

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

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

Reverend 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. Ralph Belemy said, 'The hard part of making good is that you have to do it again every day'. Let us pray. Lord, Jesus Christ, keeper and preserver of all things, let Thy right hand guard us by day and by night, when we sit at home and when we walk abroad, when we lie down and when we rise up, when we rest and when we are at work, so that all our labor for the State of Illinois, may be pleasing unto Thee. Amen."

Speaker Redmond: "Roll Call for attendance. Messages from the Senate. Committee Report."

Clerk O'Brien: "Representative Lechowicz, Chairman, Committee on Appropriations I, to which the following Bills were referred, action taken May 19th, 1976...Reported the same back with the following recommendations. Do Pass, Senate Bill 1605 and Senate Bill 1639."

Speaker Redmond: "Introduction...First Reading."

Clerk O'Brien: "House Bill 3928, Luft, a Bill for an Act to amend the Downstate Teachers' Retirement System Article of the Illinois Pension Code, First Reading of the Bill."

Speaker Redmond: ".....Resolution."

Clerk O'Brien: "House Resolution 818, Kornowicz; 819, Washburn; 820, Telcser; 821, Totten; 822, Kucharski; 823, Klosak; 824, Tipsword; 825, Ralph Dunn; 827, Daniels; and 828, Porter."

Speaker Redmond: "Representative Matijevec."

Matijevec: "Mr. Speaker, Ladies and Gentlemen of the House, House Resolution 818, Kornowicz, commends and congratulates MissMary C. Doyle, Principal of the Elk.... Elkton Community, on the Southwest side of Chicago, the



Ferdinand W. Peck Elementary School. House Resolution 819, Washburn, congratulates ...ah...Mae Wilcox Holderman on the occasion of her 100th Birthday. House Resolution 820, Telcser, congratulates Hul....Hulda Anderson, Marie Anderson, Edith Brady, Emmett Groberg, Martha Weaver, and Carl Roseland on the occasion of the devotional service and reception in their honor at Bethany Terrace, in Morton Grove. House Resolution 821, commends Reverend Leo Winsek of Chicago. House Resolution 822, Kozubowski, ...ah...joins the many friends and relatives of Mr. and Mrs. John Joseph Kissen on their Fortieth Wedding Anniversary. 823, Klosak, commends and congratulates Mr. Edward W. Choatel, retiring member and long time President of the Board of Education of Morton High School. House Resolution 824, Tipsword...ah...commends Miss ... June E. Galloway, of Tovey, on her fifty years of service to the youth of the community. House Resolution 825, Ralph Dunn, commends....er...congratulates Mr. Fred Piper and Mrs. Emma Leuer ...ah..who were married at the ho.....whoop...I think.....they haven't got that one right. Ha..Ha.....Congratulates Mr. and Mrs. Fred Piper of Waterloo, upon the occasion of their Sixtieth Anniversary. I was reading the first part when they married...they got married. House Resolution 827, Daniels, extends our humble thanks to Mr. Anthony Hottel, for more than twenty years of achievements in the schools of Elmhurst. 828, Porter, congratulates Mr. and Mrs. William Lanning on their Fiftieth Wedding Anniversary. Mr. Speaker and Members of the House, I move the adoption of the Agreed Resolution."

Speaker Redmond: "Any discussion? The question is on the adoption of the Agreed Resolution. All in favor indicate by saying 'aye'. 'Aye'. Opposed 'no'. The 'ayes' have it. The Resolutions are adopted. Further Resolutions."

Clerk O'Brien: "House Resolution 826, and House Joint Resolution 98."



Speaker Redmond: "Committee on Assignments. Death Resolutions."

Clerk O'Brien: "House Resolution 829, Campbell, et al. Respect to the memory of Richard I. Nichol of Danville, Illinois."

Speaker Redmond: "Representative Campbell. The Gentleman has moved the adoption of the Death Resolution. All in favor indicate by saying 'aye', 'Aye', opposed 'no', the 'ayes' have it and the Resolution is adopted. House Bill..... Second Reading, 3379, Representative Getty, do you want that called? 3379?"

Getty: "Mr. Speaker, Ladies and Gentlemen of the House...I... yes.....Has it been read a second time?"

Clerk O'Brien: "House Bill 3379, a Bill for an Act to provide for the ordinary and contingent expenses of the Illinois Law Enforcement Commission, in the Office of the Governor. Second Reading of the Bill. Two Committee Amendments. Amendment #1, amends House Bill 3379 by deleting Section 1 through 3 and inserting in lieu thereof of the following and so forth."

Speaker Redmond: "Representative Getty."

Getty: "Mr. Speaker, that was Representative Ryan's ...ah... Amendment and I have spoken with him and I believe ...ah... Representative Ryan would have a motion."

Speaker Redmond: "Representative Ryan."

Ryan: "Well, thank you, Mr. Speaker, this is the Amendment for \$777,000 in grants to State Police. Is that correct? How much money is in this? Two hundred...ah...\$277,000. I want to Table the Amendment at any rate, Mr. Speaker..."

Speaker Redmond: "Any objection?"

Ryan: "I move to Table that Amendment.."

Speaker Redmond: "Hearing none...leave granted to Table Amendment #1 to House Bill 3379. Any further Amendments?"

Clerk O'Brien: "Amendment....Committee Amendment #2, amends House Bill 3379 in Section 2 by deleting the following



and so forth."

Speaker Redmond: "Representative Getty."

Getty: "Mr. Speaker, as to Amendment #2, ...ah...that was Representative Byers' Amendment in Committee. I have spoken with Representative Byers, I see he is off the Floor right now, but he did indicate to me that it was his intention to move to Table it and in accordance with that I move to Table it at this time."

Speaker Redmond: "Representative Barnes.....Barnes."

Barnes: "Thank you very much, Mr. Speaker....ah...what Representative Getty has indicated is absolutely correct. It was a....Amendment...Committee Amendment...that adopted in Committee, and Representative Byers has indicated ...the problems that he had in his area had been cleared up, and that he was amenable toward this Amendment to be Tabled."

Speaker Redmond: "The Gentleman has moved to Table Amendment #2, any objections? Hearing none, Amendment #2 is Tabled. Any further Amendments? "

Clerk O'Brien: "Amendment #3, was withdrawn in Committee. Floor Amendment #4, Eugene Barnes, amends House Bill 3379 by deleting Section 1 through 3 and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Representative Getty.....Ah..Barnes, pardon me."

Barnes: "Thank you very much. Mr. Speaker and Members of the House, their...this Amendment do various things, so I would hope that the Membership would ...ah...pay close attention to it. It combines various...ah...ah..... questions that have been raised and it combines some other things. Number 1, Amendment #4 does essentially ten different things. Number 1, it reduces operations by \$80,900....Add Personal Service line items in all General Revenue. Number 2, it eliminates the Appellate Defender Grant which is \$136,217 in federal money and



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\$15,135 in General Revenue. Number 3, it eliminates the Court Reporting Grant, which is \$45,000....5,000 Federal, and 25,000 in Federal and 5,000 in General Revenue. Number 4, it reduces the Criminal Justice Investigating Grant by \$175,000 Federal, \$9,722 General Revenue. Number 5, for the above three grants....two, three and four...hundred percent of the federal....ah..dollars was transferred to local grants and fifty percent of the General Revenue was also transferred to the local grant. Number 6, the General Revenue matching to a State discretionary grant, is reduced by 159,931. Number 7, two grants to the Department of Corrections have broken out into nine different grants. Number 8, the grant for the Juvenile Justice Act of 1974, is broken out into two grants. Number 9, this Amendment also makes technical changes regarding various Sections. Number 10, this Amendment also eliminates the Fair Trade Reciprocal Grant of \$300,000 for Federal. The new totals for this Bill at this point, with this Amendment is \$49,353,371. \$2,722,683 in General Revenue. \$46,630,688 in Federal Funds. This represents a reduction of \$845,621. \$260,620 in General Revenue. \$585,001 in Federal. This Amendment has been worked out as I indicated before and the changes therein would bring this Bill into correspondence with all of the various points and contention that was heard in Committee and I would move for adoption of Amendment #4."

Speaker Redmond: "Any discussion? Representative Griesheimer."

Griesheimer: "Mr. Speaker, will the Sponsor yield?"

Speaker Redmond: "Representative Griesheimer."

Griesheimer: "Yes, Mr. Speaker, will the Sponsor yield for a question?.....Okay, Mr. Sponsor, Gene,....ah...did I understand you to say this eliminates the Defender Project Budget?"

Barnes: "Yes. That was at the request ofah...I.L.E.C."



itself. It wasah...what's incorporated in here, is all of the various things....points that was brought up by the Committee and also the Department's request.

That specific item was at the request of I.L.E.C."

Griesheimer: "How is that project going to be funded in the future?"

Barnes: "It will be funded through local funds and not a State Agency Grant."

Griesheimer: "What local funds are we talking about?"

