wait to hear from Representative Jaffe."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Well, Mr. Speaker and Members of the House, ah.... this Amendment ah.. it takes the thing that we have discussed before hand ah.... the three year A.B.A. and and attaches it on to this particular Bill. Ah..... basically, ah.. I think we talked about it before. This



would help schools with declining, which is particularly every school district in the entire state. Ah... I think that we need this. I think that it's important that we're going to have it. And ah it helps every district in the state. It helps the district of the City of Chicago. It helps suburbia and it helps the downstate areas. I would urge the acceptance of Amendment #1 to House Bill 3848."

Speaker Redmond: "Representative Berman."

Berman: "I'd like to take this out of the record at this time."

Speaker Redmond: "Take it out of the record. 3851."

Clerk O'Brien: "House Bill 3851. A Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Committee Amendment #1 was tabled in Committee. Committee Amendment #2, amends House Bill 3851 by deleting everything after the enacting clause in lieu thereof the following; Section 1 and so forth."

Speaker Bradley: "Representative Pierce on Amendment #2."

Pierce: "This is a Committee Amendment, Mr. Speaker, ah.. that was adopted at the suggestion of the E.P.A. and made this Bill into a form that provided notice and ah.. provided a hearing under certain circumstances ah.. where landfills were to be sited in local areas ah... and it seems to satisfy the E.P.A. and the Cook County Sanitary District or ah.. the Sanitary District of Metropolitan Chicago. And ah... this ah... I would move the adoption of this Committee Amendment."

Speaker Bradley: "The Gentleman offers to move the adoption of Committee Amendment #2 to 3851. Is there any discussion? The Gentleman from Cook, Mr. Palmer."

Palmer: "What does ah... this is a brand new Bill with Committee Amendment #2?"

Speaker Bradley: "Did you wish to ask....."

Palmer: "Yes, I'd like to inquire,"



Speaker Bradley: "Does the Gentleman wish to answer to the question, Sir? Yes, he indicates he'll yield, Mr. Palmer."

Pierce: "The Bill is revised extensively. It does have a ah... it does have the same provision that the original Bill does ah.. the notice to local governments and municipalities upon the ah... ah... application for a landfill site. The ah... the Illinois E.P.A. is then required to notify ah.. adjacent landowners and all local governments that are affected. That was in the previous Bill. The new part of the Amendment is that it ah... mandates a hearing under certain circumstances. If the landfill is forty acres or more ah... if it has so many yards of material brought into it and ah.... they're within the mandate of a public hearing. And also it gives the E.P.A. the right to have a public hearing on their own motion ah... even though it doesn't fill all of the requirements of the mandates public hearing, but it does not go all the way as the original Bill did in providing for ah.. local zoning."

Palmer: "Do the municipalities have any veto power over any action of the E.P.A. in this? Or is there concurrence ah...."

Pierce: "No veto power or concurrence. They do have notice and the opportunity to have a hearing on the matter in which the local impact would be the prime consideration, but the Bill, as amended, does not give them a veto or concurrence ah.. jurisdiction."

Palmer: "Does it preempt the power of home rule municipalities, including Cook County?"

Pierce: "The Bill doesn't attempt to preempt ah... but attempts to give additional powers to the local municipalities. See the courts have preempted, as you know. And this Bill is an attempt to cut down ah.. what the courts have done in saying that this Legislature in 1959, prior to



to the home rule provisions ah... by enacting an Environmental Protection Act ah.... gave exclusive control over sanitary landfill sitings to the Environmental Protection Agency. I don't necessarily agree with that decision, but that decision was based on a statute the Legislature passed prior to the ah... Constitution of 1970. In fact, it was passed in 1970, prior to the effected date ah... or even the enactment of the 1970 Constitution."

Palmer: "Well, could not ah.. that legislation be changed so as to require the concurrence of a municipality within a certain distance?"

Pierce: "In my opinion, it could... yes."

Palmer: "But this Bill does not do that?"

Pierce: "The original Bill may have attempted to do that, ah.. but the Bill, as amended, ah.. provides for notice and provides for public hearings, but does not do ah.. what you would wish it to do."

Palmer: "All right, thank you."

Speaker Bradley: "The Gentleman from Cook, Mr. Mahar."

Mahar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Ah.... I have no objections to ah... to this Amendment being adopted, but I also have an Amendment that has been filed which has not yet been printed and I'd like to have it held on Second Reading until we can adopt it. And this is the first time that this Bill has been called so ah... I don't think that we have to worry about the fact that it's been before us three or four days. Also, I think another Amendment is being drafted ah... which should be ready very shortly and I hope that we could hold it."

Pierce: "Well, I have no objection to holding it. Let's adopt the Committee Amendment and than we can hold it on Second Reading."

Speaker Bradley: "Would you hold that just a minute? For



what purpose does the Gentleman from Cook, Mr. Davis arise?"

Davis: "For the purpose of introducing ah... the sixth grade students from the Hemphrine School of the 21st District with their teacher ah... Mrs. Eloise Horton. The 21st District represented by Representative Madison, Representative Patrick and Representative Molloy. They're in the north gallery here ah... all around. Will the students from the Hemphrine School please stand?"

Speaker Bradley: "Now back to the business at hand. The Gentlemen from Lake, Mr. Pierce ah... is there further discussion on the Gentlemen's Amendment? He wants to adopt the ah... Amendment #2 and then I understand that he's going to hold the Bill."

Pierce: "That's the Committee Amendment, yes."

Speaker Bradley: "That's a Committee Amendment, yes. The Gentleman from Cook, Mr. Houlihan on Committee Amendment #2."

Houlihan: "Point of information, Mr. Speaker. Ah... Representative Pierce indicated that he was going to hold the Bill. I wonder if Representative Mahar ah.. those Amendments that are going to be offered ah... are they same ones that were defeated in the House Committee? If so, I would think that ah... that it would not be wise to hold the Bill for that reason."

Speaker Bradley: "Would you ah... would Mr. Mahar wish to respond?"

Mahar: "Yes, thank you. Representative Houlihan, ah.. the Amendment that I have ah.. attempts to address itself to the problems that we have with the Bill. It's not the same Amendment, in no way. The other Amendment that's being offered by another Representative ah... I'm not too sure what that is."

Pierce: "I've got my suspicions.... but I will hold it on



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a courtesy. It's a Committee Bill and I'm the Chairman of the Committee. Let's adopt the Committee Amendment and then I will hold it on Second Reading."

Mahar: "O'kay."

Pierce: "Because it only passed out of Committee last Thursday and these Gentlemen haven't had much time to ah... prepare their Floor Amendments and ah.... certainly that's a courtesy. We have some very senior House Members here ah... like Representative Yourell that has a great need to present an Amendment. I would certainly hold it on Second Reading out of courtesy to him."

Speaker Bradley: "The Gentleman from Franklin, Mr. Hart, ah... on the Amendment, Sir."

Hart: "Representative Pierce, after the public hearing is held, does the local ah.... the county or ah... whatever local district is involved.... municipality have a veto power on ah... the site?"

Pierce: "My understanding is that there is not a veto power over the site.... only the right to present all of their case and evidence and so on to the E.P.A. By the way, the E.P.A. ah... this is interesting, ah.... didn't agree with that court decision either. They always went to local municipalities and required that the zoning get approval, but the permittees get approval because they felt that the Pollution Control Board had not come out with adequate ah.. with adequate guidelines for them. And when this court decision came out ah... they were surprised as everyone else to be given the exclusive jurisdiction under the Environmental Protection Act which passed in 1970 prior to the home provisions of the 1970 Constitution."

Hart: "Well, did ah... did anyone ask for the local veto power ah.. in the hearing on the Bill?"

Pierce: "Yes, Representative, ah.. the Municipal League....



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the I.M.L. Illinois Municipal League had an Amendment that they favored that Representative Mahar presented and it had a tie vote so ah.. it was not adopted. Then the Committee went ahead and adopted the Amendment that the E.P.A. and the Metropolitan Sanitary District ah... apparently is going to go along with and that Amendment was adopted and the Bill did receive the necessary votes to come out of Committee."

Hart: "Well, is that the Amendment that ah... we're going to hold the Bill for now for Representative Mahar to offer on the floor, or do you know?"

Pierce: "He says that it's not exactly the same Amendment, but there may be another Member here ah... Representative ah.. well, I don't want to use any names, but Representative ah.. that sits in front of me here ah.. may be preparing an Amendment that ah... that... that those of us who are environmentalists would consider a badie."

Hart: "Well, o'kay, ah... I was going to offer myself as a Co-Sponsor to that Gentleman's Amendment, if he'll accept it"

Speaker Bradley: "The Gentleman from Lake, Mr. Deuster. Now Sir, I wish you'd address yourself to the Amendment and not to the so called Amendment that might be offered and might not."

Deuster: "Yes, Mr. Speaker. I wonder if the Sponsor might respond to this question? Since this is a complex subject and there are other Amendments coming along, I'm wondering why you just don't hold the Bill and not ah.. consider this Amendment because this Amendment, it seems to me, make a drastic change in the Bill. Why don't you just hold the Bill and not proceed with any Amendment until we see what they all are?"

Pierce: "This is a Committee Amendment to the Committee Bill so all we're doing is presenting it in the form that



the Committee wanted it and we can still consider additions to that. In other words, 3851 is a Committee Bill and the Amendment is the Committee Amendment. So all..we're presenting.... we're getting the Committee Bill in the Committee shape and if someone else has any other bright ideas; we'll hold it on Second Reading for them. That's my ah.. thinking on the matter."

Speaker Bradley: "The Gentleman from Vermilion, Mr. Craig."

Craig: "Mr. Speaker and Members of the House, when they talk about the environmental people wanting this Amendment, ah.. I've a little experience with the Environmental Protection Agency and when they come out and the Environmental Protection Agency wants to know all your income and everything since way back in 1969 ah... now if that has anything to do with environment ah.. I'd like for you to tell me how it has. And I think this Amendment.... Committee Amendment should be defeated. And they can hold that Bill or whatever they want, but I think that the Environmental Protection Agency has gone far beyond their means of the powers to be and now they're asking for more. And I urge a 'no' vote on this Amendment."

Speaker Bradley: "The Gentleman from Livingston, Mr. Ewing."

The Gentleman from Cook, Mr. Yourell."

Yourell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Amendment #2 to House Bill 3851 because what it does simply is to restore language to the statute that was previous to there ah.. in legislation that I passed back in 1973 requiring public notice be given to all units of local government, all land planning agencies and all Members of the General Assembly whose districts encompasses a part or all of the sanitary landfill area that has been applied for with the agency for a permit. It also



prescribes certain conditions on which a landfill can be established such as the ah... such as the area and size of the landfill, ah... the number of homes adjacent to the landfill, how much in load will be transferred to the landfill each day and ah... the route to and from the landfill relative to ah... traffic congestion and so forth. The conditions are very well spelled out in the Amendment, which of course is now the Bill. Ah..., I think it's good legislation. It's a good Amendment and it should be adopted. The Amendment that I am waiting for from the Reference Bureau just changes a few words in the Bill to make it mandatory and not permissive as far as the application for a permit is concerned. So those of you who are interested in the subject of doing something about controlling the establishment of landfills in the area should be voting for this Amendment. Because I can tell quite frankly that this is the only ah...."

Speaker Bradley: "Mr. Yourell, could we get some order, please? I think we deserve some order here."

Yourell: "Thank you, Mr. Speaker. I can tell you quite frankly that those of you who are looking for a very strenuous landfill ah.. Bill to come out of this Session of the House ah.. will be disappointed because this is the second Bill of its kind to be presented in this Session ah.... one to the Counties and Townships Committee and the second, of course, to the Environment Committee Environmental Committee. Now I know that there are many areas to be concered ah... with this legislation. The Metropolitan Sanitary District had their Fulton County Operation in jeopardy because of the provisions of Bill and that has been taken out..with the Amendment #2 which struck everything after the enacting clause. So we're pretty much in agreement



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now with Amendment #2, It doesn't do all that we'd like for it to do relative to the control of sanitary landfills, but I can tell you quite frankly again, that this is the best that we can do in this Session of the General Assembly. And I would ask you to support Amendment #2 to House Bill 3851,"

Speaker Bradley: "The Gentleman from Lake, Mr. Pierce to close."

Pierce: "I think Mr. Yourell's theory is very well. He had a Bill that would have gone further than this Bill, as amended does. It went to a Committee called ah... Counties and Townships and apparently Counties and Townships didn't go along with Mr. Yourell on the Bill. So Representative Mahar and Leinenweber...."

Speaker Bradley: "Mr. Pierce, before you close, Sir... ah.. I hate to interrupt you but Mr. Waddell had his light on and I would like to recognize him. The Gentleman from Kane, Mr. Waddell."

Waddell: "Would he yield for a question?"

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

Waddell: "In the Amendment, have you differentiated between a sanitary landfill and just a landfill?"

Pierce: "In my opinion we have, yes."

Waddell: "Are you sure because right now the law is ah... at the present time ah.. for example, a farmer or anybody else cannot fill a low spot in their land with any material that comes from without that farm itself. Are the two differentiated between?"

Pierce: "It speaks of refuse disposal facility or sanitary landfill."

Waddell: "Or sanitary landfill?"

Pierce: "Yes,"

Waddell: "Thank you."

Speaker Bradley: "The Gentleman to close now, Mr. Pierce."



Pierce: "Mr, Speaker, I was in the middle of saying ah.. that ah,.. Representative Yourell did present a Bill that would have gone ah... further than this one as amended to the Counties and Townships Committee where it didn't receive the requisite vote. Then Representative Mahar and Leinenweber came to me ah... they're Members of the Committee on Environmental Energy and Natural Resources and they said that they would like to present a Bill that Representative Mahar had drafted and introduced that hadn't cleared the Rules Committee as yet as a Committee Bill. And I said, 'Fine, let's do that.' And we sat down and passed it out to the floor as a Committee Bill. It was read a first time and go a number. It's House Bill 3851 on the understanding that it would come back out of Committee with a full hearing. It came back and we had a full, fair long hearing on it ah... about two hours. And the Committee did pass out the Bill as amended with this Amendment.... Committee Amendment #2 on it. Even the opponents of the Amendment in the Committee and the proponents of a stiffer legislation say that this Amendment is a lot better.... This Bill as amended ah.. than the law as we have it now and they're willing to go along with the Bill as amended. And they have a few ideas of their own, which I'm going to hold the Bill on Second Reading for, but I think in fairness ah... to have this a Bill ah... presented as a Committee Bill ah... it needs the Committee Amendment adopted on it. And that's why I'm moving ahead today to move for the adoption of Committee Amendment #2, which will provide for notice to all municipalities, adjacent land owners. It provides for a public hearing in many many instances by mandate and will allow a public hearing in other cases. In fact, where we're mandating a public hearing is where there's a



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thousand cubic yards of refuse per day ah... where's there's 75,000 within twelve miles and where there's 40 acres ah... then there must be a hearing. Therefore, I move the adoption of Committee Amendment #2 on the understanding that I will hold the Bill on Second Reading for a few days ah.... to let anyone else who has a bright idea ah... and able to present it on Second Reading. And therefore, Mr. Speaker, I move the adoption of Committee Amendment #2 to House Bill 3851."

Speaker Bradley: "The question is on the of Amendment #2 to House Bill 3851. All those in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 100 'ayes' and 3 'nays' and the Gentleman's motion is adopted. Amendment #2 is adopted. You're gonna hold it now, so we'll leave the Bill on Second Reading, right Mr. Pierce? All right, leave it on Second Reading. The Amendment is adopted. Mr. Grotberg, for what purpose do you rise, Sir?"

Grotberg: "On a point of personal privilege, Mr. Speaker?"

Speaker Bradley: "State your point."

Grotberg: "I have cleared this with Speaker Redmond and thought perhaps that you would grant me a moment ah... as fellow colleagues and Ladies and Gentlemen and all of the citizens of Illinois ah... should be aware that this is the 29th Annual International Pickle Week, Hey.... ah.. and you are further aware, I'm sure, of the great pride that I feel at this moment in my role as spokesman for the Pickle Capital of the World, St. Charles, Illinois... although I am probably unworthy of such an honor. Right...., the depth and profoundly of our artistic and scientific achievements have been motivated by the pickle this year alone are staggering and a few are even worthy of mention in this hallowed Chamber.



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

For instance, Dr. Campliff of the University of Florida recently discovered that sex and single cucumber ah... or where do baby pickles come from; published an article that shook the world of science from top to bottom when it clearly demonstrated that the genetic manipulation of sex expression among cucumbers was possible. Writing 'The World of Seedy Cucumbers' Dr. Campliff points out is the first step towards ridding the world of seedy people. The Pickle Peace Plan proposed by Pickle Packers International is an astoundingly provocative movement, so much so in fact that we're going to leave the details to Dr. Kissinger. I could speak for hours and I know that each of you would be spellbound on the beauty and the glory of the pickle, but like every other beautiful thing in life, you really can't appreciate a pickle until you've tasted one. Therefore, on behalf of Representative Ewing, Representative Riccolo and myself and Pickle Packers International; I invite each of you to indulge yourself by accepting out invitation to pull a pickle from one of the crystal decanters in the back of the room on the Republican side and savor for yourself the sensual delight of mother nature's most delectable creation. However, for those of you who prefer oral instead of palatal stimulation... a limited supply of the old talented stimulated pickles capable of producing musical tones, when fondled, are available. Thank you very much, Ladies and Gentlemen of the House."

Speaker Bradley: "Thank you, Sir. Back to House Bills, Second Reading appears House Bill 3858. The Gentleman from Fulton, Mr. Schisler."

Clerk O'Brien: "House Bill 3858. A Bill for an Act in relation to the Illinois State Fair. Second Reading of the Bill. Two Committee Amendments. Amendment #1, amends House Bill 3858 on page 1 by deleting lines 14



and 15 and inserting in lieu of and so forth."

Speaker Bradley: "The Gentleman from Fulton, Mr. Schisler."

Schisler: "Mr. Speaker, I've agreed to take this out of the record ah... some Amendments are being prepared."

Speaker Bradley: "Take it out of the record. The Gentleman from Cook, Mr. Collins, for what purpose do you rise, Sir?"

Collins: "Well, Mr. Speaker, I was just admiring that large pickle that Representative Grotberg has in his hand and I was wondering if it was fertilized with mioglycine?"

Speaker Bradley: "He indicates that it was. On the order of Second Reading appears House Bill 3859."

Clerk O'Brien: "House Bill 3859, Byers. A Bill for an Act making an appropriation to certain claims against the State of Illinois in conformity with awards made by the Court of Claims. Second Reading of the Bill. No Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Madison. Amends House Bill 3859 on page 3 by inserting after line 9 the following and so forth."

Speaker Bradley: "The Gentleman from Cook, Mr. Madison."

Madison: "Thank you, Mr. Speaker. Amendment #1 embodies House Bill 3777 and it amends House Bill 3859 by adding to it the sum of \$2,817,000 to pay an award granted by the Court of Claims to the Cook County Health and Hospital Governing Commission and I would solicit your support for this Amendment."

Speaker Bradley: "Any discussion? The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Bradley: "He indicates that he will."

Ryan: "Representative Madison, ah.. is this the Bill that



failed in Committee to give Cook County almost three million dollars? You couldn't get it out of Committee, it really belongs in the Public Aid budget. Is that right?"

Madison: "Representative Ryan, House Bill 3777 is being held in Committee because it did not receive the required 14 votes. This Bill, this Amendment, in affect, adds to what is now the Court of Claims Awards Bill and puts House Bill 3777 where it really should have been in the first place and that's with the rest of the awards in the Court of Claims Bill."

Ryan: "Representative Madison, is this for claims that should have been paid by the Department of Public Aid?"

Madison: "These are for claims that were against the Department of Public Aid, going back to 1970. They are claims that were adjudicated in the Court of Claims when the award was granted for the amount specified."

Ryan: "And you don't feel that this should be as a supplemental appropriation to the Department. You want to run this through the Court of Claims."

Madison: "Well, Representative Ryan, I don't think that it can be a supplemental to the Department of Public Aid. Ah...these bills have been due in owing since 1970 and...of course the fiscal year 77 appropriation for Public Aid, in my opinion, can not handle these awards."

Ryan: "Well, Mr. Speaker, I'd like to address the Amendment, if I may."

Speaker Bradley: "You certainly may sir. Proceed."

Ryan: "This Amendment was in the form of a Bill before the Appropriations Committee last week or two weeks ago."



I don't recall just when. Maybe last week. It's for two point eight million dollars to Cook County for public aid claims that they had against Department. Now, why they weren't paid by the Department of Public Aid, nobody has been able to find out. Ah...other than that they...the Department, after they went to the Court of Claims, the Department of Public Aid went in and said that they were bonafide claims and should be paid. It would seem to me that this Bill should be...that these funds should come from the Department of Public Aids budget or should be appropriated through that way. This is another... another break off in Public Aid, so we can't get a handle on the Public Aid... the Department of Public Aid at all and these...these Bills go back to 1970. And Rep...Representative Madison wasn't able to get his Bill out of Committee last week and now wants to tag it onto the Court of Claims Bill for two point eight million dollars and I think the... especially you fellas downstate ought to look at this Amendment and give it a lot of consideration and I would urge its defeat."

Speaker Bradley: "The Gentleman from Will, Mr. VanDuyne."

VanDuyne: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I also join with Representative Ryan in asking you for a negative vote on this...ah... Amendment. We don't...we do not deny that the public aid...ah...part of our administration owe Cook County it's been judged and we say that it's valid. But it's their Bill and it's just an attempt...ah...we...we believe and we believed it in Committee and defeated the Bill and now Representative Madison is trying to just get another..."



another indirect appropriation of three million dollars through a back door deal for the Department of Public Aid. We've already given them a hundred and forty six million dollars this year in their supplementary and next year their budget is two billion dollars. So...as I said before and Ryan... Ryan admitted we owe the Bill but it's the Department of Public Aids Bill and not the General Assembly,"

Speaker Bradley: "The Gentleman from Cook, Emil Jones."