Barnes: "It's...in....Within the budget is a \$20,000,000 line item for the purposes of local grants...granting agency and incorporated into that \$20,000,000 would be money for this purpose."

Griesheimer: "Will the money be granted back to the local county or what body is the money granted to?"

Barnes: "Ron....what it is...and what I can guarantee you, that it will be funded through a local agency. The clear determination of whether or not it would be the county was not made. The appellate defenders theirself did not want to administer this particular program so what they did in fact was ask I.L.E.C. to incorporate this in ...a...for a granting agency at the local level. Now, at...at the Committee Hearing, the clear indication did not indicate which local agency it would be."

Griesheimer: "Did I understand you to say just now though, that the Appellate Defender Project, from the standpoint of handling criminal appeals is not eliminated by this then."

Barnes: "No."

Griesheimer: "And, and....'ILEC' will continue funding that directly?"

Barnes: "Yes."

Griesheimer: "Okay,.....that was the main thing I was interested in.

Barnes: "Yes, that's correct."

Griesheimer: "Okay, thank you."

Barnes: "Mr. Speaker, I would renew the motion for adoption



of Amendment #4."

Speaker Redmond: "Any further discussion? The question is on the adoption of Amendment #4. Those in favor indicate by saying 'aye'...'aye', opposed 'no'. The 'ayes' have it and Amendment #4 is adopted. Any further Amendments? Third Reading. 3036, Representative Taylor, do you want that one called? Second Reading. 3036? Out of the record. What's that? Representative Geo-Karis...."

Geo-Karis: "I wanted to ask a question, Mr. Speaker....of the Sponsor...on 3379...I had my light on....but maybe I don't look so bright today, but honestly I didn't do anything not to look bright....today."

Speaker Redmond: "I....I'm sorry that I didn't notice it. I'll try to do better. You still wanted....to ask Mr. Barnes a question? This isn't binding, Representative Barnes.....would you like to respond to a question?"

Geo-Karis: "I wouldn't want to bind Mr. Barnes anyway...."

Barnes: "Forgive me, Representative.."

Geo-Karis: "Mr. Barnes, do I understand correctly....ah... that the total appropriation for this thing is still about \$50,000,000...is that right?"

Barnes: "Let me get it to make absolutely..."

Speaker Redmond: "Okay."

Barnes: "The total appropriation for this now is....ah.... \$49,353,371...."

Geo-Karis: "In the.."

Barnes: "Of which...of which...\$46,000,000 is federal funds."

Geo-Karis: "I see. And the...ah...to your knowledge is there any control on that 46 million...by the Legislature?"

Barnes: "Control....I...It...I'm not sure what you mean by control...."

Geo-Karis: "Well, it's....#4."

Barnes: "What we did..."

Geo-Karis: "If you recall...ah...last year, I think it was several months ago, in the past year, the ...we had a Bill, Senate Bill...relative to this very Department, and



one of the things that was brought up was the fact that ...ah...vast federal funds that received have no controls from the Legislature. The Department can do just.... pretty much what it likes to do. Now, the gist of your 4th Amendment, I wonder if you would mind, just give me the gist of the 4th one, that's all."

Barnes: "Okay. Representative,.....ah...what we did do....in the controls that we have in the Amendment is by specif.. specifically delineating in line items the purp....the ...ah...funding for specific purposes. But, that's the only control that we can have on it."

Geo-Karis: "Okay. That's all."

Speaker Redmond: "House Bill, Second Reading, 3485."

Clerk Selcke: "House Bill 3485, a Bill for an Act to amend the Revenue Act,....39.....Second Reading of the Bill. One Committee Amendment. Committee Amendment #1, amends House Bill 3485, page one by deleting lines 13 through 29 and so forth."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House,I am in agreement with this Amendment. Technically what it does is amend out Cook County and I have no objections to it."

Speaker Redmond: "Any discussion? Questions on the adoption of this Amendment. Those in favor indicate by saying 'aye', 'aye'. Those opposed 'no', the 'ayes' have it, the Amendment is adopted. Any further Amendments?"

Clerk Selcke: "Amendment #2, Skinner, amends House Bill 3485, page one and so forth."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker....Mr. Speaker and Members of the General Assembly, Amendment #2 says that the salary of the township assessor must be set by the board of trustees, which is the new word...for the....er...the new name of the board of auditors. By December 1st in 1977,.....ah..



which is 30 days before the assessor takes office. For some reason the Bill, as it came from the Committee, takes out the language which says that the salaries shall be set at least 30 days before the term of office for the assessor commences. Ah...I can't figure out any good reason for taking that out, it seems to me that one ought to let the...ah...board of auditors or the board of the ...township board of trustees....wait until at least 30 days before the election...ah...to set the salary. I would ask for the adoption of Amendment #2."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker, the reason for taking this language out is, because it is obsolete, it is contained elsewhere in the Statutes, it has been superseded byah... language in chapter 139....paragraph 126.7 of the Statutes, that says the salaries shall be set before the official takes office. So it is unnecessary language, Cal.....so I oppose the Amendment."

Speaker Redmond: "Any discussion? Representative Skinner."

Skinner: "The fear that I have is, somewhere in the back of my mind, I saw that the salary would have to be set 30 days before the election....and if Rep.....Representative McMaster can assure me that the salary does not have to be set before the election, so that we would make township assessors put them in a separate class, from virtually every other elected official in this State, which..... whose salaries are set before they take office, I'd be happy to withdraw the Amendment."

Speaker Redmond: "Do I understand you correctly, you are withdrawing it?"

Skinner: "I said I would be happy to withdraw it if Representative McMaster can assure me that the salary may be set after the election of the assessor."

Speaker Redmond: "Representative McMaster."

McMaster: "Well, Mr. Speaker...er....Mr. Skinner...I just said



that language has been superseded by Paragraph 126.7 of Chapter 139."

Skinner: "Mr. Speaker, I'm afraid I do not have a set of the Statutes and so...a simple yes or no answer would be more....ah.."

McMaster: "Yes."

Skinner: "Yes, it can be set after the election?"

McMaster: "Yes."

Skinner: All right, I will withdraw Amendment #2."

Speaker Redmond: "Any objections to ...the Tabling of Amendment #2? Amendment #2 is Tabled. Any further Amendments?"

Clerk Selcke: "Amendment #2, Skinner, amends House Bill 3485 on page one, line 12 and so forth."

Speaker Redmond: "Representative Skinner."

Skinner: "This Bill is basically an in-run by the township assessors and the township officials of Illinois, around the Revenue Committee. It winked through the Committee on Counties and Townships, through which only one other Bill relating to the assessment process has gone in the past three years and so it's had no consideration, whatsoever, by any official bodies of this General Assembly who has been studying the assessment problems, including the Joint Revenue Committee on property tax reform and the House and Senate Revenue Committee. The basic problem with assessment in downstate Illinois is that they're miserable. Ah...it would be difficult to have assessments more rotten in the State of Illinois. Part of that problem is caused by ..."

Speaker Redmond: "Representative McMaster..."

Skinner: "...township governments not paying their officials sufficient money..."

McMaster: "Mr. Skinner is not talking about his Amendment."

Skinner: "Mr. McMaster is not listening to what I'm saying then."

McMaster: "Yes, I am, Mr. Skinner and you have every right to



move your Bill when you want to. We're talking about an Amendment that you're offering to House Bill 3485."

Speaker Redmond: "Please confine your remarks to the Amendment, Representative Skinner."

Skinner: "I have, Mr. Speaker."

McMaster: "You have not."

Skinner: "Excuse me, do I have the Floor, Mr. Speaker?"

Speaker Redmond: "You do. Confine your remarks to the Amendment."

Skinner: "Is it traditional to leave another Member's microphone on when one Member has the Floor?"

Speaker Redmond: "Proceed."

Skinner: "The problems with the township assessors in downstate Illinois is they don't ...there are a couple problems. Ah...some are incompetent, some can't read and write, others however,aren't paid enough. This Bill does nothing for minimum salaries for any township assessor in the State of Illinois. I would contend that one ought to be willing to pay any township assessor in this State, no matter how small the township, at least as much money as he would earn as a real estate agent for selling three houses. I am suggesting that the minimum salary for township assessors in this State be \$2,000. Now, I anticipate that the Sponsor of this Bill will say that the teeny weeny...townships in the State can't afford to pay their township assessors \$2,000. Ah...I would suggest that if they cannot afford to pay that minimum salary...ah...and indeed there are many in this State that are paying.....underpaying township assessors as low as \$300 a year. Which is barely enough to pay for the time the township assessor takes t....to copy last year's assessment figures into this year's assessment book. Ah...that they should not be assessing. That they should abdicate that responsibility to a larger jurisdiction, such as a combination of townships through



an intergovernmental....cooperation agreement. That is the reason that I give you Amendment #3. And, I move its adoption."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker, I object to his Amendment #3 because he is setting a minimum salary. He is mandating again ...a salary to the township....to local government. It has been the practice in the...this Legislation to set maximum salaries, with no minimums, therefore, I would object very strenuouslyto forcing a salary upon any township....and this is exactly what his Amendment #3 does. I object to the Amendment. And, I urge a 'no' vote."

Speaker Redmond: "The question is on the adoption of the Amendment. All in favor of the adoption....Representative Skinner?"

Skinner: "I presume I get to close on the Amendment?....It is this type of attitude that my colleague from Knox County has just demonstrated, that is most of the reason the townships are in such a rotten mess today. The townships have the responsibilities to assess and yet the average home in the State of Illinois is just as likely to be assessed 30 percent too....high....as 30 percent too low, as just right. Now, let's put that into a context that one can understand. Let's assume that the sales tax were that bad. If three women went into a grocery store and bought \$100 worth of groceries....the first...one woman would pay \$5, that's 5 percent. Well, if it's 30 percent off, the second woman would pay \$3.50 tax and the third woman would pay \$7.50 tax. Now, the government that received the sales tax don't care, they don't give a damn because they get \$15 of tax money. How about the taxpayer? Well, if we were talking about sales tax, I don't think anybody in this room would be able to justify such a system and yet I contend that the opponents of



this Amendment are paying township assessors a minimum salary of 2000 miserable dollars are really suggesting that local government is incompetent to do the job that they have been mandated by the State statutes. Either we raise the salaries or we're going to get a job that's worth exactly what we've paid for it, \$300 worth of nothing, miserable assessment."

Speaker Redmond: "Representative Mudd....do you seek recognition?"

Mudd: "Yes, Mr. Speaker, I think that Representative McMaster's Bill, his Amendments.....address themselves to the problem that they have in some of the larger communities, and those inequities that they're trying to resolve by presenting to this Legislature permissive Legislation to resolve these problems....and I think that we have all heard from local government on a county level, on allon all municipal levels that they are tired of us mandating salaries, programs and....responsibilities that they cannot pay for and I strongly urge that the House support Representative McMaster's position on this Legislation."

Speaker Redmond: "The question is on the adoption of the Amendment. Those in favor of the adoption vote 'aye', and opposed vote 'no'. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 14 'aye' and 57 'no' and the motion fails and the Amendment is lost. Representative Walsh, do you seek recognition?"

Walsh: "Yes, Mr. Speaker, to introduce the graduating class of St. Anne's School in Lansing, Illinois. They're in the Speaker's Gallery, on the Democratic side....they'll know better a little later. They are in the company of several teachers...Fortunada Corley, James Renwick, John Junker, Joe Skurdick and Diane Geary. They are represented very capably by Representatives Miller, Arnell and Getty."



Clerk Selcke: "Amendment #4, Skinner, amends House Bill 3045 on page...2 by adding after line 8 the following and so forth....."

Speaker Redmond: "Representative Skinner."

Skinner: "All right, I guess the majority of the Members of the House really don't give a damn if the assessments are good, bad or indifferent. Ah....I would suggest that they should give a damn and I would suggest that if they have not seen this publication from the Department of Local Government Affairs that they get it...and if they try to figure out what the word coefficient of dispersion means. Now I was talking about the coefficient of dispersion in the last Amendment on which I spoke. Basically it's a measure of how rotten assessments are. Or, how good they are. Now, the best assessments in the State of Illinois are....in the...in the....in the nation, generally, have a coefficient dispersion of 15 to 20 percent, that means the average assessment is off by 15 to 20 percent. Well, in the State of Illinois the average homeowner's assessment is off by 30 percent...by 31 percent. Now, that's the average homeowner. What this Amendment said, is that no township assessor may receive an annual compensation greater than that received by his immediate predecessor...until the Department of Local Government Affairs...."

Speaker Redmond: "Representative Duff, for what purpose do you rise?"

Duff: "Well, Mr. Speaker, if the Sponsor of this Amendment will forgive my interruption I'd like to make a point on two bases, here. First of all, Mr. Speaker, Mr. Speaker,I would like to make a point on two premises right here. First of all, I think everybody in this House knows that the Gentleman who's speaking here...now is one of the knowledgeable people in the State on assessment practices. Secondly, those of us who have had



great concerns over education must be completely aware that the assessment practices problem in this State is one of the fundamental problems in our school formula and because of that, Mr. Speaker, I think the Gentleman who is speaking deserves a great deal more attention and a great deal less noise than we are according him at this moment. What he is saying, right or wrong, is extremely important to our consideration, not only of assessment practices but reform of our education system."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker, I...."

Speaker Redmond: "Do you have a Point of Order or what?"

Deuster: "Yes, I rise on a Point of Order....ah..."

Speaker Redmond: "State your point."

Deuster: "I would like the Speaker to remind the Members of this House of Rule 55-C, which suggests that whenever a Member is recognized by the Chair, the Member should speak to the question under debate and avoid discourteous language. I think we have had school children in the Gallery and I think that we have had some language that is not befitting the dignity of this Body and also not consistent with the spirit of the Rule and I would suggest that the Chair remind us of that Rule."

Speaker Redmond: "The point is well taken. Representative Matijevich."

Unknown: "Mr. Speaker....does everybody have a Point of Order?"

Matijevich: "Mr. Speaker, this may be a little 'hairy' but I want to ask on a Point of Order, on Amendment #4, Mr. Speaker, as to whether it is germane to the subject....as to the Bill which increases the maximum salary rate and the Amendment which ...ah...precludes any salary increaseincrease under certain conditions. I wonder if the Parliamentarian and you might put your heads together and rule on the germaneness of this Amendment #4."



Speaker Redmond: ".....Gone upstairs, Representative Matijeovich.....Parliamentarian indicates it is germane. We got it.....we got it....Authenticated copy....Representative Skinner."

Skinner: "Moving right along. Let me read the Amendment again, because apparently some people haven't heard it, or can't find it. 'No township assessor shall receive an annual compensation greater than that received by his immediate predecessor in office until the Department of Local Government Affairs certifies to the board of trustees of his township, that the coefficient of dispersion as defined by department rules for urban assessment in the township is below 30 percent and for rule assessments below 50 percent'. Now, what this says is, that the township assessor doesn't deserve a raise until the average assessment for the homes in his jurisdiction are no more than 30 percent off of where he says they are. Now, I think even the most broad-minded supporter of the property tax system would suggest that it's too broad a mind. I mean, you can....it's okay to have an open mind, but it shouldn't be so open that your brains fall out. Now, for rural assessments, believe it or not they're worse than home in this...in this State and yet the farmers apparently don't realize it....ah...The average farm is just as likely to be assessed one and a half times what it ought to be as 50 percent of what it ought to be, as right where it ought to be. Now, that's one heck of a spread. Now, I appreciate the comments from the Representative from Lake County about my use of an expletive that perhaps should have been deleted, but that is how rotten the system is in this State. It is rotten to the very core and that very core is the township assessor. I would be happy to answer any questions, if anyone had them about the Amendment."

Speaker Redmond: "Representative Madigan."



Madigan: "I rise for the purpose of an announcement if that is appropriate at this time?"

Speaker Redmond: "Proceed."

Madigan: "A group of 30 students and 5 adults from the Dubois School, in Springfield, led by their teacher, Mrs. Chaney. And, that's from the district represented by Representative Kane, Londrigan and Jones.....and I believe that they are in the Gallery on that side."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, will the Sponsor of this Amendment yield to a question?"

Speaker Redmond: "He will, proceed."

Maragos: "Representative Skinner, we have been discussing the coefficient of dispersion in thelast...almost two years in the Revenue Committee, based on the Bills that you have proposed as a result of the hearing of the joint Committee on property taxes. And, after hearing last week's testimonyer...ten days ago we had our last meeting in the Revenue regarding this particular assessment Bill. Do you still have any answer to some of the questionser...points that were brought up by the assessors at that...at that hearing.....that it is difficult from year to year to keep an accurate count and there might be a spread even up to 40 or 50 percent and would not have to do with the competency of the assessor. Could you answer me how you can control that situation?"

Skinner: "Well, you can control it by not changing the rules of the game in the middle of the stream.....to mix a metaphor rather badly. The Department of Local Government Affairs recently has computerized their study and because of that computerization they are much more accurate now than they were in the past. Because of that, apparently, they are much more....the coefficient of dispersion ended up being a lot higher. Ah....Last year, when we discussed this issue, I thought that the average home was only assessed 20 percent from the norm.....on the average. This year



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it's 30 percent. All I am saying is that the assessors in the State with this Amendment could get paid as much as they are getting paid now until they improve their assessments to the average."

Maragos: "But isn't that true that until you have proper classification or the right to classify legally even though it's done defacto now, you cannot hold them to the line as efficiently as you could if you had classification because of the discrepancy in the class and because of the appraised valuation by the way due to inflation throws this coefficient question out of the window and makes it lopsided at times."