Jones: "Thank you Mr. Speaker, will the Sponsor yield?"

Speaker Bradley: "He indicates that he will."

Jones: "Representative Madison, isn't it a fact that these... these monies were appropriated in the Department of Public Aids budget for the year 71, 72 and 74 and so forth but the monies were lapsed."

Madison: "That is correct Representative Jones."

Jones: "So, for...therefore, then, if these monies appeared in FY 77 then it would not be a true reflection of the FY 77 budget, is that correct."

Madison: "That's correct. Yes."

Jones: "So, in speaking to the Amendment, I think that we should support this partiuciar Amendment because the Bill did not fail in Committee. The only thing that happened is due to the fact that many Members are serving on so many Committees that we were short at that time. So that most of the Members aren't there. It's a very good Amendment and should go with the Court of Claims and it deserves a 'yes' vote."

Speaker Bradley: "The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, I wonder if the Sponsor of the Amendment would yield to a question?"

Speaker Bradley: "He indicates that he will."



Schraeder: "This claim is for 1970 as one of the years?"

Madison: "1970 is one of the years. That's correct."

Schraeder: "And when did the State of Illinois take over that section of Public Aid from Cook County? Wasn't that after 1970?"

Madison: "Yes it was."

Schraeder: "Did how did the State of Illinois become liable for a claim made before the Chicago Public Aid Department became part of the state?"

Madison: "Well, the fact of the matter is that these Bills are claims that were...that were due in owing to the Cook County Hospital, they were owed to the Cook County Hospital by the Department of Public Aid and the Department of Public Aid through their processing time delays were not able to pay these Bills would have been paid if it had not been for the fact that the lapsed period for which these claims were judicated had since passed. They are legitimate Bills that...that the Department of Public Aid and the Attorney General Office, in a Joint Stipulation in the Court of Claims agreed that they were claims that were valid. They are legitimate claims and they should be paid. They can not be paid by the Department of Public Aid."

Schraeder: "Well Mr. Speaker on the questions."

Speaker Bradley: "Yes sir proceed."

Schraeder: "It seems to me that if the State of Illinois has incurred debts since it took over the Public Aid Department of the State of ...or the County of Cook, we would be...ah...obligated to pay that share. But as long as this...part of this debt was incurred before they came to the Illinois Department of Public Aid, I think we are not



obligated for that share and I would suggest to the maker of the Amendment, delete that part and let us pay the state's share for the last couple. On that basis, I would support the Amendment."

Madison: "Well, Mr. Speaker, it is my under..."

Speaker Bradley: "The Gentleman from Cook, Mr. Barnes."

Barnes: "Thank you very much. Mr. Speaker and Members of the House. I'm going to address the Amendment, directly. I think that all of the Members should listen and...and...and take a real sharp look. Thank you..."

Speaker Bradley: "Give the Gentleman some attention, some order."

Barnes: "Concerning this particular Amendment. To clarify what happened in the Appropriations II Committee, this Bill did not move. What happened was there were simply not a prerequisite number of Members to receive the 14 votes necessary for a Bill to carry out of that Committee. As a matter of fact this Bill received 11 votes that day to only, I believe, 4 votes...5 votes against this particular measure. What happened here in fact, is the Department of Public Aid and the Court of Claims has adjudicated the legality and...of the fact that these are obligations owed to the Cook County Hospital. On top of that, the Attorney General, who also has appeared in the picture, has agreed that this is a legitimate obligation that the state should honor. I think what's happened here is the Cook County Hospital has gotten involved in-between an argument that they had no...really no... no input in terms of being involved as the culprit in the whole thing. But I'd like to point out to



an article that appeared in the Chicago Tribune on May 23rd, of the kind of burden that is being put on not only Cook County Hospital, but all hospitals across the state because of the slow payment and the inadequate payment of the...ah... state, the Department of Public Aid to reimburse medical payments legally incurred. Cook County Hospital happens to have a residency population of about seventy four Public Aid, Medicare, Medicaid recipients. What happens is, in fact, since... since December of last year, Cook County Hospital has had to exhaust the five million dollar working capital plus a fifteen million dollar loan that they had to make from a private bank in Chicago just to operate that facility, because of the problem they're facing in terms of being reimbursed for legitimate services that they have rendered to people that come to that hospital. I think what's involved here is two point eight million simply typifies what is happening to hospital services where people are dealing with serving the poor. Now, the hospital must have this money the people have been served, they must continue to be served. We have, is not a financial bistatual obligation, we have a moral obligation to meet our commitments to...ah...a legitimate claims that has went through the Court of Claims and I think that's the only issue that we should be addressing in this Amendment. What is happening, in fact, is that private patients, private patients like you, I and others that have to go to these hospitals are in fact subsidizing the state because of the state's slowness in paying and in not paying of the Public Medicaid patients. I just don't think



this is the kind of thing that we want to be responsible for...I...I...know in the case of Cook County Hospital, they have exhausted all legal remedies and they have no way, that we here in the General Assembly should not meet an established obligation that we have before us, I think we should...we should look at this very honestly, we should vote in favor of this Amendment and we should pay the expenditure that was incurred in years gone by, if you will, to insure that that establishment can continue to operate to serve the poor. To serve the people who cannot serve themselves."

Speaker Bradley: "The Gentleman from Cook, Mr. Mann."

Mann: "Well...I just wanted to clarify...ah..something that apparently is troubling the Gentleman from Peoria...ah...even before the...ah...Cook County Department of Public Aid...ah...was merged into the State Department of Public Aid, no funds came from either Chicago or Cook County. ~~The funds~~ always came from the State of Illinois. So, that distinction has no relevance insofar as...ah...as this Legislation is concerned. I mean, if you think that 1970 is too distant in terms of payment, that's one thing, but if you think that...ah...Chicago should have paid it, Chicago never had the...ah...burden, nor did Cook County."

Speaker Bradley: "The Gentleman from Cook, Mr. Shea."

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

Speaker Bradley: "He indicates that he will."

Shea: "Mr. Madison, if the state does not pay or we do not appropriate to pay this claim of the Court of Claims of this almost three million dollars doesn't go to the County, will the property tax



levy of the County have to be used to supplement the budget in that amount?"

Madison: "Absolutely."

Shea: "In other words, what you're saying, as I understand that, that if we do not pay an obligation to the Court of Claims said is a fair and just obligation property taxes in Cook County will have to go up to pay that like amount of money. Is that correct?"

Madison: "That's correct Representative."

Shea: "Thank you sir."

Speaker Bradley: "The Gentleman from Cook, Mr. Madison to close."

Madison: "Well, thank you Mr. Speaker. First of all, in responding to Representative Schraeder, well, I think Representative Mann sufficiently answered the question as to whether it's a genuine debt of...for the State of Illinois. Secondly, this award was originally scheduled to be included in House Bill 3859. It was taken from House Bill 3859 at the request of Doctor Horton...ah...who is Executive Director of the Health and Hospital Governing Commission, because he wanted that claim and the appropriation for that claim to move faster. Now, because of some political shenanigans the Bill to...to make that appropriation got tied up in Committee. Now, it seems to me Mr. Speaker, that there are basically two issues involved here. And only two. The first issue is whether or not these are legitimate debts. Well, the Court of Claims has made the award, there was a joint stipulation in court by the Department of Public Aid, the Attorney Generals Office and others involved that this was in fact a legitimate debt. So, the question as to whether or not it's legitimate



and owed be the state is answered. Yes it is. The second question, Mr. Speaker, is the question that came up in Committee, as to whether or not the Department of Public Aid should pay this claim out of it's current appropriations and there was some mention made in Committee about the Amendment to the Finance Act, that would now allow departments to pay past claims out of current appropriations. Well, the fact is, Mr. Speaker, that these are claims that predated the Amendment to the Finance Act. These and all of us know that the Finance...the Amendment to the Finance Act went into effect in 1975 and it was not retroactive, so there is no way, even if the Department of Public Aid wanted to, there is no way that they can pay these claims. They must come out of the General Revenue Fund through an appropriation or else, as Representative Shea indicated, it will involve an increase in the County taxes in order to pay these claims. I think that we ought to keep the fact that these are the only two issues involved clear and that the answers to those questions are very positive there is a legitimate debt, the Department of Public Aid can not pay it and I would solicit your support for the passage of this Amendment."

Speaker Bradley: "The Gentleman moves the adoption of Amendment #1 to House Bill 3859. All those in favor will say 'aye', opposed 'no'. All those in favor will vote 'aye' and opposed will vote 'no'. Have all voted who wished. Have all voted who wished? Everybody get on, have all voted who wished? Have all voted who wished? The Gentleman from Peoria, Mr. Schraeder."



Schraeder: "Mr. Speaker, I just want to say, this is almost three million dollars and there's another million dollars coming next week."

Speaker Bradley: "Mr. Schraeder...I think Mr. Schraeder talked on the debate and he can't explain his vote. Have all voted who wished? Have all voted who wished? The Gentleman from Cook, Mr. Kosinski, to explain his vote."

Kosinski: "Mr. Speaker and Ladies and Gentlemen. My 'yes' vote is on that board, for what to me is an extremely obvious reason. We established a Court of Claims to make adjudications in cases like this and by our statutes, they are performing their functions. Now, by holding that Bill up in Committee at the time, we are preventing the just payment of this amount of money. We will pay this money. Somewhere along the line, we will pay this money and what the vehicle is that pays that money, isn't terribly important, if we pay this fashion or through the original Bill. Hence, my 'yes' vote."

Speaker Bradley: "Have all voted who wished? The Clerk will take the record. On this question there are 88 'ayes', 47 'nays', 8 voting 'present' and the Gentleman's Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "Third Reading. House Bill. On Second Reading appears House Bill 3891. Read it a second time. It's the intention of the Chair to go through the remainder of those five Bills on Second Reading, go through the Calendar on Third Reading and return to House Bills, Second Reading to pick up two or three Bills that we're waiting for Amendments to be printed on and we'll be going to those again. So, that's what the plans are for



the next hour or so. The... Could you read the Bill a second time, Mr. Clerk. 3891."

Clerk O'Brien: "House Bill 3891. A Bill for an Act to amend Sections of the Nurses Home, Sheltered Care Homes and Homes for the Aged, Second Reading of the Bill. No Committee Amendments."

Speaker Bradley: "The Gentleman from Cook, Mr. Lundy."

Clerk O'Brien: "No Committee Amendments."

Speaker Bradley: "No Committee Amendments? Amendments from the Floor?"

Clerk O'Brien: "Amendment #1. Lundy. Amends House Bill 3891 on page 1, line 19 and so forth."

Speaker Bradley: "The Gentleman from Cook, Mr. Lundy."

Lundy: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3891 is a Bill that was requested by the Department of Mental...or the Department of Public Health to...ah...give that Department emergency closure authority in cases where substandard conditions exist in Nursing and Sheltered Care Homes in the State, which endanger the life or health of residents in the homes. This Amendment would simply clarify the advance notice, the Department must give to the licensee before emergency closure is effective and also clarify the...ah...clarify...ah...the calculation of...ah...the time for advanced notice."

Speaker Bradley: "Discussion? Hearing none, the question is on the adoption of Amendment #1 to House Bill 3891. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "Third Reading. House Bill 3892."



Clerk O'Brien: "House Bill 3892. Mautino. A Bill for an Act making appropriations to the painting of a portrait of former Governor Richard B. Ogilvie. Second Reading of the Bill. No Committee Amendments."

Speaker Bradley: "The Gentleman from Bureau, Mr. Mautino. No..no Amendments? Any Amendments from the floor?"

Clerk O'Brien: "None"

Speaker Bradley: "Third Reading. House Bill 3893."

Clerk O'Brien: "House Bill 3893. Hudson. A Bill for an Act making appropriations to the Illinois Commission on Atomic Energy. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3893 on page 1, line 5, by deleting \$54,865 and inserting in lieu thereof, \$47,000."

Speaker Bradley: "The Gentleman from Cook, Mr. Lechowicz, on the Amendment. Is this your Amendment, sir?"

Lechowicz: "Yes sir, it is."

Speaker Bradley: "The Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you Mr. Speaker, Committee Amendment #1 is a reduction Amendment by \$7,865. It's for the Atomic Energy Commission, which bring us a new total of \$47,000 which is the same dollar amount they had last year and I move for its adoption."

Speaker Bradley: "The Gentleman moves the adoption of Amendment #1 to House Bill 3893. All in favor signify by saying aye, opposed no. The ayes have it, the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "Third Reading. House Bill 3908."

Clerk O'Brien: "House Bill 3908. A Bill for an Act to provide for the designation of flood plains, regulation and construction thereof and penalties provided thereof..."

Speaker Bradley: "Take it out of the record, Mr. Taylor? Take that Bill out of the record. House Bill 38...or 3913."



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Clerk O'Brien: "House Bill 3913. A Bill for an Act relating to the section of supervision, licensing and regulation of alcoholism treatment facility. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3913 on page 1 by deleting lines 22 through 32 and inserting in lieu thereof.."

Speaker Bradley: "The Gentleman from Cook, Mr. Dunn."

Dunn: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, this is a Committee Amendment, which conforms this Bill, which is the Bill providing for the licenser of alcoholic treatment and detoxification facilities. It conforms this Bill to various definitions...a...of the Bill we have already passed and in which is now in the Senate which is the Bill for the revision to the Alcoholism Prevention and Treatment Act and I support this Amendment and I ask your favorable vote."

Speaker Bradley: "The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Will the sponsor yield? You have, here, the new Act entitled Alcoholism Treatment Licensing Act that will have quite an effect on the Department of Public Health, units of local government, and individuals. And I'm just wondering why, with that being the case, you don't allow the uniform effective date to apply so that everybody will have the opportunity of becoming aware of this fact and gearing up to it before it becomes effective. What I'm suggesting is that having this become effective, or having it take effect upon its becoming a law, may lead to some difficulties with respect to initial implementation and administration."

Dunn: "Well, I..."

Speaker Bradley: "...Gentlemen, we're on Second Reading and there's really no response to that, you're going to the bases of the Bill, I don't know the answer to that



but the Amendment is simply conforming the two Acts, the one that has already passed and this one coming along. Do you wish to address yourself to the Amendment, Mr. Schlickman?"

Schlickman: "Well Mr. Speaker, Members of the House, I don't want to jeopardize this Bill. I think it probably is a good one, but I do have to take exception to the Amendment which provides for an early effective date and I just think that considering the import of this Bill and the effect that it will have on many people, it would be wise to stick with the uniform effective date, October 1, 1976, rather than its becoming law."

Speaker Bradley: "Mr. Dunn to close."

Duan: "I urge your favorable vote on Committee Amendment that is only conforming the two Acts as far as terminology and language. As far as the substance of the remarks just made, that is not relevant to this Amendment. The Licensor Act is necessary to the determination of suitable facilities and the money is there, the facilities are ready to go and I can't respond to the Representative's other question."

Speaker Bradley: "The question is on the adoption of Amendment #1 to House Bill 3913. All in favor will signify by saying aye, opposed, no. The question is on the adoption of Committee Amendment #1. All in favor will say aye, opposed, no. The ayes have it and the Amendment' is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "We're going to leave that Bill on Second Reading. Mr. Ryan asked for a fiscal note to be attached to it and we'll leave it on Second Reading, Mr. Ryan, until they receive your fiscal note. Is that alright sir? Alright. House Bills' Third Reading. On the calendar appears House Bill 3036."

Clerk O'Brien: "House Bill 3036. A Bill for an Act to amend



the Regional Port District Act. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from Cook, Mr. Taylor.

Take it out of the record. House Bill 3245."

Clerk O'Brien: "House Bill 3245. Farley."

Speaker Bradley: "Take it out of the record. House Bill 32..no..3302."

Clerk O'Brien: "House Bill 3302. Cunningham."

Speaker Bradley: "Is Mr. Cunningham on the floor? Take it out of the record. Wait a minute. Representative Cunningham, do you wish to proceed, sir, with 3302? House Bill 3302 on Third Reading. Take it out of the record. House Bill 3310."

Clerk O'Brien: "House Bill 3310. Anderson. A Bill for an Act to amend the Illinois Valley Regional Port District Act. Third Reading of the Bill."

Speaker Bradley: "Mr. Anderson? That's the Gentleman from LaSalle, Mr. Anderson."

Anderson: "What this Bill does, it adds nine sections of a township to the Illinois Valley Port Authority. Now this original legislation creating the Illinois Valley Port Authority was introduced by Toby Barry several years ago. The idea being to use...was to use as a vehicle for a regional airport. The leaders in our area have finally decided on a site and this site is within the nine sections of the one township that we need to add to get the ball rolling so I'd appreciate your aye vote on this Bill."

Speaker Bradley: "Discussion? Hearing none, the question is shall House Bill 3310 pass. All in favor will signify by voting aye. Opposed by voting no. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 142 ayes, 1 nay, none voting present, this Bill having received the constitutional majority is hereby declared passed.



House Bill 3428."

Clerk O'Brien: "House Bill 3428. A Bill for an Act making supplemental appropriation to the Department of Transportation. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3428 is a supplemental appropriation to the Department of Transportation from the downstate public transportation fund. And it's for the purpose as stated in Public Act 78-1109 and what this essentially means is the Bi-state Development Agency, which runs the transportation in the St. Louis area, down there, has the auth...last year we voted the authority for two thirty seconds of the sales tax, but we failed to put the Amendment on the Department of Transportation's...a...appropriation Bill and all we're doing now is adding that on as a supplement. In the last hours of the session, last year, we did not get around to doing it so I ask for a favorable vote."

Speaker Bradley: "Discussion? Hearing none, the question is shall House Bill 3428 pass. All those in favor will signify by voting aye, opposed by voting no. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question we have 119 ayes, no nays, 14 voting present. This Bill having received the constitutional majority is hereby declared passed. House Bill 3436."

Clerk O'Brien: "House Bill 3436. Yourell. A Bill for an Act to exempt the units of local government, school districts, from certain fees. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from Cook, Mr. Yourell."

Yourell: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3436 amends an Act concerning fees Sheriff, Recording Clerk in counties over one millions,



affects, just Cook County. It exempts units of local government and school districts from paying the fees as prescribed in the statutes relative to those three offices. It also amends the Act concerning fees for appeals in any court in the same manner. This Bill was designed to alleviate the situation where the units of local government and school districts in Cook County have been paying to the three offices mentioned fees for performing services. And it's in the judgment of the county that this is not in the best interest of local government and there was no opposition to the Bill from the County of Cook and I urge your support of House Bill 3436."

Speaker Bradley: "Discussion? Hearing none, the Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you Mr. Speaker, will the sponsor yield?"

Speaker Bradley: "He indicates that he will."

Ryan: "Representative Yourell, why did you just keep this in Cook County?"

Yourell: "That's where the request came from Representative Ryan."

Ryan: "I see. Would you support...would you support a similar measure for downstate?"

Yourell: "I certainly would."

Ryan: "Thank you."

Speaker Bradley: "Does the Gentleman wish to close? Mr. Yourell? Well, we'll put the question. Mr. Yourell? The question is shall House Bill 3436 pass. All those in favor will signify by voting aye, opposed by voting no. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question we have 140 ayes, no nays, 1 voting present. This Bill having received the constitutional majority is hereby declared passed. House Bill 3485."

Clerk C'Brien: "House Bill 3485. A Bill for an Act to amend



sections of the Revenue Act. Third Reading of the Bill.
Speaker Bradley: "The Gentleman from Knox, Mr. McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3485 is a permissible salary increase for township tax assessors in all counties with the exception of Cook County. This is strictly permissive, it does not put any minimum salary in, it is merely permissive for the Board of Auditors of a township to increase salaries of an assessor if they so wish."

Speaker Bradley: "Discussion? Hearing none, the question is shall House Bill 3485 pass. All those in favor will signify by voting aye, opposed by voting no. Have all voted who wished? Have all voted who wished? Schneider, aye. Somebody push Schneider's aye, would you please? Have all voted who wished? The Clerk will take the record. On this question there are 134 ayes, 8 nays, 1 voting present and this Bill having received the constitutional majority is hereby declared passed. House Bill 3486."

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

Speaker Bradley: "...take it out of the record. 3489."

Clerk O'Brien: "House Bill 3489. Kane. A Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from Sangamon, Mr. Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3489 has now become known as the Omnibus Safety Bill. It makes our streets safer for everybody. There are two parts to this Bill that is now before the House. The first part of House Bill 3489 extends the deadline for retrofitting school buses with eight flasher light systems to 1981. The present deadline for refitting all existing school buses with eight light systems is December 30th of 1976. Now this Bill has no effect



new buses that are now being purchased by school districts. It only applies to the deadline for retrofitting. There are presently some 6000 school buses in the State that are equipped with four light flashing systems which will have to be retrofitted this summer at a cost of some \$300 per bus. This will cost the school districts of our State some two million dollars. Many of our school districts do not have that kind of money and in this year of fiscal crises and fiscal restraint, this is something that will save our school districts a considerable amount of money and will have no effect on the safety of our school buses. There are only twelve states out of the fifty that presently mandate the retrofitting of existing school buses. I think it's interesting to note that since the federal government has recommended eight light systems and is asking for them on new school buses that in 1977 or next year, subsequent to their action, they are going to send a study to see which is the safer system. It seems like they are doing things backwards instead of finding out which is the safer system before they recommend an eight light system, they are recommending an eight light system and then they are going to conduct a study to see whether the four light or the eight light system is actually safer. The only figures that we have on the safety of eight light systems comes from 1962...a..the only figures that are reported for that are percentage figures. We made several attempts to find out exactly how many buses were in the sample, how large the sample was, what kind of a study that was and we couldn't obtain those figures. The other part of the Bill is the Amendment that was offered by Representative DiPrima yesterday, which would allow



solicitation on municipal streets only in municipalities that allow it by specific municipal ordinance and I'd ask for the favorable vote of the House."