Skinner: "Well, basically, I disagree with your conclusion. I think that the Department, I mean I know that the Department has been gathering statistics for urban which they define as anything under five acres of basically subdivided property for as long as I have been looking at the statistics and I have looked at them back to the mid '50's."

Maragos: "No, I am not arguing what the Department, the Department of Local Government is doing. I am concerned what the individual assessor has to be faced with on the field. Unless you have a proper classification of property as it is done in some counties in the State, I think it would be unfair because you say urban, inter-urban as far as LGA does but we don't have the question of the assessor having guidelines in every county to go along with. I think it becomes a arbitrary or an impractical standard upon which you can base a classification to say that this man is efficient or is not efficient."

Skinner: "Well, I can tell you that if my assessor had a coefficient of dispersion of over 100 percent which means the average assessment is 100 percent off from where it ought to be, I would think he was a pretty lousy assessor and I think if his coefficient dispersion



was 20 percent that he was a much better assessor and if he, because the best assessor in the State is a she, the assessor from Naperville township, had a coefficient dispersion of 10 percent which means the average home in Naperville township is only 10 percent off from where it ought to be, I would say they were an excellent assessor. So, this is not something that has just been dreamed up, this statistical measure. It has been used in the profession for approximately 30 years. It was dreamed up by the Ph.D.'s that were hired under the WPA, I suspect during the depression and it is..."

Speaker Redmond: "You may not take pictures in the Chamber up there in the Gallery. You can't take pictures up there."

Maragos: "Mr. Speaker, may I speak on the question, please?"

I am sympathetic with the purposes of the Sponsor of this Amendment and in fact, in Revenue Committee we have tried to support many of the programs and put into legislation that he and others of our Committee have worked on for many years to obtain. However, until we have more redefined standards upon which an assessor can properly base his assessment, especially even though it might be in your township as was mentioned, Mr. Skinner, but especially in areas where there is growing population or where there is a great turnover of land values and because of the subdivisions going in, I think we cannot penalize assessors on this basis alone. There has to be other attributes upon which you can remove them and therefore, I would say at the present time that I would be against this Amendment."

Skinner: "No one mentioned removal in this Amendment."

Speaker Redmond: "Representative Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, I hesitate to rise on the other side of the



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question of our knowledgeable Revenue Committee Chairman in regard to this Amendment. But let me say that while I have seen the first three Amendments on this Bill go down and having watched them been given rather cursory treatment, I would suggest to you that I do think that one of the motives for placing these Amendments on this Bill or at least offering them by Representative Skinner is to emphasize a problem that we have. In addition to that, this particular Amendment has a great deal of merit. It seems to me that there is an accurate statistical measure and Sam, if you want to take a look at the statistics that are generated by the Department of Local Governmental Affairs, you will know that while it is indeed illegal to classify real property for assessment purposes, that the statistics in regard to coefficients of dispersion are indeed gathered on the basis of rural and urban and so forth even in the downstate counties. So that we do have an accurate statistical base in order to measure performance by the township assessors. I think this is a good Amendment. It's one that we ought to consider. If a man can't come up with the kind of job that at least guarantees that his taxpayers are not going to be treated unfairly to the extent of a 30 percent coefficient of dispersion, then he shouldn't get a pay raise and that's what we are talking about. The Amendment has merit and I rise to support it."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, again I think it is a Sponsor of a Bill's right to have a Bill in the condition he wants when he brings it to Third Reading. I think that Mr. Skinner is trying to amend my Bill permitting a maximum salary increase to meet the things that he is putting in another Committee Bill that I am not sure what his position is at this time but I think it is obvious that his Amendments are



directed toward his concepts of what he thinks his Bill ought to be and I think that he has every right to bank his Bill the way he wants to and I think I have the right to make my Bill the way I want to. I also agree with Mr. Maragos, the Chairman of that Committee, in what he is saying is an impossible requirement to meet under present laws and present existing statutes. I think it's impossible. Therefore, I oppose this Amendment very strongly."

Speaker Redmond: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor of the Amendment yield for a question?"

Speaker Redmond: "He will."

Mautino: "Representative Skinner, I notice in your Amendment on line 6 you state in there that there would be no compensation until the Department of Local Government Affairs certifies to the Board of Trustees of his township. O.K.? In downstate areas, for example in Bureau county, we do not have a Board of Trustees. We have a township Board of Auditors and therefore, I don't believe that your Amendment could cover let's say the counties within the 3/th district because we do not have Board of Trustees in my area and it couldn't be uniform throughout the State of Illinois."

Skinner: "Well, of course, uniformity throughout the State has never been a very high goal of this General Assembly but in this case I think that you have missed the Bill that was passed last year for which I did not vote but which almost everyone else did that changed the name of the Board of Auditors to the Board of Trustees and God knows why they wanted it but they got it."

Mautino: "Well, the existing Board in my particular county is still the County Board of Auditors."



Speaker Redmond: "Do you have any more questions, Representative Mautino?"

Skinner: "Representative Mautino, after the next election it won't be. It will be called the..."

Speaker Redmond: "Representative Hoffman. You have answered his questions, Representative Skinner. Representative Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment addresses a very serious problem in terms of the distribution of vast amounts of State money. This, this problem of equalizing assessment levels across the State so we are treating apples as apples and oranges as oranges is the other half of a very necessary school reform, a school finance reform that we started in 1973. I am not sure that this is the right place to do it. However, it does need to be done and for that reason, I rise in support of the Amendment."

Speaker Redmond: "Anything further? The question is...No! Representative Skinner to close."

Skinner: "Mr. Speaker and Members of the General Assembly, I find it somewhat ironic that the Sponsor of this Bill thinks that no Amendments should be put on it when he offered six Amendments that would absolutely gut the assessment reform Bill last year. I would suggest that I was merely following his example and I would ask that this Amendment be adopted because it will improve assessments in the State of Illinois without disrupting anything."

Speaker Redmond: "The question is on the adoption of the Amendment. Those in favor of the adoption vote 'aye', opposed vote 'no'. Have all voted who wish? Representative McMaster."

McMaster: "In explaining my vote, Mr. Speaker, I think we should recognize that there is a Bill immediately following this one that puts qualifications upon tax



assessors and I think that..."

Speaker Redmond: "Representative Skinner."

Skinner: "I would merely rise to the point of order that the Gentleman has..."

Speaker Redmond: "Your point is well taken. Have all voted who wish? Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to explain my vote. I am not sure whether increasing the maximum salary rates on assessors is salutary in itself but I think the Amendment is a bad precedent. When you start putting certain qualifications on salaries and not only that, when a legislative body is placing into the hands of an executive, the Department of Local Governmental Affairs, to make that determination, I will tell you what you are going to get into. You are going to get into the matter of someday where legislative bodies according to how they may vote on legislation that may involve tax increases where they may be graded according to those votes and get a salary dependent on where they rate. I think it's a real bad precedent that we place and make a subjective, what can be a subjective determination. After all, the Department of Local Governmental Affairs can be at times termed a political office and I think that's a dangerous precedent to place in an executive which can be political. In spite of the fact that the concept of what he is trying to do is good, he ought to do it through specific legislation in trying to improve assessors but not through a salary Bill and I urge a 'no' vote."

Speaker Redmond: "Representative Campbell."

Campbell: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this Amendment. All of us have heard of the regulatory agency placing too much emphasis on local government and so forth and this is giving the Department of Local Governmenta



Affairs more control which is the very thing that most of us don't want in our local districts and we want to let the people determine for themselves what they want to do and I think it's a bad precedent and as Representative McMaster says, I think he is entitled to have the Bill in the position that he would like to have it and let Representative Skinner introduce his own Bill."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker, Members of the House, it's my feeling that this Bill is a good Bill. And when you have a piece of legislation that is going in a direction of good legislation you should amend it to make it even better and a joint House Subcommittee on property tax has been studying this matter for a number of years and a member of that Committee is Representative Skinner who is probably the most knowledgeable legislator in the House and the Senate on the matter of taxation. It seems to me that if we have assessors in the county and in the townships and this was proven time and again by our hearings throughout the State and some township assessors testified that they weren't qualified. They only did it because nobody else would take the job. It seems to me that if that condition exists where property in the city and the towns and the villages and the farms are underassessed as much as 50 to 60 to 70 percent because we have assessors who are not qualified, we should take the responsibility here in Illinois and clean out those assessors who are not properly instructed on how to assess property. In my particular county, in one township, a gentleman traveled all the way to Pontiac which is roughly 60 miles to testify that he took the job because no one else would and he wanted some changes made. He wanted the Bill to allow change so that we had good assessment practices. And all this Bill does



is say to those assessors that if you can't assess properly get out. And if you want to be an assessor learn your trade. What more can the taxpayers ask for and get. This is an exceptionally good Amendment."

Speaker Redmond: "Representative Kane."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, I think we should be reminded that the testimony of the Department of Local Government Affairs and we were talking about assessments last year, it was brought out in Committee that the coefficient of dispersion is not a reliable statistic and that we could have good assessors and the coefficient of dispersion in a particular township could be affected drastically by one or two sales that are not according to the regular market and what you would be doing is penalizing those assessors for something that they have no control over. The assessor doesn't have control over what a sale is gone for. Property could go for much higher than it is really worth because a particular person may want it, may be particularly interested in having it to finish out a piece of property and he would be willing to pay for it much more than it would be worth and so I think that we shouldn't penalize assessors for, on the basis of a statistic that the Department of Local Government Affairs say is not reliable."

Speaker Redmond: "Representative Duff."

Duff: "Mr. Speaker and Ladies and Gentlemen of the House, I have the greatest respect for the Sponsor for the Bill and I understand his feelings. But I also feel that it's imperative on this House to listen to the pleas of the Sponsor of this Amendment. I am aware and everybody here is that there are a great many people in the political world involved in local assessment. They are friends of many of us and they don't like this Bill because they like to continue



doing things the way they have been doing them and that's a natural human tendency. Nevertheless, for the last year probably the most crucial problem this House has been confronted with is a State school formula subject to political manipulation. And at the base of that formula is the miserable lack of uniformity amongst assessment practices in the State of Illinois which are subject to local persuasion and to local lack of understanding on the part of officials who have not had the opportunity to develop the expertise that Representative Skinner has had. Nobody can suggest legitimately on this House Floor that Representative Skinner is an advocate of the Department to whom he would give these powers since he was the Sponsor of a Resolution which he was going to introduce last year to impeach that same gentleman. The fact remains is if we are going to solve this problem we must temporarily not listen to our local friends who are politicians and we must take a longer view towards reforming the assessment base in this State or this body will be confronted for future years with a continuing mess of having a formula to uniformly apply to our State based upon an un-uniform foundation. Now, we are all familiar with watching that board and it's very clear that there has been a change in direction in the last five minutes, particularly on the part of the Legislators from the biggest city in the State. I don't understand why that group and many others would not join since they are having such enormous education problems in helping the Representative pass this Amendment. I don't think that we have seen any more fundamentally long-range proposals in a long time and Representative Skinner has a good goal here when he says don't give a pay raise unless you keep it as the carrot by which these local politicians will accept these reforms and they are important. I



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think the pay raise should not go through without some of these reforms included in it."

Speaker Redmond: "Representative Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, I will try to be brief. My good colleague, Representative Matijevich, made what I thought was a very logical and sound argument for not placing performance standards and tying them to salary increases. The problem is that in this Bill that argument doesn't apply because the standards that Representative Skinner would apply are bare minimal standards. He is talking about allowing assessments to be, allowing a deviation of some 60 percent in assessments in order to place a sanction on those who lawfully do their job. What I am suggesting to you is that I don't think that we would be entitled to draw our salary if we weren't here on the job. If a Legislator were elected and he never showed up in Springfield for two years, he wouldn't be able to collect his salary. Basically, that is what we are talking about here. Anybody that can't eliminate a deviation of 60 percent from the mean in his assessments just isn't even on the job. It's a worthwhile measure."

Speaker Redmond: "Representative Deuster. Representative McMaster, for what purpose do you rise?"

McMaster: "Mr. Beaupre spoke twice on this same Amendment."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, I know we are all anxious to take the record but there is one point I would like to make. The Sponsor of the Bill is a Gentleman for whom I have high regard and respect. However, he used an argument that I don't think we should hear again on the Floor of the House and that argument was essentially that this is my Bill, this Bill belongs to me and nobody has a right to offer an Amendment or put an Amendment on that. I think that



was not speaking to the merits of Representative Skinner's Amendments and however you feel, whether you feel it's a good Amendment or bad, I think that these Bills belong to the people of Illinois and belong to this House and nobody that sponsors any legislation has a right to insist that it is his Bill and it belongs entirely to him."

Speaker Redmond: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise to oppose this Amendment on the basis that one of the speakers who favor the Amendment indicated that there should be some qualifications for assessors and I certainly agree but if you wait just a moment, when Representative McMaster calls his next Bill, House Bill 3486, you will find that it contains language that does exactly what you are trying to do as far as qualifications are concerned. The Amendment says that the Institute or the Department, as the case may be, shall administer at the completion of each course, a written examination on the subject matter of the course and issue a township assessing officer certificate to each township assessor successfully completing the course and passing the examination. So I think we are a little premature if we are going to talk about qualifications because that is handled quite adequately in House Bill 3486."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there are 61 'ayes' and 75 'no' and the motion fails and the Amendment fails. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Skinner, amends House Bill 3485 on page 2 by adding after line 8 the following and so forth."

Speaker Redmond: "Representative Skinner."

Skinner: "I know how frustrated Representative McMaster was..."

Speaker Redmond: "Pardon me, Representative Walsh, do you



seek recognition?"

Walsh: "For purposes of an introduction, Mr. Speaker. We have the students from the Elk Grove High School with their social studies teacher, Mr. Richard Cheriko. They are in the Republican, the Speaker's Gallery on the Republican side. They are represented by Representatives MacDonald, Totten and Chapman."

Speaker Redmond: "Representative Skinner. Amendment #5."

Skinner: "Yes, I know how frustrated Representative McMaster was when I rose to a point of order that suggested he had already spoken once on the issue because a number of people who were speaking on the issue explaining their votes were using some arguments that can be torn apart in my opinion and I will attempt to do so if the issue ever comes up again. The 5th Amendment says the following. No township assessor may be paid any compensation under this Section until the county assessor or the supervisor of assessments has certified to the Department of Local Government Affairs and the Department has certified to the Board of Trustees of the township and here is the key part, that the township assessor has in fact assessed the real estate and personal property in the township. Now, why is that needed? These guys are township assessors, right? They do their job. Well, the answer is wrong. They don't do their job. There are counties in this State where no township assessor does anything. In fact, if I had our staff person George Winoke standing by my side I could tell you exactly which township in which counties the township assessor does nothing. Absolutely nothing except accepting his check. Now, it seems to me that if we are going to pay officials salaries that we ought to demand that they follow the statutes. And I know from personal experience from looking at the personal property tax publications this year that in some townships of my counties, if they assessed personal



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property taxes, they must have done so without looking at the yellow pages because I find many, many corporations who are not on the tax roll and I think you will find the same in your area if you check the publications. So what Amendment #5 does is say that the township assessor shall assess. I think that's a minimum request and I would ask for your adoption of this Amendment."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker, I again oppose this Amendment. for several reasons. I think one is very factual that an assessor receives his books every year, does the necessary work upon those books and must have a receipt from the supervisor of assessments in his county that he has in fact conducted the necessary assessments for that year. So therefore, I see no reason why that report should go to the State Department of Local Government Affairs and in turn, from them back to the local township before that assessor can be paid. I think it's too much of a rout and again, I think that really, the assessor each year puts on new buildings, new changes, new additions, but in fact, once every four years is the quadrennial year in which he completely reassess his township. Therefore, I would have to oppose this Amendment."

Speaker Redmond: "Representative Deuster."

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

Speaker Redmond: "He will."

Deuster: "Representative Skinner, it is true that what Representative McMaster has indicated is the existing law that a township assessor now may not be paid until he gets a receipt from the county indicating that they have his books?"

Skinner: "I have never heard of any township assessor not getting paid for any reason."

Deuster: "And just, well you might have touched upon it.

Is it true that there are some township assessors that



don't turn in their books or are they just tardy?"

Skinner: "There are some township assessors who have to have their books physically taken away from them because they will not do anything and they are holding up the tax collection process. The supervisor of assessments has to go out there and wrest them from the township assessor."

Speaker Redmond: "Representative Walsh, do you seek recognition?"

Walsh: "Mr. Speaker, for another introduction. The government class of Aledo High School is here with their teacher, Mrs. Lund. They are very capably represented by Representatives Neff, McMaster and McGrew."

Speaker Redmond: "Representative McMaster."

McMaster: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I do not think Mr. Skinner really answered Representative Deuster's question because in fact, the township books do have to go back to the supervisor of assessments for his certification to the Board of Auditors or Trustees within the township he assesses before the assessor can be paid."

Speaker Redmond: "Representative Skinner."

Skinner: "Well, Mr. Speaker, again I must rise to the point of order. To point out that you are during one Bill repeatedly allowing people to speak more than the Rules allow."

Speaker Redmond: "Including you, sir."

Skinner: "That's correct, including me."

Speaker Redmond: "Self-restraint is the best way to obey the Rules. Anything further, Mr. Skinner?"