Speaker Bradley: "The Lady from Cook, Ms. Catania."

Catania: "Thank you Mr. Speaker and Members of the House, as the Gentleman from Sangamon said, this Bill has an additional provision now which will allow municipalities to pass ordinances permitting solicitation in the streets, solicitation for employment, business or contributions. And I guess that will be solicitations and the occupants of vehicles with flashing red lights. Speaking to the red light portion of the Bill, I would like to point out that the Gentleman from Sangamon is misinformed. There are eighteen states which now mandate the eight lamp system. There are three others that are in the process of retrofitting. I would also like to point out that according to a survey done by the Office of Education, about three weeks ago, by the end of the summer, there will be 6,270 buses retrofitted with the safe flashing light system. There will be only 2,150 left. That means that a lot of people will have gone to the expense of meeting this deadline, which we decided to impose when we adopted this original legislation sponsored by Senator Glass two years ago. That means that ought the people who have set aside the money and decided to take this step towards safety are going to be dealt with unfairly at the advantage of all these other people who are digging in their heels and saying we won't do it, we don't care if it does mean additional safety for children. I would also like to point out if I may, that in counties of McHenry, Lake, Kane, Cook, DuPage, Kendall and Will, only seventeen buses will be left at the end of the summer that will not have this flashing



light system retrofitted. This is a special interest Bill for a couple of downstate school districts that have refused to even begin to meet the deadline, which they were aware of two years ago. Now Illinois has taken a position of being in favor of moderate school bus safety. That school bus that crashed in California last week was twenty-six years old. The basis on which we are being asked to vote for this legislation is that school buses only stay out on the road for seven or eight years. But believe me, if we pass this deadline extension Bill today, in five years, we'll be told that there's no point in retrofiting flashing lights on buses that are, say, fifteen years old and therefore, they want another extension for all those buses and we still won't have uniformity and we still won't have safety. Failure to have flashing...an eight light flashing system on all the buses is in direct violation of the National Highway Traffic Safety Administration, Standard Seventeen, in the Uniform Motor Vehicle Code. There has been studies done and the National Highway Traffic Administration develops Standard Seventeen as a result of ~~extensive~~ extensive hearings in Congress, which Senator Percy among others, championed the cause of school bus safety. I also have to add that we had a Resolution here a few weeks ago saying that we condemned a man who snuffed out the lives of eight student nurses. I don't want to be responsible for snuffing out the lives of innocent school children in Illinois. I ask you to join me in defeating this Bill."

Speaker Bradley: "The Gentleman from Cook, Mr. Davis."

Davis: "Mr. Speaker and Ladies and Gentlemen of the House, I have the distinct pleasure of presenting to the House of Representatives on the Democratic side, here, the eighth grade students from the Lahoma Township



Grade School. The faculty members is Mr. Ed Hamilton and Gary Brendel. The school is located in the 42nd District, represented by three of the most distinguished Members of this General Assembly, the Honorable Leinenweber, Sangmeister, and VanDyne. Will the eighth grade from Lahoma School please stand? Thank you."

Speaker Bradley: "The Gentleman from Sangamon, Mr. Kane, do you wish to close sir?"

Kane: "I would like to just respond to, very briefly, it's true that only two or three states have not mandated eight light flashing systems for new buses. This Bill has absolutely nothing to do with that mandate. Illinois has that mandate. It will continue to have that mandate after this Bill is passed. All we're talking about is the requirement to retrofit old buses and we're extending the deadline for that because of the kind of fiscal crisis that our schools are going through this year. The school districts don't have this kind of money and if they're going to do it, they are going to have to take it out of educational programs and I would ask for the favorable Roll Call."

Speaker Bradley: "The question is shall House Bill 3489 pass. All those in favor will signify by voting aye, opposed by voting no. Have all voted who wished? Have all voted who wished? The Gentleman fromMr. Brinkmeier, to explain his vote."

Brinkmeier: "Mr. Speaker and Members of the House, I'm sure every Member of this House wants safety for our youngsters, but I think there's another area here that deserves equal consideration and that is the priority of educational dollars. Just a week or two ago, I attended a meeting of school board members and school administrators. In northwestern Illinois, they are... or elsewhere in the State, they are very hard pressed



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and they're very much concerned about this and I see... whoops...we have 89, but I would remind you that this is a priority, it should be where should the dollars best be spent and I have yet to be convinced that these extra lights are really going to contribute anything to the safety of those youngsters."

Speaker Bradley: "The Gentleman from Cook, Mr. Marovitz, to explain his vote."

Marovitz: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, according to the facts and figures, 2133 buses that have not yet complied in downstate counties in Illinois. By setting the date on this, we are effectively telling the counties and school districts that they don't have to comply and I think that the safety of the children of the State of Illinois is much more important than any other consideration that we can give at this time. And I think that there's no reason we should give these counties in the 2133 buses that have not complied any extra time to comply and if this kind of requirement is going to increase the safety for the children in the State of Illinois, I think it's time that we mandate that. I'm voting no."

Speaker Bradley: "The Gentleman from Lake, Mr. Deuster to explain his vote."

Deuster: "Well Mr. Speaker in explaining my no vote, this subject was thoroughly reviewed last year and changes were made because there were some needy schools, but I haven't heard from one of my schools about the burden of this and I think it's absolutely unfair to pass a law and to have the law abiding school district to go out and make the changes and make the expenditures and then two years later have all the others come in and say well we want an exemption or an exception from



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it. Most of the schools that I know have complied. This is a matter of the safety of the children and as I say, it was thorough reviewed last year and why didn't they squawk, why didn't they tell us about the problem last year, but they've just sat on their hands while some of the law abiding respectable school districts have proceeded to comply with the law. Now they've come running in at the eleventh hour and asked for another five years or whatever the time is. I think that we ought to have uniformity out on the road and we ought to have all of the...all of the schools in compliance and those who have just hung on toward the end hoping that someone might bail them out with some legislation, I don't think they should be rewarded, I earnestly solicit your no vote."

Speaker Bradley: "The Gentleman from Knox, Mr. McGrew, to explain his vote."

McGrew: "Thank you very much, Mr. Speaker. There's been a lot of talk, a lot of hot air on this issue. It was pointed out that a great number of schools have indeed done this retrofitting. However, the same Lady that gave you that information will readily concede that over half of those districts that she is saying have been taken care of, have said indeed, they plan to do it this summer, they have not yet retrofitted buses for the eight light system. There's a great deal of rhetoric now saying that this is for the safety of the kids. It is indeed for the safety of the kids, but we do not need to go back and spend \$300 per bus because we...they do indeed have a flashing red light system. We'll just tell them that we would like uniformity, that's all that this Bill would have done. This Bill extends that time to have the uniformity so we are indeed not jeopardizing any



school children's lives, we are just merely saving \$350 per bus, per district, and I think that all of you should realize that in this time of tight dollars, that's extremely important. I asknow as to the point that the school districts did not try, they did indeed, and I suggest that the Gentleman who said that the school district had not been heard from go back and look at the Amendment that was offered, that was defeated and the school district immediately began writing several of the districts that have a great number of school buses in them. I can't for the life of me figure out why we have 56 no votes. I suggest that we vote for this and get on with it, Mr. Speaker."

Speaker Bradley: "The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, we find ourselves in a situation which I think we find ourselves in unfortunately, too often. We made a decision last session and most of the school districts took it seriously. I opposed the eight light system being imposed so quickly last session, but the majority of you at that time said, no, we should do it now. And the school districts took us seriously. Here we are going back with over three-fourths of the school district, at least in terms of number of buses, having complied or indicated their intention to comply and we're going to change the rules in the middle of the game again. This type of action is the type of action which causes us more difficulty than what we do initially. It's for this reason that I am opposing this Bill so that we can maintain a consistent posture on this particular issue."

Speaker Bradley: "The Gentleman from Cook, Mr. Berman."

Berman: "Well Mr. Speaker and Ladies and Gentlemen of the House, I think we're making a mistake here and I would hope that we would take another look at this. There



were hearings held under the auspices of the School Problems Commission, which thoroughly discussed the advisability of an eight light flasher system. This General Assembly passed a Bill that mandated it. There was testimony heard from throughout the country as well as throughout the State that an eight light flasher system was a safer way for school buses to operate than a four light flasher system. With a four light flasher system, the school buses have to use the same red lights to slow down as they do to stop. That is confusing to other motorists and encourages accidents. In Office of Education surveys of seventy-eight regional superintendents, sixty of them reported that out of a total of 9,221 buses, 1,756 had been converted to the eight lamp system and that another 4,000 were in the process of conversion. That means that 62% of the buses have already been converted. Now we're changing the law and penalizing those people that have followed our dictate as far as making their school buses safer. That is no way to set guidelines either for school bus safety or for State policy. We are reversing ourselves on a very crucial issue here involving the safety of children on school buses and I would urge more red lights in opposition to this Bill."

Speaker Bradley: "The Lady from Lake Ms. Geo-Karis, to explain her vote."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I think the issued boils down to what price is life. When you are taking the life of children and you don't care about it, it worries me. I'm sure the sponsor means well, but I cannot agree with him on this Bill because we cannot afford to be chinzy about our children. And that's what we are doing now if we



vote for this Bill. If you want it on your conscience to ahead and pass this Bill. I don't want it on mine and I am voting no and I urge more no votes on this Bill."

Speaker Bradley: "Have all voted who wished? The Gentleman from Cook, Mr. Duff, to explain his vote."

Duff: "Well Mr. Speaker, Ladies and Gentlemen of the House, I really don't understand why we have shown so little pride this year in the work that we did last year and this any many other subjects, alcoholism, speedy trials, school buses. It seems like all you have to do anymore is ignore what the General Assembly did and don't follow the law and eventually maybe they'll give in. We are in a tough money bind this year, but somebody said in one of the national columns last week that we say we like kids in this country, but we don't act like it very often. We've made a minimum step forward last year in this area and I think it's a shame if we take a step backward right now. I really think that this is not the place to save our pennies. Many many people in this room have kids that ride school buses or grandchildren, nieces, nephews, sisters, brothers. And we can be confronted with the kind of tragedies that we've seen lately. It seems to me that we ought to be able to get this a little lower."

Speaker Bradley: "Have all voted who wished? The Gentleman from Union, Mr. Choate, to explain his vote."

Choate: "Not to explain my vote, but I'd like someone from the large city at the northern end of the State to tell me how many flashing lights the C.T.A. buses have that haul the children to school?"

Speaker Bradley: "The Gentleman from Logan, Mr. Lauer, can you respond to that sir?"

Lauer: "I would say to the Gentleman from Union that he has



stuck upon a point that I think that is very well taken. I get awfully tired, Ladies and Gentlemen of the House, of listening to people play hearts and flowers when they have some flashing lights on school buses and probably the safety record of school buses is better than any other class of vehicle in this State. It seems to me silly to be throwing good money away when we have a crying need in the field of educational funding by insisting upon putting eight lights rather than four lights or two lights on a school bus. People in the area where school buses are used are fully familiar with school buses with the safety requirements on them with the patterns that school buses use in the take up and discharge of passengers and I would suggest to those who are voting no that you are about as wrong-headed as you can get and you play your bleeding heart cello much to the detriment to the kids of this State."

Speaker Bradley: "Have all voted who wished? The Gentleman from Peoria, Mr. Schraeder, to explain his vote."

Schraeder: "Well Mr. Speaker, I hope that holds up there at 94 or better because you're talking about a million and a quarter dollars throughout the State and my district just had a referendum passed successfully and if you vote this Bill out, you are going to save my district and we're going to be able to educate the kids, not transport them. What's more important? Education or transporting the kids. I think we got to have this Bill."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? The Lady from Cook, Ms. Catania."

Catania: "Thank you Mr. Speaker, I would like to request a verification on behalf of my children who ride a school bus."

Speaker Bradley: "The Gentleman from McHenry, Mr. Skinner, to



explain his vote."

Skinner: "Well I'd just like to reiterate that of the seven metropolitan counties, at the end of this summer, and that means they've already budgeted for it, only seventeen school buses will not have these eight lights and if we've got to pay for them it seems to me absolutely just that everybody in the State have to pay for them."

Speaker Bradley: "The Lady from DuPage, Mrs. Dyer, to explain her vote."

Dyer: "And to those who say they'd rather use this money on educating kids than transport them, I just might say it's very difficult to educate a dead child."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. I'm sorry, Mr. Kane, did you wish to explain your vote sir?"

Kane: "No, I'd like a poll of the absentees."

Speaker Bradley: "There's 96 ayes and 76 nays and there's been a request for a verification. The Gentleman requests a poll of the absentees, the Clerk will poll the absentees."

Clerk O'Brien: "Boyle. Capuzi. Domico. Friedrich. Giglio. J. D. Jones. Peters. Tuerk. Wall. Winchester."

Speaker Bradley: "Call the...call the affirmative Roll."

Clerk O'Brien: "Anderson. Arnell. E. M. Barnes. J. M. Barnes. Beaupre. Birchler. Bradley. Gerald Bradley. Brandt. Brinkmeier. Brummet. Byers. Campbell."

Speaker Bradley: "Just a minute, I think the Lady is having trouble seeing. Could we clear the aisles and have everybody...all the Members in their seats please so the Lady can see a little better?"

Clerk O'Brien: "Choate. Coffey. Collins. Craig. Darrow. Davis. Deavers. DiPrima. John Dunn. Ralph Dunne. Ewing. Farley. Fleck. Flinn. Gaines. Garmisa. Giorgi. Griesheimer. Grotberg. Hill. Hirschfeld.



Ron Hoffman. Hudson."

Speaker Bradley: "Representative Domico would like to be recorded as voting aye. I think Representative Emil Barnes...Mr. Barnes, you wanted to be recorded as voting present?"

Clerk O'Brien: "Change him to present?"

Speaker Bradley: "Change him from aye to present."

Clerk O'Brien: "Jacobs. Jaffe."

Speaker Bradley: "For what purpose does the Gentleman from Cook, Mr. Gaines, arise? The Gentleman is recorded as voting aye. Please record him as voting present."

Clerk O'Brien: "Kane. Keller. Kelly. Kempiners. Kent. Klosak. LaFleur. Lauer. Leinenweber. Leon. Londrigan. Lucco. Luft. Madigan. Maragos. Matijeovich. Mautino. McAvoy. McClain. McGrew. McMaster. McPartlin. Meyer. Miller. Mudd. Mulcahey. Nardulli. Neff. O'Daniel. Polk. Riccolo."

Speaker Bradley: "For what purpose does the Gentleman from Cook, Mr. Taylor arise?"

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

Speaker Bradley: "How is the Gentleman recorded?"

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

Taylor: "Would you change that to aye please?"

Speaker Bradley: "Change the Gentleman as voting aye... record him as voting aye."

Clerk O'Brien: "Richmond. Ryan. Sangmeister. Satterthwaite. Schisler. Schoeberlein. Schraeder. Schunenman. Sharp. Shea. Stearney. E. G. Steele. C. M. Stiehl. Stone. Stubblefield. Taylor. Tipword. Totten. VanDuyne. VonBoeckman. Waddell. Walsh. Washburn. White. Willer. Wolf. Yourell. Mr. Speaker."

Speaker Bradley: "The Gentleman from Cook, Mr. Williams, for what purpose do you rise sir?"

Williams: "I want to change my vote from no to aye."



Speaker Bradley: "The Gentleman is recorded as voting no.
Please record him as voting aye."

Clerk O'Brien: "Is that Williams?"

Speaker Bradley: "The Gentleman from Cook, Mr. Pouncey."

Pouncey: "Mr. Speaker, will you please change my vote to
aye, please."

Speaker Bradley: "Record Mr. Pouncey as voting aye. The
Gentleman from Cook, Mr. Patrick, for what purpose
do you rise sir?"

Patrick: "Mr. Speaker, change my no to aye."

Speaker Bradley: "Record the Gentleman as voting aye.

Now questions of the affirmative Roll."

Catania: "Mr. Speaker, what's the count right now please?"

Speaker Bradley: "Just a minute."

Clerk O'Brien: "99 ayes, 66 noes."

Speaker Bradley: "You have 99 ayes, 66 voting nay."

Catania: "Okay, is Representative Hirschfeld on the floor?"

Speaker Bradley: "Representative Hirschfeld? He's not in
his chair. How's the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Catania: "Representative Griesheimer?"

Speaker Bradley: "Representative Griesheimer is in the
aisle."

Catania: "Representative Beaupre?"

Speaker Bradley: "Representative Beaupre is in his seat."

Catania: "Representative Ewing."

Speaker Bradley: "Representative Ewing is in his chair."

Catania: "Representative Farley?"

Speaker Bradley: "Representative Farley is in his chair."

Catania: "Representative Garmisa?"

Speaker Bradley: "Representative Garmisa is in his chair?"

Catania: "Representative Giorgi?"

Speaker Bradley: "Pardon?"

Catania: "Representative Giorgi?"



Speaker Bradley: "Representative Giorgi? Is Representative Giorgi in the chambers? How is the Gentleman recorded?"

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

Speaker Bradley: "How's the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Catania: "Representative Hill?"

Speaker Bradley: "Representative Hill? He's right in the aisle."

Catania: "Representative Keller?"

Speaker Bradley: "Representative Keller? How's the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Catania: "Representative Mautino?"

Speaker Bradley: "Representative Mautino is in his seat and Mr. Giorgi has returned to the chambers and put him back on the Roll."

Catania: "Representative McClain?"

Speaker Bradley: "Representative McClain is in his chair."

Catania: "Representative Totten?"

Speaker Bradley: "Representative is on...right over here."

Catania: "Representative VanDuyne?"

Speaker Bradley: "Representative VanDuyne? Is Representative VanDuyne in the chambers? How is the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Catania: "Representative White?"

Speaker Bradley: "Representative White? He's back in his chair."

Catania: "Representative Jane Barnes?"

Speaker Bradley: "Representative Jane Barnes? Is the Lady in the chambers? She's right here in front."



Catania: "Representative Davis?"

Speaker Bradley: "Representative who?"

Catania: "Corneal Davis."

Speaker Bradley: "Representative Davis? Representative Davis in the chambers? Representative VanDuyne has returned and place him back on the Roll. Representative Davis, how's the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Catania: "Representative McAvoy?"

Speaker Bradley: "Representative McAvoy is in his chair."

Catania: "Representative Meyer?"

Speaker Bradley: "Representative Meyer is in the back of the chamber, the rear of the chambers."

Catania: "Representative Richmond?"

Speaker Bradley: "Representative Richmond is in his seat."

Catania: "I thought I saw Representative Sangmeister, but I don't see him right now."

Speaker Bradley: "Pardon?"

Catania: "Sangmeister?"

Speaker Bradley: "Representative Sangmeister? He's right here in the front."

Catania: "Representative Schisler?"

Speaker Bradley: "Representative Schisler is in his chair."

Catania: "Representative Fleck?"

Speaker Bradley: "Representative Fleck is in his chair and Mr. Hirschfeld has returned to the chambers, put him back on the Roll. The Gentleman from Cook, Mr. Huff, for what purpose do you arise?"

Huff: "Mr. Speaker, will you change my no vote to an aye?"

Speaker Bradley: "Record the Gentleman as voting aye. Are there further questions of the affirmative Roll?"

Catania: "Representative Schuneman?"

Speaker Bradley: "Representative Schuneman is in his chair."



Catania: "That's all. Thank you Mr. Speaker."

Speaker Bradley: "On this question there are 98 ayes, 65 nays and this Bill having received the constitutional majority is hereby declared passed. House Bill 3512."

Clerk O'Brien: "House Bill 3512. A Bill for an Act to amend sections of the Juvenile Court Act. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from Will, Mr. Kempiners."

Kempiners: "Thank you Mr. Speaker, this is a rather simple Bill that just makes explicit what is implicit in the Juvenile Court Act and that is it adds words to the duties of the Probation Department that indicate that it is to keep financial records related to juvenile detention. Until a conflict arose in Will County, it was assumed by your county board that it was the duty of the Probation Department and due to the fact the records were missing and we found we owed in excess of \$50,000 to other counties for the housing of these juveniles, we discovered that the law is not clear. Where these records are to be kept, the Urban County Council surveyed a number of counties in the State and found that every county they talked to, the Probation Department keeps these records so I'm just putting into law what is already in practice and I would urge an aye vote."

Speaker Bradley: "Discussion? Hearing none, the question is shall House Bill 3512 pass. All those in favor will signify by voting aye, the opposed by voting no. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 141 ayes, 1 no, 1 voting present. This Bill having received the constitutional majority is hereby declared passed. House Bill 3515."

Clerk Selcke: "House Bill 3515. An Act making the supple-



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mental appropriations to the State Board of Education for certain disbursements of monies. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker and Members of the House, this Bill, 3515, will make a supplemental appropriation available to the Office of Education to be expended between now and September 30th in the areas of comprehensive employment and training acts for \$2,512,000 for the distribution of school districts and in accordance with the community school lunch and breakfast program of \$1,312,000 and for the...or for the total of \$2,512,000 federal funds. Excuse me on that first amount. That was \$1,200,00 for the CEDA program. These are totally federal funds to be expended on behalf of the citizens of Illinois and we urge a favorable vote on this Bill."

Speaker Bradley: "Discussion? Discussion? Hearing none, the question is shall House Bill 3515 pass. All those in favor will signify by voting aye. Opposed by voting no. Have all voted who wished? Somebody who is back in Mr. Kempiner's chair, please vote him aye. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question we have 131 ayes, 11 noes, 6 voting present, this Bill having received the constitutional majority is hereby declared passed. House Bill 3518, take it out of the record. We're going to deviate for just a second and go to Senate Bills' Second Reading. We will come back to the House Bills' Third Reading. We've got four Bills on Second Reading in the Senate. Senate Bills we'd like to move. Senate Bills' Second Reading appears Senate Bill 1605. Mr. Beaupre."

Clerk Selcke: "Senate Bill 1605. A Bill for an Act to



provide for the ordinary and contingent expenses for the..."

Speaker Bradley: "...take it out of the record. 1634. Senate Bill 1634."

Clerk Selcke: "Senate Bill 1634. An Act to provide for the ordinary and contingent expense of the Illinois Legislative Investigative Commission. Second Reading of the Bill. We got any Amendments on this? No Committee Amendments."

Speaker Bradley: "Any Amendments from the floor?"

Clerk Selcke: "None."

Speaker Bradley: "Third Reading. Would all those not entitled to the floor, all those not entitled to the floor, please leave the chambers? All Members be in their seats and those not entitled to the floor..and would the doorkeeper see that those people not entitled to the floor be removed from the chambers? Senate Bills' Second Reading appears 1605."

Clerk Selcke: "Senate Bill 1605. A Bill for an Act to provide for the ordinary and contingent expense for the Local Government Officers Training Board. Second Reading of the Bill. No Committee Amendments."

Speaker Bradley: "Any Amendments from the floor?"

Clerk Selcke: "None."

Speaker Bradley: "Third Reading. House Bill 1639."

Clerk Selcke: "Senate Bill 1639..."

Speaker Bradley: "...Senate Bill 1639..."

Clerk Selcke: "...A Bill for an Act making appropriations to the Joint Committee on Legislative Information Systems. Second Reading of the Bill. No Committee Amendments."

Speaker Bradley: "Any Amendments from the floor?"

Clerk Selcke: "None."

Speaker Bradley: "Third Reading. House Bills' Second Reading



we're going to pick up one House Bills' Second Reading.
Mr. Chairman what number was that Bill? Turn Mrs.
Chapman on."

Chapman: "3376 Mr. Speaker."

Speaker Bradley: "3376."

Clerk Selcke: "House Bill 3376. A Bill for an Act to provide
for the ordinary and contingent expense of the Department
of Public Health. Second Reading of the Bill. Two
Committee Amendments. Committee Amendment #1. Amend
House Bill 3376 by striking everything after the
enacting clause and so forth."

Speaker Bradley: "The Lady from Cook, Mrs. Chapman."

Chapman: "Mr. Speaker, this is a...a...the Committee Amendment
...a...Committee Amendment and...a...I would move its
adoption. It decreases the amount spent from the
General Revenue Fund by \$1,600,700, but it increases
through the use of federal funds, the appropriation
by the amount of \$8,741,000."

Speaker Bradley: "The Gentleman from Cook, Mr. Madigan."

Madigan: "For purposes of an announcement, Mr. Speaker, seated
in the gallery behind the Speaker's podium is a group
of women from the New Horizon Center for Retarded
Children in Chicago from the 16th Legislative District
represented by Representatives Capparelli, Kosinski and
McAuliffe."

Speaker Bradley: "The Gentleman from Cook, Mr. Barnes."

Barnes: "Thank you very much. Mr. Speaker and Members of the
House, Committee Amendment #1 makes a reduction, a
total reduction of \$879,344 in various parts of the
budget. It reduces personnel and retirement in the
management services by \$32,138, it reduces eighteen
positions in personal service and travel by \$314,996,
it reduces \$120,00 in health services, it also reduces
management service by \$139,510, it reduces by \$105,000
management service and consumer health protection, it



reduces \$90,000 in health services and management services, it reduces \$6,700 in health facilities and quality care. It reduces \$71,000 for the rape treatment program and it breaks out the grant and aid in the health system agency at zero amounts. The total amount is \$879,344."

Speaker Bradley: "The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you Mr. Speaker, will the Gentleman yield for a question, Representative Barnes?"

Speaker Bradley: "The Gentleman indicates...Mr. Ryan?"

Representative Barnes? Proceed sir, I'm sorry."

Ryan: "Representative Barnes, after you got through reading that whole list, I'm not sure the net effect of this Amendment is to add \$8,869,500 to this Bill. Is that correct?"

Barnes: "That's absolutely correct. My speaker was cut off before I finished what I was saying...was that was the part that I read off what the reduction...but overall there was an addition of approximately \$10,754,405 federal dollars which would make a net increase of \$8,869,005."

Ryan: "Right, we took \$1,885,000 out of General Revenue and added \$10,754,500 of federal funds. Is that correct?"

Barnes: "That's correct."

Ryan: "Thank you."

Speaker Bradley: "Does the Chairman wish to close? The question is on the Lady's motion to adopt Senate Amendment...er...a..House Amendment #1 to House Bill 3376. All those in favor will say aye. Opposed, no. The ayes have it; the Amendment is adopted. Are there further Amendments?"

Clerk Selcke: "Committee Amendment #2. Amend House Bill 3376 as amended by inserting immediately after Section 9, the following and so forth."

Speaker Bradley: "Mr. Barnes, are you in on Amendment #2?"



Barnes: "Thank you very much, Mr. Speaker. Mr. Speaker and Members of the House, this Amendment is for \$6000, it addresses itself to a problem downstate on the bird problem that they have down there and I would move for the adoption of Amendment #2, Committee Amendment #2."

Speaker Bradley: "The Gentleman moves for the adoption of Committee Amendment #2 to House Bill 3376. All those in favor will signify by saying aye, the opposed no, the ayes have it and the Amendment is adopted. Are there further Amendments?"

Clerk Selcke: "Amendment #3. Lundy. Amend House Bill 3376 as amended by striking everything after the enacting clause and so forth."

Speaker Bradley: "The Gentleman from Cook, Mr. Lundy."

Lundy: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, this Amendment was intended to restore some funds to this Bill that had been taken out by earlier Amendments, but the Department and the Committee staff have reached agreement on another add-back so I ask leave to table this Amendment."

Speaker Bradley: "The Gentleman asks leave to table Amendment #3. Hearing no objections, the Amendment is tabled. Are there further Amendments?"

Clerk Selcke: "Amendment #4. Gene Barnes. Amend House Bill 3376 by striking everything after the enacting clause."

Speaker Bradley: "The Gentleman from Cook, Mr. Barnes."

Barnes: "Thank you very much. Mr. Speaker and Members of the House, what Committee Amendment #4 tries to draft is a situation that was pointed out to us in Committee concerning the availability of federal funds as a . . . a . . . it relates to General Revenue Funds in a certain area of a long term care program. What we tried to do



here was reach an agreement to insure that that program could be operative without adding any additional burden on the already appropriation for the Department. So what, in effect, this Amendment will do is add eight positions in that area to restore the dollar amount of \$105,311, it will also restore \$120,000 in the area of hypertension registry programs, which we received since the Committee meeting. The additional information that we requested at that time and the net effect of this Amendment would be to add back approximately \$225,300...311 dollars, I would move for the adoption of Committee Amendment...I move for the adoption of Floor Amendment #4."

Speaker Bradley: "Now..for what purpose does the Gentleman from Cook, Mr. Walsh, arise?"

Walsh: "Mr. Speaker, I arise for the purpose of introducing the Republican Womens' Club from Crawford County. They are in the Democratic side in the east balcony."

Speaker Bradley: "They sit in good taste sir."

Walsh: "Mr. Speaker, I must also add that these lovely ladies are represented very capably by Representative Cunningham, Representative Keller, and Representative O'Daniel."

Speaker Bradley: "The Gentleman from Kankakee, Mr. Ryan, on the Amendment."

Ryan: "Thank you Mr. Speaker. Will the Gentleman yield?"

Speaker Bradley: "He indicates that he will."

Ryan: "Representative Barnes, does Amendment #4, if I am correct, strikes everything after the enacting clauses? Is that right?"

Barnes: "Yes, in effect, it does, but it puts back everything in the exact shape that it was in with the exception of the two items which I pointed out."

Ryan: "Well then, Representative Barnes, I wonder why, you



know, we didn't hear about this Amendment. We spent a lot of time on this Bill in Committee and had come to several agreements on this Bill, now all of a sudden an hour before it's to be called, somebody sounds like, made a deal to put eight or ten more people back on the payroll. Now I have no objection to the \$120,000 for the hypertension program, but for the life of me, don't understand how we can put in another eight employees. We worked this Bill over pretty good in Committee, Representative Barnes, and now an hour before it's called, my staff and myself hear about another Amendment to add eight employees. Can you explain that to me please?"

Barnes: "Yes, the explanation is very simple. As you remember in Committee, it was discussed about whether or not we would have the information that was necessary to back up the amount that was proposed in the area of long term care. That information, since Committee, has been forthcoming. These are not new people. These people are already on board and the net effect of this Amendment will simply have available...this will provide a net of \$9,000,000 of the 10.7 million dollars federal funds that was forthcoming that was originally in the original Amendment. So these people that we are talking about, the eight people, are people that are currently on board and are necessary for the new type of nursing home inspection, which the State licensor and statistic program requires."

Ryan: "Well Representative Barnes, you just voted for Amendment #1, we've increased this budget by over \$8,000,000, almost \$9,000,000, and now we've got to have eight more people to the tune of another \$240,000. I understand that's all General Revenue money. Is that correct?"



Barnes: "No, you don't have another eight people at \$240,000... at \$225,000, you have another eight people at \$105,311, which would...which will be, according to the information we have received as was requested in Committee, which will approximately be 70% reimbursable from the federal government."

Ryan: "That's of the \$105 you are talking about or the \$120?"

Barnes: "Of the \$105,300."

Ryan: "And that'll be 70% reimbursable?"

Barnes: "Approximately 70% reimbursable."

Ryan: "Possibly?"

Barnes: "Now approximately. It is reimbursable. The percentage of reimbursement is between sixty to seventy percent. We..we ...from the information that we have received from the federal program, from H.E.W., that it will be approximately at the higher 70 percent level. It will not be less than 60%."

Ryan: "Well the Department had indicated there was supposed to be federal funding for this program. What happened to that?"

Barnes: "What they do as they get federal funds for the overall program on the on-going basis, these people are an integral part of the program. This, as I said before, is for our own, our State expanded requirement for additional inspection which will, under the federal program, be reimbursable, as I said. Approximately 70% of it or 77 cents on the dollar will be reimbursed by the federal government. So it is an integral part of those overall federal programs."

Ryan: "Has there been a committment by H.E.W. to fund this?"

Barnes: "Has there been a committment?"

Ryan: "Yes."

Barnes: "It's been a committment that the program will be reimbursed at the percentage that I gave you."



Ryan: "Well Mr. Speaker, addressing myself to the Amendment."

Speaker Bradley: "Proceed sir."

Ryan: "I would oppose this Amendment, not to the hypertension program and would even entertain Amendment #5 if Representative Barnes would hold his #4. I for the life of me, can't understand why we have to have these eight other employees. After we worked this Bill over and spent many hours on it in Committee, we decided that these employees in these slots were not needed. I still feel that way and feel that the hypertension program is probably a good program it should be put back in and that should be done in Amendment #5 and so I would have to oppose Amendment #4 at this time."

Speaker Bradley: "The Gentleman from Cook, Mr. Lundy."

Lundy: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. The eight additional positions to which Representative Ryan says he objects in this Amendment are for nursing home inspectors to implement a system of quality care review, which has been under development to a federal grant in this State for the last two years. Now as Representative Barnes pointed out, these positions are 70% reimbursable by the federal government, but the money must first be expended from General Revenue Funds for reimbursement before we are eligible for reimbursement. So what we are really talking about here is a meager \$30,000 for eight additional nursing home inspectors to guarantee to the sixty or seventy thousand nursing home residents in this State and their families that the quality of care that they receive in State licensed nursing and shelter care homes will be decent care. I think the Department is to be commended for taking the...for taking the initiative to implement a nursing home inspection system which attempts to evaluate



quality of care instead of doing what many states do, simply measuring the width of doorways, testing fire extinguishers and other physical aspects of the nursing home. These people are necessary to guarantee Illinois nursing and shelter care home residents are getting decent care. I think in light of the fact that 70% of this money will be coming back to the State in the form of federal reimbursement for the work that these people do, this is money well spent and I would urge an aye vote on the Amendment."

Speaker Bradley: "The question is on the adoption of Amendment #4 to House Bill 3376. All those in favor will say aye, opposed, no. In the opinion of the Chair, the ayes have it. The Amendment's adopted. Are there further Amendments? Third Reading. House Bills' Third Reading appears House Bill 3531."

Clerk Selcke: "House Bill 3531. An Act creating the Illinois Police Service Bureau and prescribing its powers and duties. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from Kane, Mr. Friedland."

Friedland: "Thank you Mr. Speaker, I request leave of the Chair and the House to hear House Bill 3532 with a companion measure at the same time."

Speaker Bradley: "The Gentleman asks leave of the House to hear House Bill 3532. Hearing no objections, read 3532."

Clerk Selcke: "House Bill 3532. An Act making appropriation to the Illinois Police Service Bureau. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from Kane, Mr. Friedland."

Friedland: "Thank you very much. Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3531 seeks to assure continued operation of the Illinois Police Service Bureau. Its companion Bill, 3532, would reduce an appropriation amount to \$228,000 by the Committee.



I would appreciate your favorable consideration of these important measures."

Speaker Bradley: "Discussion? Hearing none, the question is shall House Bill 3531 and House Bill 3532 pass. All those in favor will signify by voting aye. Opposed by voting no. Have all voted who wished? Vote Bradley aye. Gerald Bradley, aye, back there please. Have all voted who wished? On this question...take the record. On this question we have 152 ayes, 2 nays, 6 voting present, and this Bill...these Bills having received the constitutional majority are hereby declared passed. House Bill 3541. House...out of the record. House Bill 3559."

Clerk Selcke: "House Bill 3559. An Act to amend Section 9.67 of an Act to create the Sanitary District and so forth. Third Reading of the Bill."

Speaker Bradley: "Out of the record. House Bill 3560."

Clerk Selcke: "House Bill 3560. An Act to amend Section 7 of the Illinois Securities Law. Third Reading of the Bill."

Speaker Bradley: "The Representative.. ~~the~~ Gentleman from Cook, Mr. Beatty."

Beatty: "Mr. Speaker, I'd like to take House Bill 3560 back to Second Reading for purposes of an Amendment."

Speaker Bradley: "Does the Gentleman have leave? Hearing none, return the Bill to Second Reading."

Clerk Selcke: "Amendment #...you got it? Amendment #2. Grotberg. Amends House Bill 3560, page 7, by adding and so forth."

Speaker Bradley: "The Gentleman from Kane, Mr. Grotberg."

Grotberg: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, with leave of the House, I would like also now to table Amendment #2 or withdraw Amendment #2 and offer in its place Amendment #3, which is identical incidentally, except that it is typed



by the Reference Bureau and the chapter references have been perfected by them."

Speaker Bradley: "The Gentleman moves to table Amendment #2.

Hearing no objections, the Amendment is tabled."

Clerk Selcke: "Amendment #3. Grotberg. Amend House Bill 3560, page 1, lines 25 and so forth."

Speaker Bradley: "The Gentleman from Will, Mr. Grotberg."

Grotberg: "Yes, Mr...."

Speaker Bradley: "...the Gentleman from Kane, I'm sorry sir."

Grotberg: "Yes, thank you again, Mr. Speaker and Ladies and Gentlemen of the House, Amendment #3 is the Amendment we spoke of the other day and we have clarified most portions of it. It has...it creates the section in the Finance Act...a...a...under the Securities Act to Section T whereby a downtown development corporation for profit may sell \$1000 worth of securities, anyone may purchase up to \$1000 worth of securities with no commissions or discounts or any other incumberment and the population of the municipalities has not been put in an area to include 175,000 which is literally everything except the City of Chicago. It maintains the fact that the officers and directors of said corporation should be bonafied residents of not less than three years and this is without registration but it lists the Blue Sky Law from the effort to finance downtown develop...efforts to finance downtown developments in the smaller towns of Illinois and I would move for its adoption."

Speaker Bradley: "Is there further discussion? The Gentleman from Cook, Mr. Greiman."

Greiman: "Thank you Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Bradley: "He indicates that he will."

Greiman: "On the \$1000 limitation, Mr. Speaker, this Bill



is going to grant a very serious exemption in the Securities Law. I really would ask for some order because we are going to do some classical legislating this afternoon, I think."

Speaker Bradley: "Would you give the Gentleman some order please?"

Greiman: "Under the \$1000 limitation, Ken, what happens if someone gets additional shares by inheritance? Is that covered in the Bill?"

Grotberg: "Mr. Greiman, that is not covered in the Bill as you and I have discussed."

Greiman: "What happens if a bank holds as a \$1000 worth and has security interest in another \$1000? Can they foreclose on it?"

Grotberg: "That is not covered in this Bill, but can be by regulation."

Greiman: "Was this originally devised for small cities, very small cities?"

Grotberg: "It was originally devised for very small cities, yes."

Greiman: "But now we've got up to every ~~city~~ but Chicago in Illinois. Is that right?"

Grotberg: "Right, but every city in Illinois has a small community within it that needs fixing up and that is what this Bill is now getting at."

Greiman: "Is there a statutory definition of environs that says indicates they absolutely...residents of the municipality and its environs, is there a statutory definition on it?"

Grotberg: "I would presume there is, Representative, the drafting of this Bill by the people in the Department that helped us referred to statutory..."

Greiman: "The Department of Health?"

Grotberg: "What?"



Greiman: "The Department of Health?"

Grotberg: "No, no, by the Department help."

Greiman: "Okay."

Grotberg: "The Department of the State's Securities Division."

Greiman: "Okay, there is no place that anyone could look before he bought this stock to know about the plans of the promoters, are there?"

Grotberg: "Not at this point. Your suggestion to file a plan with the local Department or the City Hall down here..."

Greiman: "...no, that was a suggestion I made to you formerly."

Grotberg: "...a valid one, a valid one..."

Greiman: "...this particular Bill, as it is now written, does not impose upon these promoters any obligation to file anything at all about what they plan to do, isn't that right?"

Grotberg: "That's correct, it does require them to report every stock sale."

Greiman: "That's the stock sale afterwards..."

Speaker Bradley: "...the Gentleman from Winnebago, for what purpose do you rise sir? Mr. Simms."

Simms: "Mr. Speaker, under a point of order, under our rules we are having a question-answer period that's going on between the two Representatives, this is prohibited, if the Gentleman wants to address himself to the Bill, I suggest that he do."

Speaker Bradley: "Mr. Simms, I was just about to address... your point is well taken, sir."

Greiman: "I was just about to address myself to the Bill sir."

Speaker Bradley: "Proceed sir."

Greiman: "This Amendment is like so many things that we do. An idea comes across, it's a good idea. Trying to develop private capital for what we say 'urban renewal'. But of course this says redevelopment of urban areas



so it is not necessarily downtown, it's any place, any place in any city in the State of Illinois, except Chicago. We are putting into the hands of some slick operators the ability to take a lot of money out of people to appeal to their wealth, to the chauvinism of their community. And not to do anything at at to get a lot of money in to sell stock and not to have any regulation. The Blue Sky Law that protect people from fraud, it was well thought out in the years of its development and a chip away in this way is very dangerous. This is a good idea, it has some benefit, it has some merit, but there requires some study, it requires putting together a special kind of corporation that will have limited authority, limited kind of objective and that will file some kind of plan before it collects the money, not after he collects the money, not after the horse is out of the barn, but before. This Bill doesn't do it. This Bill just doesn't do anything but put in the hands of people who would defraud decent people an opportunity to do that and I would highly recommend that it be...that it be defeated today here and let's consider it in the next session of the General Assembly, let's think about it, it's a serious problem. I think we should address the problem, but not tag it onto some other Bill this way. It should be defeated."

Speaker Bradley: "The Gentleman from Cook, Mr. Beatty to close."

Beatty: "It's his Amendment."

Speaker Bradley: "Oh, I'm sorry, Mr. Grotberg, it's your Amendment. The Gentleman from Kane, Mr. Grotberg."

Grotberg: "Well thank you Mr. Speaker and Ladies and..."

Speaker Bradley: "...pardon me, Mr. Grotberg, your light was on and then went off, Mr. Skinner, do you wish to be recognized? The Gentleman from McHenry, Mr.



Skinner."

Skinner: "Yes, Mr. Speaker, that's why the light was on, I wish you'd clear up that malfunction that is sitting in front of you. Representative Grotberg, there is a House Bill numbered 3550, which may have some connection to your Bill. I wonder if you could flip to the description of this Bill which attempts to provide a method for municipalities to irradiate blighted areas and improve the degenerating sections of their cities and tell me what the connection is if you know."

Grotberg: "Thank you, yes, I'll be glad to respond to that with leave of the House. 3550 and this Bill have no connection whatever. That is the tax implement Bill by Tuerk and Mudd to go in and pick up land on a... without referendum on a municipal revenue bond issue, as I understand it, Mr. Skinner, it has nothing to do with private enterprise as does this. It has no connection at all would be the answer."

Skinner: "I hope you're right."

Speaker Bradley: "Is there further discussion? If none, the Gentleman from Kane, Mr. Grotberg, do you wish to close sir?"

Grotberg: "Yes, I'll try to be as briefly..as brief as possible, Mr. Speaker. All over the State of Illinois we've got little railroad towns and little river towns that are rotten to the core just as they are in some of the bigger cities. And they are decaying and businessmen of good will in small communities are trying very hard to get something off the ground in their local communities. They are limited, however, under the present Illinois Corporation Act to get broad community development. The Department of Local Government Affairs has mandated that a broad community involvement be a core curriculum for every downtown



redevelopment in the State of Illinois. There is no way, under the Blue Sky Laws, to get more than thirty-five people, persons, per year, in any town, to get involved in private finance of a downtown redevelopment. This would list that restriction under a separate paragraph in the Finance Code, but it would control it to not more than \$1000 from any one person. And that's really about all it does. I respect the Gentleman from Cook and his objection, we have talked at length about this and I'm sure there will be refinements down the line. But this will open up the door to everybody in town to buy a piece of the action in their downtown renewal and I move for the adoption of Amendment #3."