Skinner: "I would like to try to answer the question Mr. McMaster doesn't think I have. I guess I will try to answer it in an analogy. We also have non-feasance laws in this State and malfeasance laws and I know of no assessor who has ever been held accountable under those



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laws. And yet there are many who ought to be. Just because the law says something has to be done in a ministerial sense doesn't mean that it's any kind of a sanction. Sure, the supervisor of assessments gives the township assessor a receipt when he gets the books back. He signs the books and says, well, yeah, the township assessor gave it back. But the laws in the Revenue Act especially referring to property taxes are more exhortations than mandates as the local assessing officials follow them. There is no teeth, whatsoever."

Speaker Redmond: "Is that your closing statement on the Amendment, Mr. Skinner? The question is on the adoption of the Amendment. The Gentleman has moved the adoption of Amendment #5. All in favor indicate by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish on the adoption of the Amendment? Take the record. On this question there is 42 'aye' and 57 'no' and the motion fails. The Amendment is not adopted. 3486. Pardon me, further Amendments?"

Clerk O'Brien: "Amendment #6, amends House Bill 3485 on page 2 by adding after line 8 the following and so forth."

Speaker Redmond: "Representative Skinner."

Skinner: "The Sponsor of this Bill has pointed out that assessors generally reassess real estate only once every four years. Well, in my county the Department of Local Government Affairs says that only about five out of 17 township assessors actually did a quadrennial reassessment. Well, if the reassessment is the important thing, then Amendment #6 ought to be right up everyone's alley. It says, no township assessor who was serving in that office during the last previous quadrennial reassessment year shall receive an annual compensation under this Section unless the Department of Local Government Affairs certifies to the Board of Trustees



of the township that the assessor conducted a reassessment in that last previous quadrennial year. In other words, we have given the assessor his chance. He has had an opportunity to conduct a reassessment. This comes approximately three years after he takes office if he wins in the township election. Now what this is saying is that he is not going to receive any salary if he didn't conduct a reassessment during the last previous quadrennial. Frankly, I can't see how anybody could oppose this Amendment unless they are in favor of paying people for things that they don't do. I would ask for the adoption of this Amendment."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker and Ladies and Gentlemen of the House, again I object to this Amendment because I think as Mr. Skinner will reflect he will realize that a quadrennial year and the time of election of the assessors do not coincide. It is not a case of a quadrennial year occurring immediately after the assessor takes his term of office and this is one of the reasons for opposing this Amendment. Secondly, I do not agree with the Department of Local Government Affairs again being involved in deciding whether a local assessor is or is not to receive his paycheck. I think that is the responsibility of the local officials and the local supervisor of assessments so I would oppose this Amendment."

Speaker Redmond: "Representative Shea."

Shea: "Would the Sponsor yield for a question? Mr. Skinner, has the assessor now the responsibility to reassess every four years?"

Skinner: "He has more than the responsibility. He has the mandate in my opinion."

Shea: "All right, so that if he doesn't do that job that would be official misconduct, would it not?"

Skinner: "I am not the lawyer, sir. I cannot answer your



question."

Shea: "But I say to you that if this is his function we presently have many ways of attacking it rather than the method you choose in bringing the State government in."

Skinner: "All right, I will be happy to respond to the thrust of your question and I guess it can be best responded to by asking everyone in this room to think back the last time a local State's Attorney brought a suit against any local official for anything. That's a long time. I mean even in Cook County where you have a Republican State's Attorney, I can't remember..."

Shea: "Well, I didn't ask you to speak on the Bill again. I just asked if that was it. May I speak to the Bill, may I speak to the Amendment, Mr. Speaker?"

Speaker Redmond: "Representative Palmer. Representative Shea, pardon me."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I think this would be a bad Amendment because what it would be in effect doing is starting a trend where State government would be running local elected officials and I think it would be very bad."

Speaker Redmond: "Representative Palmer. Representative Skinner to close."

Skinner: "In the State of Missouri there was once a machine called the 'Pendergast Machine'. It was a thoroughly corrupt organization and the only way that it was brought to task was when State government decided things were so rotten that they took over the State police force, or the local police force. I would suggest that the assessment situation in this State is so bad that if your constituents could ever understand what you are doing, what their local assessors are doing to them and I mean to them, they are really sticking it to them, that you would see the type of revolution that brought us a new country 200 years ago. This is a very minimum suggestion. It's just



suggesting that you give the give one term, you say follow the laws, the law that says have a reassessment every four years and if he doesn't do it the first term, you don't pay him the second term. That sounds reasonable to me. I hope it sounds reasonable to you."

Speaker Redmond: "The question is on the adoption of the Amendment. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there is 63 'ayes' and 30 'nays' and the motion fails. 30 'ayes' and 63 'no' and the motion fails. Any futher Amendments?"

Clerk O'Brien: "Amendment #7, Skinner, amends House Bill 3485 by deleting lines 10 through 32 on page 1 and so forth."

Skinner: "Mr. Speaker, at this point I would like to contest the Sponsor's opening remarks that this General Assembly has traditionally set maximum salaries for local officials. Now, if we in this General Assembly will remember, there was a Bill last year jointly sponsored by Representative Friedland and myself that took all maximums off the salaries of township road commissioners. Now, there was a reason that we did that and that reason is that we trust township government to be responsible. Now, if we don't trust township government to be responsible, if we don't trust the local Boards of Auditors then we certainly ought to circumscribe their action with regard to the assessor's salaries. We should say, we don't trust you. We think you will pay the assessors too much. That's why we are going to put maximums on. This Amendment does for the township's assessors what is already law for the township road commissioners. It says we trust the local Boards of Auditors' opinions and judgment in setting salaries. This says there is no limit on a township assessor's salary. I would ask the adoption of this Amendment in the name of local



autonomy."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker, again I do not think we should seek out the township officials or official and take away the maximum on the salaries. The county officials have maximums set on theirs. They also have minimums. We have at least taken the minimums away as far as assessors are concerned and I would have to object to this Amendment and again, what would this do? The local tax assessors in downstate Illinois would have no limits set upon their salary. The assessor in Cook County would have a limitation and I would object to the Amendment."

Speaker Redmond: "The question is on the adoption, Representative Skinner, do you want to close?"

Skinner: "Well, either he totally misunderstands this or I do. This takes out maximum everywhere in the State, not limited to downstate. It includes the Cook County townships assessors and I really, the logic behind arguing against the other Amendments because they put the Department of Local Government Affairs in the scene and of course they are very much in the scene because of the distribution of State aid education or I guess I should say misdistribution since they haven't equalized assessments and then on this Amendment which gives more power to townships boards to say gee whiz, we don't trust them. We Legislators are smarter than our local township auditors just boggles my mind. I see absolutely no consistency in the Representative's comments on this, on my Amendment. I would ask that we follow the actions that this House and this Senate took last year which was approved by the Governor and take all the maximums off the township assessor's salary the same way we did for the township road commissioner's salaries. Or do we think township road commissioners are automatically worth more than township



assessors? I think that consistency is called for and if we really think township government is responsible, this Amendment should be adopted. If we think it is irresponsible, you should be voting 'no'."

Speaker Redmond: "The question is on the adoption of the Amendment. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 34 'ayes', 67 'no', the motion failed. Any more....any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3486."

Clerk O'Brien: "House Bill 3486, a Bill for an Act in relation to qualifications and tenure of township assessors, Second Reading of the Bill. One Committee Amendment...amends House Bill 3486 on page one line two by inserting before the comma the following and so forth."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, we have a Committee Amendment, I believe, to this Bill which again exempts Cook County...and I would support this Amendment."

Speaker Redmond: "Any discussion? Representative Deuster."

Deuster: "Well, Mr. Speaker, as a member of the Committee that heard this Bill, I would like to speak in opposition to this Amendment. The Bill was designed to provide that all of the township assessors in the State of Illinois would be qualified...and that there be some guarantees regarding their education and their training. In the Committee, as so often happens in counties and townships, a home rule Amendment was put on and largely what that means is that we'd be passing a law that says education is good for the township assessors all over the State of Illinois but we don't want any of it in Cook County. I think this is a wrong approach, I think even the assessors in Cook County, although their duties are somewhat different



than they are in downstate areas, nonetheless they are the ones who pick up the telephone and talk to citizens. They are the ones who ought to be intelligent. They are the ones who ought to have the training and education and be able to answer the basic questions the taxpayer has about how his property was assessed. There's no reason, for example, that the people living in...in... Barrington, who happen to be in Cook County should have an assessor that has no educational qualifications and the people in Barrington who live north of Main Street in Lake County, in my County, should have to have a township assessor who is educa....educated and qualified. I think there should be one rule for all of the State of Illinois and I would ask all of you to look at this Amendment very carefully and to defeat this Amendment so we'll have one uniform rule....and that all over the State of Illinois we can rely upon the fact that our township assessors are going to have to be qualified and have to undergo some basic educational training and I urge your defeatyour help in defeating Amendment #1.

Speaker Redmond: "Representative Willer."

Willer: "Yes, thank you.....am I on...?"

Speaker Redmond: "Representative Willer..."