Speaker Bradley: "The Gentleman moves for the adoption of Amendment #3 to House Bill 3560. All those in favor will signify by saying aye, the opposed no, in the opinion of the Chair, the noes have it. And the Gentleman's motion...alright, the question is on the adoption of Amendment #3 to House Bill 3560, all those in favor will signify by voting aye, those opposed by voting no. Have all voted who wished? Have all voted who wished? Have ~~all~~ voted who wished? The Clerk will take the record. On this question there are...the Gentleman from Livingston, Mr. Ewing, to explain your vote sir?"

Ewing: "Yes, Mr. Speaker, I'd..."

Speaker Bradley: "...proceed sir."

Ewing: "...like to explain my aye vote. I have had a great deal of first hand experience in working with redevelopment of our communities. I know that there is a need for this legislation and I'd like very much to see some aye votes up there so that we can allow the local communities to do what they need to do without depending upon State and federal money for all of these programs. It's a lot better to do it locally than to



than to depend on the State to come in and re-do it. So I wish that some of those no votes would reconsider and that we could get some more green votes up there for this very good Bill."

Speaker Bradley: "The Gentleman from Kane, Mr. Grotberg, do you wish to explain your vote?"

Grotberg: "Yes, Mr. Speaker, I wonder if you could open up... there are some late arrivals on this and I apologize to the House for any...it's not a dilatory tactic, but this is celebration for some towns in Illinois and I'd like to see people that want to get on it be able to get on, Mr. Speaker."

Speaker Bradley: "The Chair was very lenient, I thought, in the amount of time that..."

Grotberg: "...you were, I'm not questioning the Chair."

Speaker Bradley: "....to allow everybody to get on, we wanted them to get on so we wouldn't have to...the Gentleman from Kane, Mr. Waddell. Turn Mr. Waddell on."

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

Speaker Bradley: "How's the Gentleman recorded? As not voting sir."

Waddell: "Vote me aye."

Speaker Bradley: "Record the Gentleman as voting aye. The Gentleman from Grundy, Mr. Washburn."

Washburn: "Well thank you Mr. Speaker and Ladies and Gentlemen of the House, I see no reason why you can't open this, Jerry, it wasn't open that long..."

Speaker Bradley: "Fine, it's a Roll Call, we'll hope that everybody gets on now. The question is on the adoption of Amendment #3 to House Bill 3560. All those in favor will vote aye, opposed will vote no. The Gentleman from Grundy, Mr. Washburn."

Washburn: "Well thank you Mr. Speaker and Ladies and Gentlemen of the House, this is the Bill that Representative



Grotberg called the other day and then withdrew it because more people wanted to be included in the benefits that would be derived from this Bill. It's sickening to most of us to go through these small towns, or many small towns in Illinois, and see them drying up and becoming ghost towns. This Bill would permit local citizens of these small communities and now even larger communities, I understand, with your Amendment, John, to become involved and to save their towns. They would have the certain powers to re-build their downtown districts and their parks and their sewer systems and what have you so that they can once again become important business communities, good places for the citizens to live and their children to be raised so I would ask, Ladies and Gentlemen, that you get on the Bill. Many of them aren't voting and certainly this would be a big help to many, many communities throughout our State. I would ask for your vote to amend this Bill as Representative Grotberg is attempting to do here now."

Speaker Bradley: "Have all voted who wished? The Clerk will take the record. On this question we have 77 ayes, 39 noes, 16 voting present, and the Gentleman's motion is adopted. Are there further Amendments? No further Amendments, Third Reading. On Third Reading appears House Bill 3609. Emil Barnes."

Clerk Selcke: "House Bill 3609. Barnes. An Act amending Section 8 of the Illinois Library System Act. Third Reading of the Bill."

Speaker Bradley: "Out of the record. House Bill 3633."

Clerk Selcke: "House Bill 3633. An Act to create the Illinois Commission on Labor Laws and define its powers and duties. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from Kane, Mr. Schoeberlein."



Schoeberlein: "House Bill 3633 recreates the Labor Laws Commission. That was originally created in 1969. I would appreciate your support of the passage of this Bill."

Speaker Bradley: "The question is on the adoption of...the question is shall this Bill pass. All those in favor... House Bill 3633 pass...all those in favor will signify by voting aye, opposed by voting no. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question we have 127 ayes, 5 nays, 9 voting present and this Bill having received the constitutional majority is hereby declared passed. House Bill 3688. Mr. Byers. Take it out of the record. House Bill 3825. Out of the record. House Bill 3831."

Clerk O'Brien: "House Bill 3831. Maragos. A Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from Cook, Mr. Maragos."

Maragos: "Mr. Speaker, Members of the House, 3831 is a Committee...a...Revenue Committee Bill dealing with the assessing process and I would like at this time ...its original main sponsor, Mr. Schraeder, to speak on the issue as he likes at this time."

Speaker Bradley: "The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "This 3831 amends the Revenue Act in relation to the supervisor of assessments by providing additional requirements to employment to the office, provides standards and on the basis of how to remove assessing a...a...supervisor's assessments...supervisors of assessments have not done a good job and it provides for a hearing if the supervisor that has been removed requests it. This has had an extensive hearing over the last couple of years, I don't believe there is any particular opposition and I...without further ^{advice} ~~adue~~,"



I just ask passage of it unless there are some further questions."

Speaker Bradley: "The Gentleman from Cook, Mr. Yourell."

Yourell: "Would the Gentleman yield to a question?"

Speaker Bradley: "Do you wish to address Mr. Schraeder or Mr. Maragos? Mr. Schraeder? He indicates he'll yield."

Yourell: "Fred, can you tell me in what way this Bill differs from 3486 by Representative McMaster? Does it, in effect, place qualification standards on township assessors?"

Schraeder: "No, this has no effect whatsoever on Representative McMasters. That had to do with paying scales and so forth, this is not related to that Bill at all."

Yourell: "No, there were two Bills, Representative McMaster had 3485 and 3486. 3486 was the Bill that provided that assessors...a...had certain qualifications and take certain courses and then after they are elected to take an examination."

Schraeder: "But that pertains to assessors and this is ...a...pertains to supervisors."

Yourell: "Thank you, thank you."

Speaker Bradley: "The Gentleman from Franklin, Mr. Hart."

Hart: "Could the sponsor of the Bill explain what procedures are set forth in this Bill for the supervisors of assessments for the elimination of them takes place?"

Speaker Bradley: "Mr. Schraeder, do you wish to respond?"

Schraeder: "Well the Bureau of Local Government Affairs submits to the county whether or not they have been following the law in their effect of procedure and they provide that each year. If they don't hold the procedure they have to hold a hearing in order to notify the county involved. And after the hearing if the county board desires it to remove the county off



the supervisor of assessment, because of that, they may do so by three-fifths vote of the county board. The county board does that then the supervisor of assessment may ask for a hearing on his removal."

Hart: "Who holds the hearing?"

Schraeder: "The county board...in the second instance, the first instance, the local..."

Hart: "...it would just be for the purpose of cross examining those who...for the purpose of his removal, is that right? So he could bring it out in the open."

Schraeder: "Yes, in other words, he's entitled to a hearing if he requests one...by the county board."

Hart: "Does it state, there was some suggestions...around the State about this matter, that perhaps, the State Department of Local Government Affairs or the Department of Revenue, I don't remember which..."

Schraeder: "...Local Government Affairs..."

Hart: "...should have some voice in the decision. Do they have any voice in the decision under this Bill?"

Schraeder: "No, they do not. They just certify whether the supervisor has lived up to the requirements of the law. That's all they have to do. It's up to the county board to make the decision to remove or rehire."

Hart: "Alright, thank you very much."

Speaker Shea: "The Gentleman from Stephenson, Mr. Rigney."

Rigney: "Will the sponsor yield?"

Speaker Shea: "He indicates he will."

Rigney: "Representative Schraeder, can you tell me are you still tied into that 20% coefficient of dispersion of this Bill?"

Schraeder: "This is tied in to a degree, it's up to the Department of Local Government Affairs to signify to the county whether they are living up to the requirements



as stated in the law...on the assessments procedures."

Rigney: "But isn't it true that one of the requirements is the 20% coefficient of dispersion?"

Schraeder: "That's part of it."

Rigney: "Can you tell me how many counties in the State of Illinois are currently meeting this 20% level?"

Schraeder: "There are quite a number now, I understand the rest of them are going to follow the law."

Rigney: "Well that's not my understanding, I think at the time that we were debating the Bill, there was, I think, DuPage, if I recall, was the only county in the State under the new means of calculation, there was a 20% level. And furthermore, just this morning, the Revenue Committee on the Assessors Bill we adopted this floating coefficient of dispersion where there will be a different test to the assessors than what there will be for the supervisor of assessments. Had you every thought, of course I realize that is has only been a matter of a few hours, but have you thought in terms of perhaps doing something like this for the supervisors of assessment?"

Schraeder: "If that Bill passes and goes to the Senate, I would say that this Bill could be amended in the Senate to cover the same situation so we do have the same percentages. I don't think we should have two percentages, two different types..."

Rigney: "...well Mr. Speaker, the main point I was trying to make is that I believe every supervisor of assessment in the State of Illinois, except one, would be in trouble under the terms of this Bill so this is not just a merely Bill."

Speaker Shea: "Is there further discussion? The Gentleman from Will, Mr. VanDuyne."

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

Speaker Shea: "He indicates he will."



VanDuynes: "Mr. Schraeder, I'm reading the part on page 4 where you go through the removal process a...a...are there any contingencies for existing contracts? In here it says within ninety days...a...does the contract hinge on this at all?"

Schraeder: "Well I think a contract is binding within prescribed routes and I think that would be a legal matter. I can't answer whether a contract is binding, you'd have to ask an attorney about that, but I would assume that the contract would have to follow the State statute."

VanDuynes: "Well, I'm referring to a case back in our county, in Will County, I believe it was back in '73 or '74 where we tried to remove a supervisor of assessments and the word was put out to us that we couldn't remove him as long as his contract was in vogue. And I have always felt that if there was sufficient cause to remove the man, it should suffice as a breach of his contract."

Schraeder: "Well, under this provision of 3831, the county board has the right to remove him by a three-fifths vote of the county board. Now the contract notwithstanding I would assume."

Speaker Shea: "The Gentleman from Madison, Mr. Steele."

Steele: "Will the Representative yield please?"

Speaker Shea: "He indicates he will sir."

Steele: "Representative Schraeder, the Amendment says comparing assessments to sales of real estate, my understanding is that this might effect, at the present time, they can assess based upon income, based upon use, and in certain cases, their productivity, those are criteria, I believe, which are recognized as valid as far as assessments. Now it appears from the digest here that the only criteria would be sales. Is it changing some of the assessment procedures which



are based sometimes on income or use or agricultural purposes, productivity, or whatever?"

Schraeder: "They would still follow the present assessing procedure. That wouldn't be changed. That wouldn't be changed under this Bill."

Steele: "Thank you."

Speaker Shea: "The Gentleman from Cook, Mr. Kozubowski."

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

Speaker Shea: "The question is shall the main question be put. All those in favor will say aye, all those opposed say nay, in the opinion of the Chair the ayes have it and Mr. Schraeder to close."

Schraeder: "Mr. Speaker, I'll be very brief. House Bill 3831 provides that the State provides each county assessment quality data. In 1980, the Tax Commission holds a hearing when they haven't fulfilled their statutory obligations. After the hearing, the county board can declare a supervisor of assessments vacant by a three-fifths vote of the county board. If the supervisor then wishes a hearing, he may ask for a hearing and receive it. Basically, that's all it does and I ask a favorable vote, this has been heard in Committee, it's a Committee Bill, I think it's a step in the right direction."

Speaker Shea: "The question is shall House Bill 3831 pass, all those in favor will vote aye, those opposed will vote nay. Have all voted who wished? Have all voted who wished? The Gentleman from Cook, Mr. Maragos, to explain his aye vote."

Maragos: "Mr. Speaker, and Members of the House, we should not confuse this Bill with the elected assessors or township assessors, which is coming up and is affected by House Bill 3830, which has just got out of Committee today. This Bill is by the hired hand,



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if I may use the term, the supervisor of assessments who is the person hired by the county. Although I agree with Representative Rigney, that may be the basis upon which he could be fired may be too stiff at the present time and since Representative Schraeder said he may put an Amendment in the Senate to go along with what he did today in Committee, I think, in any case, three-fifths of the county should have a right to fire the supervisor of assessments because, as I said, he is their hired hand. That's all this Bill does, it tries to up-grade the assessment procedures throughout the State of Illinois and I ask your favorable support of this Bill based upon the representation by Representative Schraeder."

Speaker Shea: "Have all voted who wished? The Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House, by way of explaining my vote, as a Member of the Revenue Committee, I voted for this Bill when it was voted out of Committee, but frankly, since that time the Revenue Committee has had some information made available to it and the Revenue Committee has made some decisions which I believe would call for a present vote on this Bill. I think the sponsor should have brought the Bill back to Second Reading for the purpose of an Amendment. At the present time, I believe I am correct in saying that not more than three or four counties in the entire State of Illinois would have a supervisor of assessments that would have a coefficient of dispersion of less than 20%. And I submit to you that we are asking for trouble by approving this Bill and I think that the House should get the Bill in proper order before it goes out of here and I would urge a present vote and hope that the sponsor would take it back to



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Second Reading and get the Bill in proper shape."

Speaker Shea: "Have all voted who wished? Have all voted who wished? The Gentleman from Franklin, Mr. Hart, to explain his vote."

Hart: "Mr. Speaker and Ladies and Gentlemen of the House, I'm inclined to agree with Representative Schuneman about this. I've got twelve supervisors of assessment in my legislative district and I haven't had any requests from any of them to support this legislation. As a matter of act, I doubt if any of them even know that this Bill is pending on Third Reading before the House. Now I would suggest to you that this is a very important office in your county. And that measure absolutely certain of your position in support of this Bill that you don't vote for it until you are, I'm not necessarily saying that the Bill is bad, but I resent...I don't resent, I reject the idea of cleaning up House Bills in the Senate. The place to clean up House Bills is in the House and so I would urge the sponsor of this Bill, if he feels that it needs an Amendment, to pull the Bill out of the record or put it on postponed consideration and get the Amendment and circulate it among the House so that we can know what we are voting on and we can be absolutely sure that we are not undermining many supervisors of assessment who are actually doing a very very good job and who know nothing about the jeopardy that this Bill may be placing them in. So at this time, under the present conditions, I'd like to vote present, but certainly reserving the right to vote for the Bill when it's in proper form."

Speaker Giorgi: "Representative McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, I want to support what Representative Hart has just said, I think there is a lot of merit to this Bill, but



I do not think it is quite ready for the passage stage. I am voting no, perhaps I should be voting present, but I would like to see the sponsor of this Bill hold it for awhile until we can make sure that we have a Bill that we want. And this I would like to have, Representative Schraeder."

Speaker Giorgi: "Representative Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill is indeed one of the four major legislative proposals by the Joint House-Senate Revenue Committee on property tax reform. This is not a newcomer to this House. It has been heard in Committees several times and I say Committees because I'm talking about both the House and the Senate Revenue Committee, the Joint Committee on Property Tax Reform. Hearings were conducted State-wide. Supervisors of assessments from every part of the State of Illinois appeared before that House Joint Revenue Committee on Property Tax Reform. Let me suggest to you that they want this Bill. I don't know, Representative Hart, whether any of your people came to you and talked about this Bill. It is indeed possible that they didn't know that it was reaching Third Reading in the House. That might very well be the problem, because if you will look in the digest you will see that this Bill was introduced four or five times on four or five different Bill numbers. That's caused some degree of confusion. There is one problem with this Bill and that's caused by the very fact that the Department of Local Governmental Affairs changed their statistical base in computing coefficients of dispersions just within the last few months since the enactment of House Bill 990. The result of that is that the coefficient of dispersions are much greater under the new statistical base than they were at the



that this Bill was drafted. It should indeed be amended. However, let me suggest to you that the Amendment that we are talking about that is necessary was put on the other township assessors Bill this morning in the Revenue Committee. It's acceptable to everyone whose worked on this problem, it's an Amendment that should go on this Bill in the Senate. I hesitate, however, to see that this very important major proposal that I think is supported by all of the supervisors of assessment in the State failed because that we had a little problem with the Department of Local Governmental Affairs. I assure you that all of us support putting an Amendment on that will make this Bill consistent with the other one in the Senate. And I would hope that we would take affirmative action on this and get it out and get it over to the Senate so that they can consider it."

Speaker Giorgi: "Have all voted who wished? Representative Maragos to explain your vote?"

Maragos: "No, I've already explained my vote, but I would like to ask the...since I have a semi-responsibility a...a..the sponsor outside of the House Revenue Committee, we could put this out of the record to possibly put those Amendments on because I see how the bells are ringing in this regard. So if the... Mr. Schraeder doesn't mind because it's really a Committee Bill, so if Mr. Schraeder doesn't mind, I think we should take it out of the record at the present time."

Speaker Giorgi: "Do you agree, Mr. Schraeder?"

Speaker Shea: "The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Well Mr. Chairman, Members of the House, I want to reiterate very strongly what Representative Beaupre has said. We have gone up and down this State and



yes, we have gone into Representative Hart's legislative district. We have talked to assessors, we have talked to supervisors of assessments, we have talked to county board members, we have talked to legislative leaders, we have talked to county chairmen of the Democratic and Republican parties, we've talked to citizens, in fact, we've had special meetings at the request of citizens. We've had input from every sector of the State of Illinois that has anything to do with the assessing procedures. This was an outgrowth of the House Revenue Committee, the Senate Revenue Committee, the Joint House-Senate Revenue Committee action at the public hearing and I have no desire to belabor the subject, but this is a Bill that has met the test of every segment of the State of Illinois and will be most happy to take it out and hope that the opponents will pass their Amendments so we can get it on tomorrow and get it over there because this is the most important piece of legislation that could effect the assessing procedures in the different counties and with that, I'd ask to take it out of the record."

Speaker Shea: "Take it out of the record. Well, Mr. Simms, it was my understand, several Members asked him... Mr. Simms, several Members have asked him to take it out of the record and I think he's trying to accommodate the Membership. Now nobody's announced the Roll Call, I would presume, I would presume that if he wants to get a Roll Call and then ask to poll the absentees, we would be here for a substantial period of time and it is my understanding that he was asked to take it out of the record and he's trying to accommodate the Membership. And that's the way the Speaker is ruling. The Gentleman from Peoria...or from Winnebago, Mr. Simms."



Simms: "Mr. Speaker, the policy has been once a Bill has gone on the board and there are not sufficient votes it goes on postponed consideration. That can be accomplished tomorrow in the same matter of fact."

Speaker Shea: "Mr. Lechowicz wishes to be recorded as aye. Mr. Lechowicz, I understand the board is still open. Mr. Maragos?"

Maragos: "I'd like to have a parliamentary ruling at this time, Mr. Speaker. Isn't it a fact that as long as the Roll Call is not announced and no absentees have been asked that we can take it out of the record as a courtesy, we've done it for many other cases and that's why I would like to have this opportunity to bring it back to Second Reading if Mr. Schraeder agrees with that, which is a Committee Bill."

Speaker Shea: "Well now Mr. Simms, what rule do you cite

Simms: "Just one moment. Rule 38, Mr. Speaker."

Speaker Shea: "What does it say, Mr. Simms?"

Simms: "When a Bill is called for Third Reading, the sponsor may before the vote is announced, place the Bill on the order of postponed consideration."

Speaker Shea: "Does it prohibit him from taking it out of the record?"

Simms: "Well that has been the policy during this session of the Legislature, Mr. Speaker, by the elected Speaker of the House and the presiding officer, whoever it may be."

Speaker Shea: "Alright, then, have all voted who wished? Have all voted who wished? Take the record. On this question there are ninety two ayes, eleven nays, and fifty-nine Members voting present, this Bill having received the constitutional majority is hereby declared passed. House Bill 3836."

Clerk O'Brien: "House Bill 3836. A Bill for an Act in



relation to license of ambulance services. Third Reading of the Bill."

Speaker Giorgi: "Representative Holewinski on House Bill 3836."

Clerk O'Brien: "Representative Giorgi in the Chair."

Holewinski: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3836 is a Committee Bill out of the House Human Resources Committee. It is an...the Ambulance Service Act, it prescribes standards for the construction of ambulance vehicles and for the training of those who are involved in ambulance attendant activities. There have been proposals similar to this, the one before you prior three at least General Assemblies... a...and they've all really been an attempt to meet the federal requirements, the requirements of the Federal Highway Safety Act. Thirty-five states at this point have enacted similar proposals and of those thirty-five states there was really only two that have the high number of trained personnel, personnel meeting the requirements already that we do in Illinois. This past year, the Health Services Subcommittee of the Human Resources Committee held hearings upstate and downstate on this proposal. Extensive negotiating sessions took place with those who would be affected by the legislation with the net effect that being with many of those in prior years appeared as adversaries to the legislation are found now to be in support. The proposal sets up, really addresses two different areas, that is it sets up standards for the construction of vehicles and what equipment they shall carry, and secondly, sets up a standard for training of those who serve as attendants on those vehicles. At this point in Illinois, there are approximately 78% of the vehicles that are operating as primary response vehicles already meet the standards involving this Act."



The Act provides that the municipality may establish its own standards and licensing program such as the City of Chicago has and that program will simply be certified for the State, the municipal license acting as a State license for the purpose...the purposes of the Act. I'd be happy to answer any questions that might be on the minds of the Members and would ask for a favorable vote."

Speaker Giorgi: "Representative Ryan on House Bill 3836."