Willer: "Am I on? Thank you, Mr. Speaker, I would just join with the previous speaker in urging the defeat of this Amendment. Many people disagree over the importance of township government in Cook County but there is no quarrel on the township officials themselves as to how important their jobs are. I cannot believe they would oppose this Amendment,...ah...if they think their job is so important, certainly I agree with Representative Deuster, they have the same qualifications as the assessors in the rest of the State, even though their duties are different, so I would rise in opposition to the Amendment to exclude Cook County."



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Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker, since this is a Committee Amendment, I think the Chairman of that Committee should speak to it."

Speaker Redmond: "Representative Yourell."

Yourell: "Yes, Mr. Speaker,.....Tom, is this Amendment #1?"

McMaster: "Yes."

Yourell: "This takes the....does not increase the salary of assessors in"

Speaker Redmond: "Representative McMaster."

McMaster: "Ah....Mr. Yourell....we are through with the salary Bill. We're now on the qualifications Bill."

Yourell: "Okay....okay..."

McMaster: "Now, the question was brought up in Committee and we had a testimony by the president of the township supervisors from Cook County, Mr. Theyro, that indicated that he was not interestedah...in this Amendment #1. And, the reason being that the qualification by examination would take place after the assessor had been elected. And, it seems to me that....Henry.... Representative Klosak, brought up a very important fact in that committee hearing in that he said 'how can you elect a person to a public office and then lay conditions on the....on that office after the fact....after a person had been elected', and that's exactly what... happened in Committee and so....ah....so I'm in support of Amendment #1."

Speaker Redmond: "Ready for the question? The question is on the adoption of Amendment #1 to House Bill 3486, all in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question.....35 'ayes', 59 'no', and the motion failed. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Skinner, amends House Bill 3486, on page 2 by deleting line 12 through 15, inserting



in lieu thereof the following, and so forth."

Speaker Redmond: "Representative Skinner."

Skinner: "So far most people probably don't even know what this Bill is about and let me ...let me try and outline it because I'm going to change something or try to change something that is pretty basic. This Bill says that if one is a certified Illinois assessing officer, having taken a course of study and taken a series of tests given by the Illinois Property Assessment Institute, that they shall have met the educational requirements. Or, if they have a higher ...ah...designation that is given by the International Association of Assessing Officers, called a Certified Assessing Evaluator Certificate, that will also qualify them. Then there are two other alternative qualifying measures. One is, a Master of Appraisal Certificate from the American Institute of Real Estate Appraisers. This is what is commonly called the 'MAI'. And, I think anybody would agree that an MAI would make a competent assessor. A fourth alternative....is a Senior Real Estate Analystah...or Senior Real Property Appraiser form the society of real estate appraisers. So, what you're saying is, that if a real estate person could run for the job of assessor and not have to take these courses, directly relating to assessments, because assessments....is figuring out the value of property. And, a real estate man can do it probably as well or better than an assessor can. Okay, now, those four are fine, and I applaud the Committee for putting them in, but..."

Speaker Redmond: "Representative Deuster..."

Deuster: "Rising as a point of order, I guess I'm only four seats from Representative Skinner and I can hardly hear him because of the confusion on the Floor."

Speaker Redmond: "The point is well taken. Please give the Gentleman order."



Skinner: "All right. We have these...we have these four screens....you might say.....ah...to the educational requirement. There is a fifth one, however, which is in Section 2.2A, which says each township assessor shall take a basic course of instruction in the principals and processes of property assessment conducted by the Illinois Property Assessment Institute, or an equivalent course conducted by the Department. That's the bogymen we've been talking about this morning, the Department of Local Government Affairs. Well, I've taken the basic course and the advanced course from the Illinois Property Tax Institute and I'm here telling you that there was rampant cheating at the test that I took. In short I'm not sure that we should trust a private group to give something they call a basic and advanced course, which if your assessor can't pass it...he probably can't read, write, multiply, divi....divide, add and subtract. It's a very basic test. Ah...I suspect most people in this General Assembly could pass it without doing any background study whatsoever. So, what this Amendment says is that you may have one of the four....ah...certi..... you may have one ah...to be....to pass the education requirement, one must have a CIAO, a CAE or the real estate designation, or take a course given by the Department and pass a test. It does not give the option to have the basic and advanced test given by the Illinois Property Institute as an alternative."

Speaker Redmond: "Any discussion? Representative Yourell."

Yourell: "Mr. Chair...er...Mr. Speaker, Ladies and Gentlemen of the House, I ...I would like to ask Representative Skinner a question and that question is simply this. How many public offices are there in the State of Illinois that require educational backgrounds or qualifications to run and to hold public office? The answer is two, State's Attorneys and Regional Superintendent of Schools."



Skinner: "How about Judge?"

Yourell: "That's correct."

Skinner: "There is three."

Yourell: "There isn't a Member of the General Assembly of this State or any other state, to my knowledge, that has to qual.....qualify.....either by educational standards or by taking courses in how to be a State Legislator....and here we are worrying about townshipstownship assessors...and telling them and mandatingthat they have to take certain courses in order to qualify after they've been elected. I think that the only requisite for public office...and holding public office is to put your name on the ballot and put the.....requisite..your qualifications...in front of the public. I say I totally disagree with providing any educational qualifying standards for any elected public office."

Speaker Redmond: "Representative McMaster.....You....ah... ah....You raised a point about talking twice at one time.....Representative McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, this is my first shot at this Amendment...so I...."

Speaker Redmond: "I'm not talking about you."

McMaster: "Ha...Thank you. But in reality, what we try to do in the Bill is to leave options as far as examinations. I don't think it should be restricted completely to the Department of Local Government Affairs...only. I think if there is cheating going to be done, it can be done whether....whoever is conducting the examination...and I don't know...I cannot say that anyone cheated, I have not seen anyone take the exam and I wouldn't want to pick out individuals anyhow.I do feel that the option of either the Department of Local Government Affairs...the, or the Illinois Property Assessment Institute, is better in the Bill and so therefore I would



have to oppose the Amendment, Cal."

Speaker Redmond: "Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Amendment. Regardless of the basic provisions in the Bill, and I think we can argue on that on Third Reading, but what this Amendment does is to remove the requirement that the Illinois Property Assessment Institute, which is a private group, that assessors canor must...take a course from either them or the Department of Local Governmental Affairs. With the Amendment it just requires that those forces be given by the Department of Local Governmental Affairs I think that that is a legitimate function for the Department to ...ah...to do. If we're going to require courses, they should be courses conducted by a public body.....conducted by a department of the State and not by an independent ...ah...organization...that charges money for their courses. And, I would ask for the support of this Amendment and then we can argue about the merits of the Bill on Third Reading."

Speaker Redmond: "Representative Mudd."

Mudd: "Yes, Mr. Speaker, I would like to ask the Sponsor of the Amendment..."

Speaker Redmond: "Proceed..."

Mudd: ".....a question.. Ah...Representative Skinner, would this provision beah.w.more binding on an assessor, or one who deals in assessing property than that of the free enterprise ...assessor on the outside of government?"

Skinner: "You mean.....you mean..."

Mudd: "It's my understanding now..."

Skinner: ".....appraiser for instance?"

Mudd: "Yes, Sir."

Skinner: "Ah...I don't think so."

Mudd: "It's my understanding that at the present time, although there is a Bill in now ...that there's no



minimum requirement for a....ah...someone to assess property in the...in the public enterprise system we have, outside of government. Is that true?...It speaks to the issue....may....may attend or may take tests,but it doesn't require anyone who assesses property ...ah....for a fee..that he have any of these..."

Skinner: "Oh! If you're asking, do we license....appraisers in the State of Illinois, the answer is, definitely we do not. But, they have thesewell most people, when they go out and hire an appraiser, if they want it to stand up in court, will hire an MAI. And, that is one of the designations which is in this Bill. There are other lesser designations in this Bill and what we're talking about right now, is the least designation that the assessing officials have come up with. This is their Bill, remember, it is not my Bill....And all I'm saying is, that it seems to me that since the Illinois Property Tax Institute designation of Certified Illinois assessing officer, is one of the ways one may fulfil the educational requirement. That one shot is enough, let me tell you, if you don't have a CIO as an assessor, you don't want him assessing, if he can't pass that test. And, so, that's a legitimate screen in my opinion, but to say they may also be cut....fulfil the educational requirement by passing a couple of tests that come before the CIAO, that are really elementary and high school, as compared to college, I just don't think that's..... makes sense."

Mudd: "Okay."

Speaker Redmond: "Any further....The question is on the adoption of the Amendment. Those in favor vote 'aye', opposed vote 'no'.All voted who wish?Voted who wish? Representative Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of Representative Skinner's Amendment."



I think with the assessors we're dealing with a very technical part of our whole procedure of basing it on revenues of the State of Illinois, And, I think we're dealing with a very serious topic and I think we need educated people and people that have the qualifications, to make the assessments on an equitable basis and understand the assessing powers and duties of their respective offices. And, for these reasons I am very much in support of Representative Skinner's Amendment and I'd like to see some more green lights up on the board."