Ryan: "Yes, Mr. Speaker, I just wondered, we had an agreement last week with Representative Shea, I think was in the Chair at the time, that if there were any Amendments filed to these Bills that they would be taken back to Second Reading. My questions is are there any Amendments filed to this Bill?"

Speaker Giorgi: "Are there any Amendments on this Bill, Mr. Clerk? Representative Tipword, in the mean time."

Tipword: "Would the Gentleman yield for a question please?"

Speaker Giorgi: "Representative Holewinski?"

Tipword: "Representative Holewinski, you indicated that there have been a lot of research—done and you talked to the people effected. Who do you mean, the people affected those people who have ambulances?"

Holewinski: "Representative Tipword, in prior years, the Illinois Funeral Directors Association had appeared in opposition to this legislation because they were involved in the industry. This year they appeared as proponents to the legislation."

Tipword: "I'm sure they did."

Holewinski: "I have no idea..."

Tipword: "...they certainly did, they have wanted to for a long time. How about the people who live in small towns where it's impossible to finance such an ambulance or for an ambulance company to make such a living if they can afford to have them and where no



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such ambulances will fit these standards of regulations are presently found nor is the financing presently there available. What happens to those people and how many of those people were questioned?"

Holewinski: "We really at one time had received opposition from some of the rural groups, but subsequently, the Illinois Agricultural Association, I understand has taken a positive position on this legislation. The situation is, Representative, that in effect, once this Bill is enacted by us, there will be a period of up to five years in which all these municipalities, not all, but the small number that are not in compliance can come within compliance of the Act. Currently there are federal funds available through the Division of Emergency Medical Services to help finance 70% of the cost of any vehicle that any one of these communities might have to purchase. In the past several years, we have funded over two hundred vehicles for municipalities in an effort to bring all of our vehicles in the State up to a minimum standard."

Tipsword: "Mr. Speaker, if I might address myself to the Bill."

Speaker Giorgi: "Continue."

Tipsword: "What Representative Holewinski says I'm sure is absolutely true and the purpose of this Bill is a very good purpose. However, it does not take into consideration the cost of maintenance and upkeep or payment of employees that are necessary under these requirements, it does not take into consideration the availability of ambulance service in hundreds and hundreds of small and rural communities throughout the State of Illinois where that is not now available and there is no guarantee in this Bill or any pending legislation that funds are going to be available so



that there will be ambulance service in each and every community. They say 70% can be paid out of grants that are now available. There's another 30% that has to be taken care of in just the original purchase of it to say nothing of the maintenance, the housing, the payment of employees, the..and these are employees who are going to have to be available at all times and of course, have to have a living wage. Now this is a good Bill in its purpose, but it's a Bill that will deny to thousands of people in the State of Illinois any ambulance service and I would submit that the backend of a pickup truck when you've been severely injured is a heck of a lot better than no means of transportation at all to get to a local hospital and so I would suggest that as in years past until we get an absolute guaranty that there will be ambulance service and funds available to provide ambulance service and to upkeep, operate, and maintain ambulance service in every part of this State, that this Bill just simply is one we cannot afford."

Speaker Giorgi: "Representative Brinkmeier."

Brinkmeier: "Would the sponsor yield for one question?"

I'm curious to know whether...what reaction, if any, you've got from any volunteer firemen groups around the State. I know in northwestern Illinois in several instances, they do conduct the ambulance service. Have they taken any position?"

Speaker Giorgi: "Representative Holewinski."

Holewinski: "Representative, I don't know of any singular organization that represents those groups that have taken a position. All I can tell you is that to is that to my knowledge the final sessions that we had in this legislation there was...a...there were none of those professional groups that took an opposing position on the legislation."



Brinkmeier: "Mr. Speaker, if I may? Very briefly, I'd like to concur with the statment so ably stated by Representative Tipsword. I don't think that this is the time to saddle our small units of government with some more burdens of this sort. They have enough problems as it is without going this route and I, too, I would just as soon, if I were the person that was lying along that road, if there's a pickup truck that's going to take me to that hospital I'm going to be satisfied rather than waiting for a certified ambulance and certified people, attendants working within that ambulance so I would urge a no vote."

Speaker Giorgi: "Mr. Holewinski, I have a dozen people that want to speak before you close. Representative Holewinski."

Holewinski: "Mr. Speaker, I didn't want to close, but I wanted to respond to the comments that were..."

Speaker Giorgi: "...well you could, Mr. Holewinski, when you close you can rebut whatever is said prior to your closing Representative Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen, I hope that the Members were listening when Representative Tipsword was talking. I think that if we will stop one moment and think of the fiscal situation that the State of Illinois is in at the present time and then realize that the local governments of the State of Illinois are in at least as bad a position or possibly worse, and then come back and tell me how we can afford something like this in the State of Illinois. I live in a small community and I am aware of some of the problems we have and we are not able to afford in small areas, the type of things that you might expect in a metropolitan densely populated area. The State of Illinois is going to be very lucky if they can get



by this year without having a tax increase. Now then if we vote this Bill in, we're voting back on the people of our counties and our small cities, the problem of trying to pay for a big fancy ambulance and pay for the cost of training people to run that ambulance and we cannot, simply cannot afford it. We're better off, as Representative Tipsword said, if we had any way to get to a hospital, we're better off if we get that transportation there and get to the hospital rather than try to treat them at the road side. We don't even have doctors in these small communities if they were available to be there. Our problem is to get them to the place where they can be taken care of and I think that the small areas cannot under any circumstances afford to have the luxury that would be provided in this Bill."

Speaker Giorgi: "Representative Simms."

Simms: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to reiterate what Representative Tipsword has said. I think I know a little about the ambulance business and I'd like you downstaters particularly to listen. In the past, the ambulance service in the communities have been provided by the local funeral director. Now most of them want to get out of the ambulance business because basically it's a costly proposition for a funeral home and it's a service that they are providing the community. But the biggest problem that you are going to be faced with and I think Representative Tipsword has hit the nail on the head and Representative Stone and Brinkmeier. The smaller communities downstate Illinois are not going to be able to afford this fancy type ambulance service. It's an excellent system for Chicago, for Rockford, Peoria, Waukegan, it's the best system in the world if you can afford it, but downstate ambulance



what we have traditionally know, where the small town funeral home has provided an ambulance service, working in a combination with the hearse and an ambulance together, have provided extremely low cost ambulance service to the people, but basically no cost to the taxpayer of the State of Illinois. And I reiterate, I think Representative Tipsword's words of wisdom to the downstate legislators should be taken in heed. You will never again have the type of ambulance service coverage, which you have at the present time. It might not be the fancy emergency system on the program, Emergency or Fire Captain, or whatever happens to be on television, but the system that is serving downstate Illinois when the people of this State can least afford this type of increases so for we in the northern part of the State and in the large metropolitan areas, we basically have this service anyway, but for you in downstate Illinois, I think you should be extremely aware that you may be facing a situation where many communities will no longer have an ambulance."

Speaker Giorgi: "Spoken like a true body snatcher.

Representative Kempiners."

Kempiners: "Thank you Mr. Speaker, there have been quite a few people from downstate Illinois stand up and speak on this Bill and I'm familiar with it because I served on the Human Resources Committee for my two terms in the House and I've worked with this legislation even before my election. I know some of the objections to it, they are legitimate or have been legitimate objections. I want to reiterate what the sponsor has attempted to say. We, on the Subcommittee that worked on this Bill, worked to the point where we have the endorsement of the Illinois Agricultural Association as well as the funeral directors and it hasn't been because we have just given them lip service in writing the legislation.



I think I would like to point out that we divide ambulances into two classes. Class A, which is the emergency class, and Class B, which is used to transport people, for example, from a nursing home to their own home. And in the Class B type, it can be used as a back-up vehicle if there isn't an emergency vehicle available. That's one protection. Another protection is that the Department of Public Health can grant a waiver, that is if an ambulance service is in existence and they cannot meet the requirement, they can be granted a two-year waiver which can be extended for another two years, which means we've got a four-year period for an existing service to upgrade its standards. And there is also a clause in this Bill which provides that in case of an emergency or catastrophe, and there aren't enough registered ambulances, that vehicles operated by other persons may render the services that are necessary. I think you ought to be aware that if what these people have said that service will not be available to rural Illinois, to downstate Illinois, I don't think the Illinois Agricultural Association would put their stamp of approval on this Bill, which they have done and I think that is a significant break-through. In my remembrance, they have not endorsed previous legislation. Now I think we've reached that point where we are going to be able to upgrade ambulance service and still serve the rural areas of downstate Illinois and I would encourage a yes vote."

Speaker Giorgi: "Representative Kane."

Kane: "Will the sponsor yield for a question?"

Speaker Giorgi: "He indicates he will."

Kane: "How do these standards compare to the standards now required by the Department of Transportation and the federal government before they will give a local



ambulance district a grant to purchase an ambulance?"

Holewinski: "Representative Kane, these are the same standards.

Kane: "How about the attendant training standards?"

Holewinski: "The same minimum standards."

Kane: "Is there going to be a duplication between the public...the Department of Public Health and the Department of Transportation?"

Holewinski: "No this is the...the Department of Public Health Division of Emergency Medical Services is the enforcing body for that provision of the federal law. Federal Highway Safety Act of 1966 requires that the State enact these uniform standards, minimum standards. It provides, you know I might take this opportunity to answer some of the prior Representatives, they asked how we could afford this. Well how can we afford not to do it, failure to comply with the federal Act carries a potential penalty a removal of up to 10% of your federal highway dollars. So in answer to your question, Representative, these are the same requirements that are required by the federal government for those grants."

Kane: "Mr. Speaker, Ladies and Gen..."

Speaker Giorgi: "Representative Kane."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, there are a number of small communities in my district that are having problems financing their share and the upkeep for the present ambulances, for small community to come up with \$20,000 or \$30,000 to finance their part in the upkeep and make sure that there are two drivers there all the time, it's...a... they just can't do it. And I would urge a no vote at this time."

Speaker Giorgi: "Representative Lechowicz."

Lechowicz: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, I stand in opposition to House Bill 3836



because as I interpret the recommendation by the Human Resources Committee, they're recommending that the Department of Public Health assume the responsibility of regulating all ambulances in this State. And any one that comes from a municipal area realizes that most of the ambulances that provide a service in a municipal area are governed by the Fire Department. And in turn, they are controlled by the City Council and the Mayor of their respective municipality. Under this Bill, the Department of Public Health would encompass the powers that are presently contained in the various municipalities, not only downstate. I don't know if the Department of Public Health has enough to do, but we just passed the supplemental, the fiscal '77 request at Third Reading, and added additional federal money. Now I know in the City of Chicago federal funds are being used presently under the GITA program in hiring and training ambulance personnel. I would strongly recommend that the other municipalities in conjunction with your downstate counties apply for these federal GITA funds. They are available and they are available from the State. I think this is a bad approach and should be defeated."

Speaker Giorgi: "Representative Neff."

Neff: "Thank you Mr. Speaker, I have to echo some of the things...sentiments opposed to this Bill. What we're doing here in the rural areas, we're going to drive out all ambulances in small towns and communities and we'll have to call an ambulance forty to fifty miles away. And certainly isn't better the type of ambulance we have, some of them may be converted station wagons, to have something to ride in immediately that we can take these people to the hospitals instead of waiting maybe a couple of three hours and calling



fifty miles to get an ambulance. And another thing that has been brought out here, where is the money coming from? All of us know, as Representative Stone brought out, that these people in these rural areas we've got financial problems and this just creates more and I hope that this Bill will be soundly defeated."

Speaker Giorgi: "Representative Sharp."

Sharp: "Yes, Mr. Speaker, Members of the House, I rise in support of this Bill. When the Bill was before us in the past I wouldn't support it but since then I represent a rural district of nine counties and I've seen where the upgrading of ambulance service does a great benefit to the area. I have four areas in my district that have taken the initiative after local funeral directors have indicated that they are going out of business and one example is an area-wide service that began operation on May 1st in Pike County. They received a grant for four ambulances, the vehicles are housed in four different communities at the fire stations in their respective communities so there is no cost there. They are being manned by a volunteer corps, the same as a volunteer fire department operates. And if there is concern whether enough individuals would be willing to cooperate in this type of program, their first course, which the State is paying for entirely providing the training, there were over fifty people who volunteered and in the second class, there's a similar number that are continuing on with training and beginning the course for the first time so I think the program works with a minimum cost to the people in these rural areas and I believe the real question here is do the people who live in our districts and rural areas deserve the same type of care and emergency treatment that those



of you who are more fortunate that live in the urban areas and since I've seen that it does work with a minimum cost to the rural areas, I feel that it is a good proposal and it is the right thing to do to upgrade our ambulance service."

Speaker Giorgi: "Representative Schisler."

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

Speaker Giorgi: "A motion has been made to move the...all in favor signify by saying aye, the opposed no, the ayes have it and Holewinski to close."

Holewinski: "Thank you Mr. Speaker, it's nice to have finally gotten non-controversial piece of legislation. A lot of what has been said during the debate, I wish I would have had an opportunity to immediately respond to because it's been extremely inaccurate. I know that this is somewhat a lengthy piece of legislation, but if the Members would take the time to browse over it, they would find that many of the question on their minds, the words on their minds, would have been resolved. For example, Representative Lechowicz referred to usurping the powers of the City of Chicago and creating another giant bureaucracy in the State Department of Public Health. Well that's not the intent. As a matter of fact, Section, I believe it is 19 of the Act, provides there will be no change with regard to the situation in the City of Chicago, which already does its own licensing. There will simply be a certification of that city program and for the purposes of the State Act, the city license will act as a State license. The question of cost was raised by a large number of Members here. The cost of training attendants. Well that cost is provided free by the State. Right now we have over 15,000 people State-wide who have been trained to serve in these functions as technicians or attendants on ambulances.



This mandates a municipality to do nothing. It simply says that if you operate an ambulance service, you have to operate it by at least these minimal standards. I think the people of this State deserve at least that much, deserve to know that if they are in need or if they call someone to a medical emergency, that the response will be made by a qualified attendant in a vehicle that has enough equipment the bear minimum equipment to sustain their life during transportation to the medical facility. Ladies and Gentlemen of the House, I might just remind you that these vehicles are subsidized by the federal government, the estimated costs of each of these vehicles, which is \$20,000 is subsidized to the tune of \$14,000, I believe by the federal government, the Act provides that it not take effect for one year and then it has provisions where if local problems result there are additional waivers for a period of up to four years. This gives those people involved in this business in the State of Illinois five years, five years, to bring their businesses up to these standards. As I said in my opening remarks, the vast majority of those involved in this business are now at these standards. But we're talking about a uniform State standard that will bring us into compliance with the Federal Highway Safety Act and I would ask for your favorable support on this House Bill."

Speaker Shea: "The question is shall House Bill 3836 pass. All those in favor will vote aye, those opposed will vote nay. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? The Gentleman from...pardon me, Mr. Holewinski?"

Holewinski: "I just like to be recognized after you..."

Shea: "Alright, alright, take the record Mr. Clerk. On this



question there are 47 aye votes, 79 nay votes, 14 Members voting present and the Gentleman from Cook, Mr. Holewinski."

Holewinski: "Mr. Speaker, I'd like leave to place this on postponed consideration. While I talked to those Members who were concerned..."

Speaker Shea: "...postponed consideration. On the order of House Bills' Third Reading appears House Bill 3837."

Clerk O'Brien: "House..."

Speaker Shea: "...Mr. Clerk wait a minute...so that the Members may be appraised of what the intention of the Chair is it's to finish about four or five more Bills on Third Reading then there are some motions that have to be taken care of and then we will adjourn."

Clerk O'Brien: "House Bill 3837. A Bill for an Act to amend sections of the Nursing Home Shelter Care Home and Homes for the Aged Act. Third Reading of the Bill."

Speaker Shea: "The Lady from Cook, Ms. Chapman. Whom are you referring to?"

Chapman: "Mr. Speaker, I believe you have a list up in front of you which names those persons who will handle the Bills..."

Speaker Shea: "...alright, on 3837, the Gentleman from Cook, Mr. Lundy, is going to be the spokesman for the Committee."

Lundy: "Thank you Mr. Speaker and Members of the House, last...this Bill amends the Nursing Home Licensing Act to add that the possibility for the Department of Public Health to include in the Directory of Nursing and Shelter Care Homes which this General Assembly called for last year, I believe Representative Stubblefield was the sponsor of that Bill, the



possibility of having evaluation of the quality of care available in those homes based on the inspections performed by the Department. The Department of Public Health supports the Bill, it came out of the Committee 14 to 1, I'd be glad to answer any questions on it."

Speaker Shea: "The Gentleman from Cook, Mr. Lundy, moves for the adoption of House Bill 3837. On that question, the Gentleman from DuPage, Mr. Hudson."

Hudson: "Thank you Mr. Speaker, would the sponsor..."

Speaker Shea: "...he indicates he will sir."

Hudson: "Alright, Joe, in looking over this Bill, I notice one of the provisions here is that the information that you refer may include an evaluation by the Department of specific institutions with ratings or comments in the facilities available, etc. Now this reads to me as a permissive Bill. In other words, the Department may, and then it mentions specific institutions, so my question would be on that, is this going to be a selective...will the Department pick out some on which to make the ratings and not others? Or does it mandate such a report on all institutions?"

Speaker Shea: "Your light is on Mr. Lundy."

Lundy: "Thank you Mr. Speaker. In response to the question the reason the Bill is phrased as it is, is that as you will see later in the Bill, Representative, we do not permit the Department to publish any evaluations when the ratings on which those evaluations would be based are disputed by the licensee. In other words, if they are the subject of a hearing within the Department or they are the subject of judicial review, they may not be the basis for evaluation. It is the Department's intention, at least



it was so testified before the Committee that it would attempt to make evaluations of all licensed homes based upon the normal inspection procedure that it carries out in the process of both of State licenser and also Medicaid certification."

Hudson: "Well thank you for that. It would seem to me that what you are seeking here is that or one danger might be that the information obtained could be obsolete by the time the report is published. Now I realize that in the Bill, you have a thirty-day provision. Are any inspections made after thirty days prior to the publication of the report?"

Lundy: "Well I'm not sure I understand the question."

Hudson: "Well according to the Bill, maybe I'd better read it, the directory, the department shall notify each institution of any comments or evaluated ratings in the directory concerning such institution not less than thirty days prior to publication. Now if somebody gets a notice thirty days prior to publication, that gives him a very short period of time to answer in the case that he has already started to address himself perhaps to, that is to remedy situations that need remedied. Now if any inspections are made within that thirty-day period, obviously the institution is in extreme disadvantage, because he's not going to be able to get a report."

Lundy: "Representative, the purpose for the thirty-day advance notice requirement is to permit, that is, by the Department, is to ...to the licensee is to permit the licensee to dispute any finding which the Department has made in the course of its inspection. That is for the protection of the licensee. As I indicated earlier, if the licensee disagrees with a finding that the Department makes in the course of



it can dispute it through administrative procedures that already exist in the licensor procedures and under the current regulation and then when they are in dispute, they may not be the basis for a published evaluation."

Hudson: "Yes, I understand that Joe, so that would mean to me that no inspections could be made as you get within thirty days of the publication date, you couldn't... that would foreclose on any more inspections being made."

Lundy: "I think I don't understand your reasoning."

Hudson: "If he has to be notified, if the institution has to be notified, more than thirty days ahead, of the time the publication is put out, the only way he can do that then is to be inspected certainly more than thirty days ahead of the publication. Isn't that right?"

Lundy: "Well, really I would guess the procedure would work, Representative, would be that the Department would notify the licensee that based upon a given inspection it intended to publish such and such a rating or evaluation of the home. The licensee could then notify the Department either that it disputed the finding based on the original inspection or that it had corrected the condition which the Department said was substandard. I would think that within that thirty day period, the Department could then go in and look at the condition and verify that it had been corrected and change the evaluation on that basis. That's really the purpose for that advance notice for filing. Mr. Speaker, rather than take additional time of the House, if Mr. Hudson really has problems with this, I would be glad to take it out of the record and discuss it with him privately."



Speaker Shea: "The Gentleman asks leave to take it out of the record. What about 3838, Mr. Lundy, is that a companion Bill or is that a separate issue?"

Lundy: "That's a separate Bill, Mr. Speaker, and that Bill needs to go back to Second Reading for a couple of Amendments, one by Mr. Kempiners and one by me, so why don't we do that at this time?"

Speaker Shea: "Could we do that tomorrow sir?"

Lundy: "I could, I had hoped we could do it today so that it would be on Third..."

Speaker Shea: "...alright, House Bill 3838..."

Lundy: "...whatever the Speaker's desire is Mr. Speaker..."

Speaker Shea: "...no that's alright, the Gentleman asks leave to take it back to the order of Second Reading for the purpose of Amendment. Is there objections? The Bill is now on Second Reading. Are there any Amendments Mr. Clerk?"

Clerk O'Brien: "Amendment #1. Kempiners. Amends House Bill 3838 on page 2, line 5, and so forth."

Speaker Shea: "The Gentleman from Will, Mr. Kempiners, on Amendment #1."

Kempiners: "Thank you Mr. Speaker. This Bill is one that is trying to get the Department of Public Health when they gather data to make sure that they only have to gather it once so there is not a duplication of reporting form and it mandates other agencies to cooperate with the Department. However, there is no mandate that the Department, once it has this information, should share it with the other agencies that need it. So this Amendment mandates the Department, once they have obtained the data, to make it available upon request to any other State agency or legislative commission requesting it and I move the adoption of the Amendment."

Speaker Shea: "The Gentleman from Cook, Mr. Lundy."



Lundy: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, Mr. Kempiners' Amendment is certainly consistent with the intent of the Bill when it was originally drafted we thought we had included this...a...this...a... thought in the Bill, but apparently it wasn't clear enough because the Amendment is certainly acceptable and it is consistent with the original intent of the Bill."

Speaker Shea: "The Gentleman from Will, Mr. Kempiners, moves for the adoption of Amendment #1. All those in favor will say aye, those opposed nay, in the opinion of the Chair, the ayes have it, the Amendment is adopted, are there further Amendments?"

Clerk O'Brien: "Amendment #2. Lundy. Amends House Bill 3838 on page 1, line 10, and so forth."

Speaker Shea: "The Gentleman from Cook, Mr. Lundy, on Amendment #2."

Lundy: "Thank you Mr. Speaker and Members of the House, Amendment #2 simply deletes from the Bill the requirement that a financial statement filed by the nursing home must be audited. It substitutes an attested financial statement for an audited statement. Some of the downstate homes felt that the audited statement would be an undue burden. This Amendment is similar to an Amendment to a predecessor Bill that was adopted in the Senate last year and so I think will help the Bill's acceptability when it goes across the rotunda, assuming it does."

Speaker Shea: "The Gentleman from Cook, Mr. Lundy, moves for the adoption of Amendment #2. Is there discussion? All those in favor will say aye, Mr. Schlickman?"

Schlickman: "I thought I pushed it, forget it."

Speaker Shea: "Turn Mr. Schlickman on."

Schlickman: "Will the sponsor yield?"

Lundy: "Yes."



Schlickman: "I notice that on line 10 of the Bill, you strike the word 'audited' and insert the word 'attested', but then you add to line 11, the word 'audited' and I'm wondering if you have a conflict there."

Lundy: "Representative, the language that is added on line 11 is to insure that when the attested statements are filed if the Department believes that the information there is reliable or not sufficient, it may require an audited statement, but in the normal course of committing these reports, they will only need to be attested."

Schlickman: "What do you mean by attested?"

Lundy: "Sworn. Sworn to by the licensing committee of the State."

Schlickman: "Thank you."

Speaker Shea: "The Gentleman from Cook, Mr. Lundy, has moved for the adoption of Amendment #2. All those in favor will say aye, those opposed, nay. In the opinion of the Chair, the ayes have it and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further."

Speaker Shea: "Third Reading. On the order of House Bills' Third Reading appears House Bill 3855."

Clerk O'Brien: "House Bill 3855. A Bill for an Act to amend Sections of the Nursing Home Sheltered Care Homes and Homes for the Aged Act. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Cook, Mr. Lundy."

Lundy: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3855 is another Bill amending the Nursing Home Licensing Act. The purpose of this Bill is to respond to a concern which many Members have expressed regarding the safety of nursing and shelter care home residents from the hazards of fire and smoke."



As many of you undoubtedly saw within recent months, there have been two fatal nursing home fires in the Chicago area, one within the city and one in the suburbs. The City of Chicago, itself, has made the determination to require...to make mandatory the installation of automatic sprinkler systems in all nursing homes. This Bill does not go that far and it does not go that far because in many downstate communities, it is simply not possible to require sprinklers. As a practical matter, they would not be able to operate. Either the water supply is inadequate or the water pressure is inadequate, but in addition it was the judgement of the Subcommittee which took testimony on this subject that fire protection and smoke protection at least equal to that provided by automatic sprinkler systems can be provided by a combination of other fire protection devices. Namely, automatic smoke detectors, automatic door closers, and a combination of other requirements. What the Bill does is to mandate a review by the Department of Public Health within the next eighteen months of every licensed long term care facility in the State to determine its fire resistance and then to require that licensee to take the steps necessary to make the facility reasonably fire resistant as defined in regulations of the Department. In addition, the Bill addresses itself to another very common problem in long term care facilities in this State and that is the lack of adequate training of nursing home staff in fire response procedures. The Bill would require the Department of Public Health to set up an mandatory course in fire response training for every employee of a long term care facility and to insure that those training requirements are met by every employee employed in a nursing or sheltered care home. I'd be happy



to respond to any questions on the Bill."

Speaker Shea: "The Gentleman from Cook, Mr. Lundy, as moved for the adoption of House Bill 3855, on that question is there discussion? The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you Mr. Speaker, will the Gentleman yield?"

Speaker Shea: "He indicates he will."

Ryan: "Representative Lundy, who now inspects the homes for the fire conditions and so forth?"

Lundy: "Well, it's a combination of many agencies, Representative, and in many cases, it's the responsibility solely of local authorities although any home which currently receives federal funds is inspected by the Department and enforcing standards set by the State, what used to be the State Fire Marshal's office and I think that is an important aspect of this Bill as stressed. A very large number of nursing homes, all of those which receive any federal reimbursement, would already comply with standards at least equal to those that we would expect the Department to set under this Bill."

Ryan: "What expertise would the Department of Public Health have in the setting of fire standards?"

Lundy: "Well the Department's required in the setting of the standards to confer and rely upon the Division of Fire Protection in the Department of Law Enforcement which is formerly the State Fire Marshal's office."

Ryan: "Well it just seems like it is another layer of bureauacracy as far as I can tell and I can't understand why the Department of Public Health would get involved in the fire resistant materials and the regulations and I don't understand that part of it."

Lundy: "Well if I may respond to that, Mr. Speaker, it is not at all a duplication or another layer, it is a way of vesting in the one agency in this State that



111.

currently has the responsibility to license and inspect all nursing home facilities. The additional responsibility to guarantee fire resistance of these facilities rather than leaving it on the basis that it is currently on which is municipality by municipality or county by county basis, you will have uniform State-wide standards of fire resistance and in force by the same agency that is already in those homes inspecting them for medic-aid certification under the State licenser purposes."

Ryan: "One more question, Representative Lundy, can you tell me what this is going to cost and has the cost been included in the Department of Public Health's budget?"

Speaker Shea: "Did you hear the question sir?"

Lundy: "Yes, I did Mr. Speaker, thank you. According to the testimony of the Department, Mr. Ryan, they would be able to implement the mandates of this Bill without any additional personnel. In other words, they, relying on the State Fire Marshall's office, to formulate the standards and relying on their existing inspection personnel to enforce the standards, they would be able to carry out the mandates of the Bill without additional costs to the State."

Ryan: "Now let me ask you about the testimony on this ..a...what kind of hearings did you have on these Bills?"

Lundy: "We...well, this particular Bill did not exist until this session of the Legislature convened. However, the Subcommittee did hold hearings on the general subject of fire protection for a full day in the City of Chicago and then once these Bills were introduced, we held a full set of hearings down here in Springfield on these precise proposals. And I might say that they



were substantially modified at Representative Polk's request in order to make clear that the Bill does not mandate automatic sprinkler systems in any sense."

Ryan: "I've had a couple of reports on several of these Bills that came out of Human Resources and I don't know if this is one of them, but it could be, that there were people available to testify and I don't know whether they were opponents or proponents, but that they were completely ignored during the hearings and these Bills were just passed out. I'm talking about the full Committee hearing now. They sent the recommendation to the Subcommittee."

Lundy: "Well, Mr. Ryan, I can't address myself to other Bills..."

Ryan: "How about...would that be true for this one?"

Lundy: "No sir, this Bill was heard on a separate hearing on at least two or three different days and a number of witnesses, including the Department of Public Health did testify on it when it was set for hearing down here."

Ryan: "Thank you."

Speaker Shea: "The Gentleman from Decatur, Mr. Dunn."

Dunn: "Thank you Mr. Speaker. Will the sponsor yield?"

Speaker Shea: "He indicates he will."

Dunn: "In...a...are home rule units being exempt from the provisions of this Bill?"

Lundy: "No, there is a unique arrangement in effect in the State of Illinois with regard to the licensing of nursing homes and of course it would apply in the case of these fire resistant standards as well. The Nursing Home Licensing Act permits the Department of Public Health to designate any local municipality as a local licensing authority if that municipality standards are at least equal to those of the Department,



Now currently, there are only three municipalities in Illinois that have sought and been granted that local licensing authority. The City of Chicago, the City of Joliet, and the City of Evanston. However, any municipality which would wish to take over the responsibility for licensing and inspecting nursing homes would be able to apply to the Department of Public Health to be designated as a local licensing authority."

Dunn: "One additional question. In the event... in the event this Bill would become law, there are lots of nursing home residents who are Public Aid recipients and I wondered what provision has been made to increase the payments to the nursing homes on behalf of these Public Aid recipients to cover the increased overhead that the nursing homes will experience in order to comply with this law?"

Lundy: "Well the Bill, itself, Representative Dunn, does not address that problem. However, it is certainly clear that compliance with State regulations is a reimburseable cost and any resident who is on Public Aid presumably the reimbursement rate would take into account whatever additional cost there was, but let me emphasize that the vast majority of long term care facilities in the State and certainly anyone that has any Public Aid patients in it currently, is already far above any standards that would be enforced here because they are required under federal medic-aid and medicare regulations to comply with what is called the Light-Stacy Code. It's a very stringent regulation devised by an industry group to guarantee fire protection and any home which receives any form of federal reimbursement is already required to comply with those standards, so we are really talking about



relative small number of homes, those which have no Public Aid patients among their population that would be directly affected by this Bill."

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

Speaker Shea: "Proceed sir."

Dunn: "With regard to the last remarks that I suspect that there are not very many nursing homes in the State of Illinois that don't have welfare recipients in them and so this Bill really is directed to a very small minority of the nursing homes in this State which are already supervised and regulated and controlled with regard this type of safety protection and I wonder if we are doing something that we really need or are we doing something that could be done in other ways without adding another layer of bureaucracy and I really question the need for this legislation."

Speaker Shea: "The Gentleman from Kane, Mr. Friedland."

Friedland: "Thank you very much, Mr. Speaker, I move the previous question."

Speaker Shea: "The question is shall the main question be put, all those in favor will say aye, opposed nay, in the opinion of the Chair, the ayes have it. The Gentleman from Cook, Mr. Lundy, to close."

Lundy: "Thank you Mr. Speaker and Members of the House, this Bill is designed to be the Legislature's response to the kind of havoc which we saw in the two recent disasterous nursing home fires in the Chicago area. The City of Chicago has decided to respond in one way and that is to require every nursing home, new or existing, to install automatic sprinkler systems. This Bill attempts to respond in a more flexible way because many of the downstate communities simply could not comply with such a requirement. It would, in effect, put the homes out of business. What we have done is to mandate a review of every license long term care



facility in the State to require the Department of Public Health, which already inspects those facilities and therefore, we are not creating an additional bureaucracy to...a...in addition to its other duties to rate those homes with regard to their fire resistance and then to require upgrading of those homes which do not meet the Department's minimum standards. In addition, the Bill will meet a need which I think exists State wide and that is for better fire response training for nursing home personnel. Hopefully, if this Bill were to become law within a year or within the eighteen months implementation period provided in the Bill, all of us would be able to give our constituents, the parents and children of residents in long term care facilities in Illinois an assurance which we cannot presently give them and that is that we have done our best to insure that they are reasonably protected against the hazards of fire and smoke in situations in which they are uniquely unable to protect themselves. I would ask for your favorable support of this Bill."

Speaker Shea: "The question is shall House Bill 3855 pass. All those in favor will vote aye, those opposed will vote nay. Have all voted who wished? Have all voted who wished? The Gentleman from Champaign, Mr. Hirschfeld, to explain his vote. Mr. Hirschfeld, turn him on."

Hirschfeld: "Thank you Mr. Speaker, I'll make this very brief. I think that this piece of legislation is well motivated by the legislator whom I have certainly come to respect as one of the more..most sensitive legislators we have in the House of Representatives down here. But those of us that are downstate have got to look at the nursing home situation a little more in depth. And we have a situation now in most of



our counties where the county homes are no longer refusing...are no longer willing to accept the Public Aid patients. And of course, the profitable nursing home such as Americana, Fontana, and many of these other chains, also will not accept the Public Aid patients. And so it falls back upon those nursing homes that are known as not-for-profit corporations and they must take a certain amount if they are going to maintain that status under State law. Most of these nursing homes are extremely thin financially and while I have the greatest respect for the sponsor and for his motivation, I think that to put this one more burden on the only homes that we have in the State of Illinois now that will actually take Public Aid patients as a policy, would be just the final log to crush the home and make nothing of it available for the Public Aid patient in Illinois and therefore, I am going to have to vote no, although I am extremely hopeful that sometime we will be able to come up with legislation that if we are going to have this type of support, we'll find some way to pay for it so that the Public Aid patients can get the same treatment that those that afford it get because I think they are every bit as entitled to it as senior citizens as the wealthy people are."

Speaker Shea: "Have all voted who wished? Have all voted who wished? The Lady from Lake, Ms. Geo-Karis, to explain her vote."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I'm sure you didn't you mean that resigned attitude in your voice, I'm sure you didn't, but I want to point out something. We do have a responsibility to maintain homes that are safe for these senior citizens. And I think this has been a good Bill and we're going to have to take some steps. That's all I can say and



I'm for it."

Speaker Shea: "Ms. Chapman to explain her vote."

Chapman: "Mr. Speaker, I just can't imagine that legislators have really had an opportunity to listen carefully to the sponsor's explanation of this Bill. This is not a Bill which is unreasonable in any degree. There is another Bill which is before the House Executive Committee, which requires all nursing homes to have sprinklers in order to protect the lives of defenseless persons. But because it appeared to the long term care subcommittee a joint committee formed by a House Resolution of the Human Resources Committee and the Executive Committee because it appeared to them that this was not practical downstate, a less restrictive measure that would provide for improved protection for nursing homes patients has been carefully considered by this Committee with extensive hearings, has been heard twice by the House Human Resources Committee and everyone who wished to testify had an opportunity to testify. I ask you, those fifty-three persons who are not voting to reconsider your ~~non~~ position and push your green light."

Speaker Shea: "The Lady from Cook, Mr. Willer, to explain her vote."

Willer: "Thank you Mr. Speaker, I too, am amazed that so many legislators can sit here and not support this Bill. We have heard so many impassioned pleas for the House for the safety of our children, various legislation. Elderly people in the same position as children in nursing homes. They are totally helpless, especially in the case of a fire. I have an aunt in the Cermak House who was in that fire, was in the hospital for two weeks after that from smoke inhalation, was moved to a new nursing home. She is not much better off where she is, not for reasons of fire danger perhaps,



but I would like to see a Bill broadened, not for just the safety, but for other reasons too, and I would certainly ask this is a minimum thing we can do for the elderly in nursing homes who are just as helpless as children and I think it's pretty cruel and heartless and I would just disagree with one of the speakers who says Americana does not take Public Aid, they do to to some extent and we are not talking about just the less qualified or the poorer nursing homes, this applies to all of them and they all take a certain number of Public Aid patients and we have an obligation certainly to them."

Speaker Shea: "Mr. Stubblefield to explain his vote."

Stubblefield: "Yes, thank you Mr. Speaker, as a Member of the Human Resources Committee, I want to reiterate what our Chairman, Ms. Chapman, has said already. This Bill was heard on a couple of occasions and at the first hearing the Members of the Committee felt that some Amendments or changes should be made in order to meet the objections of the downstate communities. Now those objections have been met and in its present form, as I recall testimony before our Committee, there was no objection to this Bill. It offers minimum protection to individuals who must reside in nursing homes and who, I feel, we have some obligation to protect from the dangers of fire and smoke inhalation. I think the sponsor should be commended for the work that he has done, the Human Resources Subcommittee for their study of this Bill, I believe everyone has had an opportunity to be heard, to register their objection and I believe those objections have been met and I think those who are voting no or present or not voting at all can vote yes on this Bill with the full assurance that they will not be harrassed by some of those nursing home



operators once they are home. I don't think there is objection to this Bill, I'd urge a yes vote."

Speaker Shea: "The Gentleman from Bureau, Mr. Mautino, to explain his vote."

Mautino: "Thank you Mr. Speaker and Members to the House, there are many downstate counties that operate their own nursing homes under the county government philosophy and under the appropriations of county government. Many cases there have been many applications for HUD grants so that they may rectify some of the situations that appear in the nursing homes. And in most cases, they found it more agreeable to put up additional water storage tanks than the sprinkler systems and of course, at a lessor cost. Last weekend the Zone 4 meeting of the County and Township Officials took in..that takes in the northern part of the State of Illinois...a...was opposed to the water sprinkler systems because they feel that most of those homes do have adequate systems in them, good water pressure and for that reason, they oppose and I agree that there are other alternatives than putting mandates on them already. The HUD grants are already in effect in most of the counties. Bureau County just received one and we found out that it was beneficial to do it that way. Thank you sir. I vote no."

Speaker Shea: "The Gentleman from Kane, Mr. Grotberg, to explain his vote."

Grotberg: "Well thank you Mr. Speaker and Ladies and Gentlemen of the House, in explaining my vote, I would only suggest that the sponsor has worked long and hard on this Bill. It has had a good hearing and I am in an awkward position of being...of representing a nursing home organization and may have to vote present ultimately myself. I think this unspoken issue here is that the distinguished Minority spokesman



of the Appropriations Committee, Mr. Ryan, asked what will it cost. It will cost ultimately every nursing home operator who has to come into conformity with these regulations and those costs, of course, will be passed on to the consumer, like all of the costs in the State of Illinois. I personally am not opposed to this Bill, but I think each of us in our own district have to look over the nursing home industry as he knows it and wonder whether or not these costs can be absorbed in the near future as costs are rising so rapidly.

Thank you."

Speaker Shea: "Mr. Marovitz to explain his vote."

Marovitz: "Thank you Mr. Speaker and Members of the House, as a Member of the Human Resources Committee, I've watched the sponsor of this Bill respond to requests from people through the State for Amendments to the Bill. When originally there were mandatory requirements people from downstate couldn't handle those mandatory requirements because of water pressure and other reasons. Joe Lundy responded to everyone of these requests. He's tried to put the Bill in the kind of shape that everybody in this House could vote for. The Public Aid homes, for the most part, are in compliance with this requirement now and it isn't true to say that it'll cost our Public Aid people the kind of spots in homes that they deserve. The only consideration in this Bill is safety and I think... there is a lot of talk about costs this and costs that, what about the costs of the lives of people who are killed by the senseless tragedies resulting from fires and poor safety regulations in the homes throughout this State. I think that's the number one consideration that we should be thinking about. The cost of a life is a lot greater than the cost of somebody who's making



money off the nursing homes. I think that we ought to think about these kind of things before these tragedies happen. Safety is the only consideration in this and I'd like to see a lot of those twenty-six people who aren't voting or twenty-one people who are on present, consider the cost of a life over the costs of a few dollars to the nursing home operator. The people on Public Aid, the home that take the Public Aid people, are presently in compliance with the regulations that are in this Bill. We are not going to be affecting them. I'd like to see a few more green lights. Some people who are just sitting, get on green, think of safety first and cost secondary."

Speaker Shea: "Mr. Simms to explain his vote."

Simms: "Well Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this legislation. I think one factor that hasn't been brought out significantly enough is that it's going to require some additional training to some people in these homes for fire prevention and this has been one of the big problems that many of the people that are working in the nursing home industry have not been properly trained in fire safety. Secondly, I think the Subcommittee and the Committee went to great lengths to see that this Bill was acceptable to the greatest number of people and I have received no opposition from the nursing home industry and I think this thing needs a few more green votes for passage."

Speaker Shea: "The Gentleman, Mr. Ewing, what's that county again sir?"

Ewing: "Livingston."

Speaker Shea: "Livingston, alright."

Ewing: "Thank you Mr. Shea. I have sat here through lengthy explanation of vote thinking that surely we



would not have 89 votes up there for this Bill. I had thought that possibly we were getting the word from our voters back home that we have done enough to screw up the cities and the villages and the schools and the nursing homes with our requirements and our costs. And anybody who knows anything about nursing homes, knows that continual costs are passed on to the old people and they are concerned about it and they are concerned because they don't have the money to meet these costs. And I think that there is only so much human tragedy you can legislate against and I would hope that we don't pass this legislation."

Speaker Shea: "The Lady from DuPage, Ms. Dyer, to explain her vote."

Dyer: "Yes, Mr. Speaker, just a very quickly, I personally urge a yes vote on this Bill and relieved to see that it has been adjusted to the satisfaction of many many downstate townships and counties. You remember in the early part of the session I passed a Bill which gives our local township supervisors the privilege of contracting for care of their patients with private either for profit or not-for-profit nursing homes, and if we don't have this kind of protection, your..someone related to you could be at the mercy of an unscrupulous nursing home operator. I think the standards in here are very fair, I think it's an excellent Bill."

Speaker Shea: "The Gentleman from Lake, Mr. Griesheimer, to explain his vote."

Griesheimer: "Thank you Mr. Speaker, I'll make this very brief. To the legislator from the 31st District, I would point out that Zion happens to have the largest number of nursing homes of any other town of this size in the State of Illinois. And if this Bill passes, you're going to put fifty percent of those nursing homes out of business because they cannot comply



economically with this. And then I want you to explain to the people who do not have any place to go because there is now another one of these bureaucratic requirements imposed upon them or why they do not have the same place to live in. If you have been through the nursing home up there as I have been, you will find out that there are adequate fire protection and what we are doing is reacting in that typical knee-jerk reaction to that situation that occurred in Chicago. I think it is incumbent upon us today to realize that we must furnish places for people, we must impose reasonable standards, but this is not a reasonable standard."

Speaker Shea: "The Gentleman from Cook, the Assistant Majority Leader, Mr. Davis."

Davis: "Mr. Speaker and Ladies and Gentlemen of the House, I decided to vote for this Bill and I'm gonna tell ya why. I never saw so many nursing homes being built in my life as they are building on the southside of Chicago. They put one up at 34th Place an Michigan, right around the corner, they are puttin another one right now as I stand here in front of my headquarters at 34th and Indiana, and then they went over and they are buildin' another one over there out at 50th and Michigan, they are buildin' another one out there. You mean to tell me that these nursing homes are not makin money. They got to be makin money or they wouldn't be buildin' all of these homes. If they are making money, then let them put up the homes that will be safe for the inmates of that home. I decided to vote aye on it."

Speaker Shea: "The Gentleman from Knox, Mr. McMaster, to explain his vote."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, by way of explaining my vote, a number of the counties



in my district have built new nursing homes, remodeled nursing homes, and in the last several years, let's say six or eight years, we have complied with all necessary State and federal standards. They are, I am sure, resistant of fire destruction, I don't think you can ever say a building is completely fire proof. And here we are again mandating to those units of local government that they must again spend more money to update their facilities. The sponsor of this legislation said 'oh well, those on Public Aid, the county, the nursing home, will be reimbursed by the Public Aid, or Public Health' whichever, but do you know, have you ever been through the experience being a member of a county nursing home committee of trying to get a rate increase to meet the requirements that the State put on you in the first place? Do you know how many trips it takes to Springfield? You have to get down on your knees and beg for the necessary money to operate the facility. Look fellas, try it some time. I urge a no vote on this unless you want to come out and tell those nursing homes we are going to give you a check, you go ahead and do it and here's the money to do it with, but don't go ahead and say you do it and then have local government say we can't because we don't have the money. You see that they get the money first."

Speaker Shea: "The Gentleman from McHenry, Mr. Skinner, to explain his vote."

Skinner: "To quote a colleague of mine who sits behind me, my vote can be had on this one. But first of all, I want to check with my county home nursing administrator and make certain that he doesn't agree with Representative McMaster's line of argument. If you read this Bill, it says the Department may require equipment necessary to bring institutions in compliance with the



standards of fire resistance adopted pursuant to this Act. Now the Department may grant reasonable extension. Now here's the kicker, no requirement for an automatic sprinkler system shall be enforced in any case unless alternative measures have been considered. Get that, considered, and a public hearing has been held on the question. Whoopee! That doesn't satisfy me, just reading it, and I'm not sure it's going to satisfy my county nursing home administrator and he hasn't asked me about any other Bill in the entire section except this concept. I see this Bill, if it passes, it's going to pass with Chicago votes and I would respectfully suggest that it doesn't matter to the City of Chicago whether it passes or not because you've already got it under your home rule powers."

Speaker Shea: "The Gentleman from Perry, Dunne, Ralph, to explain his vote."

Dunne: "Thank you Mr. Speaker, I see the votes look pretty favorable to me right now. I want to remark as Representative Skinner did while it doesn't mandate sprinkler systems, it doesn't prohibit you from having them nor does it tell you that you won't have them. I would urge a no vote and I would appreciate the fact that we have a study this more and you ought to make the effective date about 1987 instead of '77 and it might be a good Bill. Thank you."

Speaker Shea: "Have all voted who wished? Have all voted who wished? Take the record. On this question there are 86 ayes, 52 nays, 23 Members voting present, House Bill 3855...for what purpose does the Gentleman from McHenry arise?"

Skinner: "Well I arise because this has 86 votes..."

Speaker Shea: "Sir, you are not the sponsor and your...."

Skinner: "...I would like to request the sponsor to put it



on postponed consideration,"

Speaker Shea; "He indicates he wants to let it go down. This Bill having failed to receive a constitutional majority is hereby declared lost. On the order of House Bills Third Reading appears House Bill 3843 and on that question, the Gentleman from Cook, Mr. Laurino, Read the Bill Mr. Clerk,"

Clerk O'Brien; "House Bill 3843, A Bill for an Act to amend the Election Code, Third Reading of the Bill,"

Laurino; "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3843 simply tries to bring the Election Code into uniformity. What it does is it takes registration from 45 to 35 days through...for a county election. I ask for a favorable support of this Bill."

Speaker Shea; "The Gentleman from Cook, Mr. Laurino, moves for the passage of House Bill 3843. The question is shall House Bill 3843 pass. All those in favor will vote aye, those opposed will vote nay. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On this question there are 152 ayes, no nays, 1 Member voting present. House Bill 3843 having received the constitutional majority is hereby declared passed. On the order of House Bills Third Reading appears House Bill 3856,"

Clerk O'Brien; "House Bill 3856. A Bill for an Act to amend the Code of Criminal Procedure, Third Reading of the Bill,"

Speaker Shea; "The Gentleman from Cook, the Chairman of the Judicial II Committee, Mr. Katz. Do you want your two Bills out of the record. Take those two Bills out of the record. On the order of motions appears House Bill 991, Mr. Madigan,"

Madigan; "Mr. Speaker, I move that Rule 24(d) be suspended and that the expiration period on this will be extended



for a period of fifteen days."

Speaker Shea: "You've heard the Gentleman's motion, he asks leave of the House to have the...a...suspend that portion of the Rule 24 that applies to the fifteen days...or the forty-five day rule extended for fifteen days. Is there objection? Hearing none, ...the Gentleman from Cook....a..from McHenry, Mr. Skinner."

Skinner: "Well this is a very interesting Bill and I... everybody is sure they want to extend it?"

Speaker Shea: "Do you object sir?"

Skinner: "Well I'd hate to try to explain to my businessmen if this ever passes what happened."

Speaker Shea: "Hearing no objection...Mr. Walsh."

Walsh: "Did the sponsor check this with the Minority Leader?"

Madigan: "To be honest about it, I don't know."

Walsh: "Why don't we take it out of the record until we find out from the Minority Leader if this is alright."

Speaker Shea: "Take it out of the record then. On the order of House...or motions appears...House Bill 3124, the Gentleman from DuPage, Mr. Daniels."

Daniels: "3124, Mr. Speaker and Ladies and Gentlemen of the House, deals with medical malpractice and we're studying that in Subcommittee and Judiciary I tomorrow, we're asking for a fifteen day extension on this Bill."

Speaker Shea: "The Gentleman asks leave of the House to extend the forty-five day rule for fifteen days with regards to House Bill 3124. Is there objection? Hearing none, the attendance Roll Call will be journalized for the motion. Now Mr. Birchler, what number do you have sir? Do you have one in that same category?"

Birchler: "Mr. Speaker, I have House Resolution 682 and I have cleared this with the Minority Leader as well as



the Majority Leader. I would ask to have Rule 24(d) suspended and extend that fifteen days."

Speaker Shea: "The Gentleman from Randolph, Mr. Birchler, moves that the fifteen day rule...the forty-five day rule be extended for a period of fifteen days so that House Bill...House Resolution 682 may remain alive. Is there objection? Is there objection? Hearing none, the Roll...the attendance Roll Call will be journalized for the Gentleman's motion. Now Ms. Younge you have a motion on the..."

Younge: "Thank you Mr. Speaker, in reference to House Bills 3533 and 3534, I move that under Rule 18(k) that there be a suspension of the posting requirement and that these matters be heard in the Executive Committee tomorrow at 7:00 o'clock."

Speaker Shea: "The Lady from St. Clair moves that the appropriate posting rules with regards to House Bills 3635 and 3636 and 3646 be waived and that those Bills..."

Younge: "...3533 and 3534..."

Speaker Shea: "...I'm sorry, I've got the wrong numbers. House Bills 3533 and House Bill 3534 be heard in Executive, be posted and heard in Executive tomorrow, is there objection? Mr. Hoffman, do you object sir?"

Hoffman: "Question."

Speaker Shea: "Pardon me?"

Hoffman: "Question. What are these Bills?"

Younge: "These are the industrial park Bills."

Speaker Shea: "These are the industrial park Bills that the Lady from, in effect I believe, East St. Louis, if there is no objection, the Roll Call for attendance will be journalized as the Roll Call on the Lady's motion and it's adopted. On the order of motions appears House Bill 991 back to the Assistant Majority Leader, Mr. Madigan, on that."



Madigan: "Mr. Speaker, I have spoken with Representatives Walsh and Duff and they, I believe, have agreed to my motion and I move that Rule 24(d) be suspended for a period of fifteen days."

Speaker Shea: "The Gentleman from Cook, Mr. Madigan, now moves that the fifteen day...or the forty-five day rule be extended for an additional fifteen days with regards to House Bill 991 so that that Bill may remain alive. Is there objection? Hearing none, the attendance Roll Call will be journalized for that motion. Now Mr. Houlihan, you have a motion sir?"

Houlihan: "Mr. Speaker, on the calendar appears the motion with regard to the 33...House Bill 3390, I'd like to table that motion."

Speaker Shea: "The Gentleman asks leave of the House to table the motion with regards to House Bill 3390. Is there objection? Hearing none, the Gentleman's motion to withdraw is allowed. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "I don't see Representative Birchler here, but he..."

Speaker Shea: "...took care of his already."

Matijevich: "Oh, did he?"

Speaker Shea: "On House Resolution 682 sir? Alright, now Mr. Capparelli's got a motion or an announcement on soft ball."

Capparelli: "All Representatives who are interested in practicing tonight, we're going to be at Lincoln Park, Diamond #5 about a half an hour after adjournment."

Speaker Shea: "We've got a few more things to take care of. Ms. Dyer, you have a motion?"

Dyer: "Yes, Mr. Speaker, I would respectfully like to request leave of the House to suspend the posting requirements for hearing of the subject matter of House Bills 3939 and 3940 for the Committee of Higher Education this



Thursday."

Speaker Shea: "I apologize Ms. Dyer, I didn't hear your motion."

Dyer: "It was just a request to leave of the House to suspend the posting requirements for hearing of the subject matter of House Bills 3939 and 3940 in the Committee on Higher Education. Chairman Mann is in agreement with the motion and I would appreciate leave of the House."

Speaker Shea: "Are those as proposed Committee Bills? Is that it?"

Dyer: "That's correct."

Speaker Shea: "Alright, the Lady asks leave that the subject matter of 3939 and 3940 can be heard on the Committee on Higher Education as proposed Committee Bills and be heard tomorrow. Is there objection? Hearing none, the Lady's motion...Mr. Mann?"

Mann: "Just one correction there, Mr. Speaker, that would be Thursday."

Speaker Shea: "Thursday, I'm sorry sir. Be heard Thursday and is there objection? Hearing none, the Roll Call ...the attendance Roll Call will be journalized as the vote on the Lady's motion and the Lady's motion is adopted. Now I've got Mr. Ebbesen, Mr. Lechowicz, Mr. Yourell, Mr. Rayson, Mr. Mann and then one motion by Mr. Merlo. We are going to Mr. Merlo's motion now and then we'll take from Mr. Waddell. On the order of the Speaker's Table appears House Resolution...House Resolution 842 and on that motion, the Gentleman from Cook, Mr. Merlo."

Merlo: "Mr. Speaker, I would like to request at this time that we suspend the appropriate rules and ask for the immediate consideration of House Resolution 842."

Speaker Shea: "The Gentleman from Cook, Mr. Merlo, asks leave of the House to hear for an immediate consideration of



House Resolution 842. Is there objection? Hearing none, the attendance Roll Call will be used...the Gentleman's motion carries and the attendance Roll Call will be journalized as the vote on the motion. Now on the Resolution, Mr. Merlo."

Merlo: "Mr. Speaker and Members of the House, day care centers, as I mention yesterday throughout the United States are in serious jeopardy and Congress must accept a large portion of the fault for this situation having enacted legislation and regulations that were unnecessarily severe and could not be implemented without exceeding the administration's feeling on special welfare spending. What had happened affects the State of Illinois in particular. The enforcement of such standards could mean the end of day care programs for 35,000 children in the State of Illinois and in many cases the parents would be forced to quit work to take care of their children. Such a situation would not only be a hardship on families, but would behoove the State to provide public assistance in unemployment compensation far beyond its ability in light of the State's government present financial status."

Speaker Shea: "The Gentleman from Cook...oh, I'm sorry, sir, I thought..."

Merlo: "...that's alright."

Speaker Shea: "The Gentleman from Cook, Mr. Merlo, moves for the adoption of the Resolution, all those in favor will say aye, those opposed, nay. In the opinion of the Chair the ayes have it and the Resolution is adopted. Now on the order of motions appears...or announcements...Mr. Lechowicz, the Chairman of the Committee on Appropriations."

Lechowicz: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, Appropriations I will meet tomorrow morning at 9:00 o'clock on the House floor and I would



that the Committee Members would be prompt. We should be through in a hour and a half. Thank you."

Speaker Shea: "The Gentleman from DeKalb, Mr. Ebbesen, wishes to withdraw his motion with regard to House Bill 3937. No objection? That will be allowed. Alright, now let's go through the announcements. Mr. Washington."

Washington: "Mr. Speaker and Members of the House, Judiciary I Committee will meet at 10:00 A.M. promptly tomorrow morning in C-1. 10:00 A.M. promptly. Thank you."

Speaker Shea: "Mr. Yourell."

Yourell: "Thank you Mr. Speaker. Ladies and Gentlemen of the House, I would request leave to waive the posting rules so that House Bill 3570 can be heard in Counties and Townships tomorrow as a matter...subject matter for a Committee Bill."

Speaker Shea: "Have you discussed this with the leadership on the other side?"

Yourell: "I was looking for Representative Washburn, he's in with the Speaker, but I checked with the Minority spokesman, Representative McMaster, he has no objection."

Speaker Shea: "The Gentleman asks leave to have the subject matter of House Bill 3570 be heard and posted as a Committee Bill in the Committee on County and Townships for tomorrow. Is there objection? Hearing none, the attendance Roll Call will be journalized as the Roll Call on the Gentleman's motion and the Gentleman's motion is adopted. Now the Gentleman from Sangamon, Mr. Londrigan...that's now Mr. Boyle on that microphone. Turn on Londrigan's microphone for Mr. Boyle."

Boyle: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, Appropriations II will meet at 9:00 A.M. tomorrow morning in Room 118 to consider public aid. I'd urge all of the Members to be present and hopefully on time so we can move the Bill. I'd like to also remind those Democrat Members that there is a meeting of the Democrat



Members of Appropriations II in the Speaker's office immediately after adjournment."

Speaker Shea: "Alright, now over to Mr. Ryan, your counterpart, for an announcement. Mr. Ryan."

Ryan: "Thank you Mr. Speaker, there will be a meeting of the Republican Members of Appropriations II in Room 220 immediately after adjournment."

Speaker Shea: "Now back to the Gentleman from Lake, Mr. Matijevich, the Committee on Executive."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Democratic and Republican Members of the Executive Committee meet at noon for the Executive Committee in Room 114, a five member Subcommittee headed by Tipsword meets in Room 114 at 11:00 A.M. Thank you."

Speaker Shea: "The Gentleman from Cook, Mr. Rayson, for an announcement."

Rayson: "Mr. Speaker, I would ask for leave of the House to take House-Joint Resolution 93 to be considered for purposes of an Amendment only."

Speaker Shea: "House Resolution 93.."

Rayson: "...House-Joint.."

Speaker Shea: "...House-Joint Resolution 93? Where's the Amendment? Is the Amendment on the desk there?"

Clerk Selcke: "Amendment #1. Amend House Joint Resolution 93 on page 2 in the first resolved portion by changing chairman and minority spokesman in each of the two places it appears, the chair person, vice-chair person, and minority spokes-person."

Speaker Shea: "The Gentleman from Cook, Mr. Rayson..."

Rayson: "...Mr. Speaker..."

Speaker Shea: "...on the Amendment #1 to House Resolu...House Joint Resolution 93."

Rayson: "I would ask, Mr. Speaker, of the Clerk, is there more than one Amendment there? At the Clerk's desk?"

Clerk Selcke: "There are two Amendments up there, but they are



both the same number."

Rayson: "Alright, then I would move to adopt this Amendment.

It was suggested in Committee that we do so and we have done so and it's just to rearrange a complement of a legislative Committee that looks into fiscal affairs. I move to adopt."

Speaker Shea: "You want to hold that until tomorrow, then, and get it straightened out?"

Rayson: "Alright."

Speaker Shea: "Alright, thank you sir. Mr. Katz. Mr. Katz, you have an announcement."

Katz: "Ah, yes, Mr. Speaker, tomorrow morning the House Rules Committee will be meeting in Room 122-A to hear motions for declaring House Bills exempt. Senate Bills will not be heard this week. The House Members who have their Bills that they want heard this session with an exemption from the Rules Committee must do so this week. We will be meeting tomorrow morning and we will be meeting on Tuesday morning and we urge that Members be aware of the fact that under a Resolution adopted by the House Rules Committee, House Bills, to get an exemption, must be heard by the House Rules Committee this week, they will not be heard next week. If you have a Senate Bill, do not expect a Senate Bill to be called this week, next week we will be meeting and we will hear Senate Bills. That is tomorrow morning starting at 9:00 o'clock in Room 122-A here in the Capitol Building, a meeting of the House Rules Committee."

Speaker Shea: "House Bills' Second Reading appears House Bill 3659."

Clerk Selcke: "House Bill 3659. A Bill for an Act to amend Section 3 of the Illinois Health Facilities Planning Act. Second Reading of the Bill. No Committee Amendments."



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

Clerk Selcke: "None."

Speaker Shea: "No floor Amendments? Third Reading. Now does anybody else have any motions? Mr. Waddell, I'm sorry sir, go ahead."

Waddell: "Mr. Speaker, I would like to suspend the appropriate Rules to consider Senate Bill 1727 to be advanced to the Second Reading, Second Legislative Day, I checked with the leadership and I know of no objections. This measure passed the Senate 45 to nothing in the last Committee, 15 to nothing."

Speaker Shea: "You've cleared it with both sides of the aisle?"

Waddell: "Yes sir."

Speaker Shea: "The Gentleman moves to suspend the...to.. the Gentleman moves, under the appropriate rule, to advance Senate Bill 1723...1727 to the order of Senate Bills Second Reading, Second Legislative Day. Does he have unanimous consent? Do you object, Mr. Katz?"

Katz: "Has the Bill gone to Committee ~~or not~~? It's already out of Committee and he simply wants it Second Legislative Day."

Speaker Shea: "Yes sir."

Katz: "Okay."

Speaker Shea: "Hearing no objection, the attendance Roll Call minus one name will be used for that motion. Read the Bill a Second Time."

Clerk Selcke: "Senate Bill 1727. Second Reading of the Bill. No Committee Amendments."

Speaker Shea: "Are there any Amendments from the floor? No Amendments? Third Reading. Now are there any more announcements, motions, requests, Mr. Walsh, do you have anything that you want to report on today?"



Walsh: "Nothing right now, Mr. Speaker."

Speaker Shea: "Does your assistant, Mr. Sarunus has any requests?"

Walsh: "I think he did have something to say, Mr. Speaker."

Speaker Shea: "Alright, Mr. Madigan. Mr. Hart, did you have a motion, I'm sorry sir."

Hart: "I had a request that we adjourn."

Speaker Shea: "That's where we're going right now. Mr. Madigan?"

Madigan: "Mr. Speaker, I move that we adjourn until 2:00 o'clock, tomorrow afternoon, with an allowance right now for fifteen minutes of housecleaning work by the Clerk's office."

Speaker Shea: "Alright, the Gentleman from Cook, the Assistant Majority Leader, Mr. Madigan, moves that the House stand in recess so that the Clerk's office can have five minutes to read in Committee Reports and other housekeeping matters and that the House do stand adjourned until 2:00 o'clock tomorrow afternoon. You've heard the Gentleman's motion, all in favor will say aye, those opposed, nay. In the opinion of the Chair, the ayes have it and the House stands in recess."

Clerk Selcke: "Committee Reports. Representative Maragos, the Chairman of Revenue to which the following Bills were referred reported the same back with the following recommendations that they do pass, House Bill 3912, House Bill 3937, do pass as amended House Bill 3491 and House Bill 3830. Mr. Katz from Judiciary II to which the following Bills were referred, reported the same back with the following recommendations do pass House Bill 3878, 3883, do pass as amended, House Bill 3881, tabled in Committee, House Bill 3869, 3870, and 3873. Mr. Taylor, Cities and Villages, reported same back with the following recommendations do pass House Bill 3924, and 3930. Representative Laurino,



Chairman of the Elections, reported the following Committee Bill, House Bill 3952, being a Bill for an Act to add Section 17-16.1 to the Election Code. Action taken May 25th, 1976. Representative Katz, Chairman of Judiciary II reported the following Committee Bill, House Bill 3954, being a Bill for an Act in relation to the period of supervision of criminal defendants in action taken May 25th, 1976. House Bill 3952. Amends the Election Code. First Reading of the Bill. House Bill 3953. Geo-Karis. Amends an Act concerning public utilities. House Bill 3954. Committee Bill amends Unified Code of Corrections. First Reading of the Bill. Senate Bills' First Reading. Senate Bill 1622. An Act to provide for the ordinary and contingent expense of the Department of Aged. First Reading of the Bill. Senate Bill 1725. An Act to amend the Cigarette Tax Act. First Reading of the Bill. Senate Bill 1741. An Act to provide for the ordinary and contingent expense of the Commission on Economic Development. First Reading of the Bill. Messages from the Senate. Mr. Wright. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a Bill with the following title and passage of which I am instructed to ask concurrence of the House. House Bills 1523 and 1524, passed by the Senate May 25, 1976. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a Bill with the following title and the passage of which I am instructed to ask concurrence of the House. Senate Bill 1567, 1799, 1800, 1803, 1804, 1806, 1853, 1854, 1859, 1937, and 1939, passed the Senate May 25, 1976. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of Bill with the following



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

House Bill 3068 together with the following Amendment, action taken by the Senate...passed the Senate as amended May 25th, 1976. Kenneth Wright, Secretary.

Mr. Speaker, I am directed to inform the House that the Senate has concurred with the House in the passage of a Bill with the following title, House Bill 3357, passed the Senate May 25th, 1976, by a three-fifths vote. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House that Senate has concurred with the House in the passage of a Bill with the following title, House Bill 3352, 3547, 3744, passed the Senate May 25th, 1976. Kenneth Wright, Secretary.

Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Amendments #1 and #2 to the following Joint Resolution, Senate-Joint Resolution #65 concurred in by the Senate, May 25, 1976, by a three-fifths vote. Kenneth Wright, Secretary. The Senate is adjourned until 2:00 post meridian."