Speaker Redmond: "Have all voted who wish? Have all voted who wish? The Clerk will....Have all voted who wish? The Clerk will take the record. On this question 67 'aye', and 68 'nay' and the motion failed....Representative Skinner."

Skinner: "Mr. Speaker, could I ask for a polling of the absentees, please."

Speaker Redmond: "The Gentleman has asked for a poll of the absentees. The Clerk will poll the absentees....Representative McMaster?"

McMaster: "Just for the information of the House I do not intend to verify the Roll Call on this."

Speaker Redmond: "Representative Hanahan?"

Hanahan: "Change me from 'no' to 'aye', I hit the wrong button."

Speaker Redmond: "Change the Gentleman from 'no' to 'aye'."

Clerk O'Brien: "Arnell, Boyle, Brummet, Caldwell, Capuzi..."

Speaker Redmond: "Representative Tuerk, do you seek recognition?"

Tuerk: "How am I recorded, Mr. Speaker?"

Speaker Redmond: "How is he recorded?"

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

Tuerk: "Vote me 'no'."

Speaker Redmond: "Ha..Ha...Change the Gentleman to 'no'. Proceed with the...Roll.....Call of the absentees..."



Clerk O'Brien: "Chapman, Craig, Davis, Deavers, Domico, Downs, Epton, Fleck, Garmisa, Giglio, Ron Hoffman, Emil Jones, Kornowicz, Kosinski, LaFleur, Lauer, Madison, McGrew, Peters,....."

Speaker Redmond: "Representative McGrew....desires to be recorded as 'no'."

Clerk O'Brien: "Peters..Pierce, ..."

Speaker Redmond: "Representative Pierce?"

Pierce: "Ah...Mr. Speaker, please vote me 'aye'."

Speaker Redmond: "Vote the Gentleman 'aye'."

Clerk O'Brien: "Polk, Rose, Sangmeister, Schoeberlein, Schuneman, E. G. Steele, C. M. Stiehl, Telcser, Terzich, Wall, Washington, White, Younge, Mr. Speaker."

Speaker Redmond: "What's the tally? Representative Kornowicz."

Kornowicz: "Vote me 'no', please."

Speaker Redmond: "Vote Representative Kornowicz 'no'....."

Representative Tipword... Representative Tipword, how is he recorded?"

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

Speaker Redmond: "Change the Gentleman to 'no'. Representative White?"

White: "Vote me 'no' on this measure, please."

Speaker Redmond: "Vote Representative White, 'no'. Representative Kosinski."

Kosinski: "No."

Speaker Redmond: "What's the tally, Mr. Clerk? Representative McCourt."

McCourt: "No."

Speaker Redmond: "No.....Representative LaFleur,...."

LaFleur: "Aye."

Speaker Redmond: "Representative Jones?"

Jones: "No."

Clerk O'Brien: "Which Jones?"

Speaker Redmond: "Emil...Representative Madison, 'no'. Washburn?.....67 'aye' and 76 'no' and the motion fails."



Any further Amendments?"

Clerk O'Brien: "Amendment #3,"

Speaker Redmond: "Before we proceed with that...Representative Washburn, do you seek recognition?"

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, yes, I have the privilege of introducing some groups that we have in the Gallery. First of all there are several members of the Kankakee Chamber of Commerce, here to attend Illinois Industries Day, with their Executive Director Bill 'Kinzoriak', the Kankakee Chamber of Commerce fellows.....where are you?. Over here....here behind me...We also have the fifth grade of Franklin School, from Kankakee, with their teacher, Mrs. Kenneth Kendall, and that district happens to be represented by Representatives Ryan, Beaupre and myself. The fifth grade from Franklin School, in Kankakee. And, certainly last but not least, we have the fourth grade from Paul the Apostle Grade School in Joliet. They are accompanied by their teacher Mrs. Ann Glasgow and Sheila Orr and also one of their chaperones is Mrs. Harry Leinenweber and one of the students is Thomas Leinenweber and they are represented by Representatives Leinenweber, Sangmeister and Van Duyne. The fourth grade class of St. Apostle."

Speaker Redmond: "Representative Catania, do you seek recognition?"

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

A lot of people have asked me about the four women who were on the poster that each of us received today. And, I just wanted to point out that in this bicentennial year the members of the Commission on Status of Women thought you might like some information...about women who have been significant in Illinois history. So, if you go back and find your copy of the Commission report, you could look on page 30 and find biographical information about



all four of those women as well as a lot of other women. It is a very brief biographical sketch, but there is some great and moving stories in here. Now, if you can't remember what you did with your copy of the Commission report, you could give my Secretary a call at 8151 and she'll be happy to send you just the biographical information if you'd like it....because it really is very interesting. It's about women who have been very significant in Illinois history, including those four women on the poster."

Speaker Redmond: "Amendment #3 to House Bill 3486"

Clerk O'Brien: "Amendment #3, McMaster, amends House Bill 3486 as amended, in Section 2.2a, in the first paragraph by deleting the following language and so forth..."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, we ran into quite a bit of opposition in Committee Hearings in regard to qualifying an elected official by examination after he had been elected to office. Now, I'm sure this Bill is going to get an awful lot of discussion on Third Reading. And, I don't know what the results will be. I do know that this Legislation is an attempt, by the tax assessors of the State of Illinois to put qualifications upon themselves. They are trying to do something about the problems that they realize exist as far as the credibility of any tax assessor is concerned. However, I do feel that maybe we are a little bit rough in requiring an examination.....for an assessor to qualify, for that reason we are removing the language that requires an examination.....leaving the minimal requirement of the assessor going to a school or being qualified ...the...any of the other reasons of the Bill. We did not designate this Amendment by line, we said we were not sure what the results of the Bill would be after the various Amendments that we knew would be



proposed. Therefore, we are taking the examination part out of the Bill and for that reason I am offering this Amendment.....and urging your support of it."

Speaker Redmond: "Representative Skinner."

Skinner: "I think I am hearing a replay of something that happened ...ah...when I was...before I entered the General Assembly. Ah...Would the Gentleman yield to a question or two?"

McMaster: "Yes."

Skinner: "Thank you. You're saying that we're going to mandate that assessors go to school, but we don't care if they sleep through the courses? We don't care if they pay attention, because they are not going to have to pass a test?"

McMaster: "Essentially this is perhaps what we're doing, Cal, I do not agree with you that they are going to sleep through the courses, I think they are going to attempt to improve their ability. And, again, I am personally not that much against an examination, but I do have great concern about whether they are, or are not going to have any qualifications. If it is necessary to take the examination out to pass any qualification, as this Bill includes in it, then I'm willing to take the examination out."

Skinner: "Well, Mr. Speaker, if I might address the Bill. This is not a bad Bill. This is a pretty decent Bill. Ah...I think it's got one loophole in it that I wouldn't like to see in it, but My God! If we take the test out, it doesn't become a Bill, it's nothing, it's something that might better be used as wallpaper, than to be put in the Statute books. Can I take ...ah...those Members who entered the General Essembly after 1972 as did I, back to a Bill that was passed in about 1968, which required attendance.....at training sessions of the Illinois Property Institute, but ...and if the assessor



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did not attendthe law, the law actually said, that a salary actually would be cut in half. Now, I don't know where all the defenders of the Constitution were at that time. I don't know how the Bill got passed, but it was blatantly unconstitutional, it was repealed the next Session. Ah...But the objection then was, my God, all you were telling them to do was to go to....go to the course, that they didn't have to take a test. If we don't leave the test provision in....ah...we have nothing, absolutely nothing....and so, I would hope that this Amendment would be....defeated. In fact, I would hope that the Sponsorah...of the Amendment would vote against his Amendment....ah...on the hope that he may be able to garner 89 votes on the Floor for what is basically a decent Bill as it stands."

Speaker Shea: "Is there further discussion? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, as I said earlier in the day, if there is one area where we need to increase the competency of governmental officials in order that we can build aor...rebuild ...ah...the confidence of the public in equal, and fair, and effective treatment, it's in the area of assessment practices. It doesn't seem to me to be unreasonable to expect a person who is going to fulfil this type of a responsible position that at the very minimum, and this is a minimum....the very minimum that they are able to pass a test which indicates that they can read and write and have some basic understanding of assessment practices. Now, you and I know the vicissitudes of the electoral process. We know the way in whichah... different political organizations or groups can ...any... ..in fact...ah...effectuate ...ah...and pretty much determine who is going to end up being ...in what position. All we're saying now....ah...under the present Bill ...



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is drafted without the Amendment is that whomever they choose for this have to have the ability to read and write and have some basic understanding of the job that they are going to hold. To be elected to office is only part of doing the job. I think frequently our experience has been that many times people have the qualities and the support to get elected to office but do not have the quality and the support to do the job. We want to rebuild the confidence of the people in the governmental process in this State and in this country. It has behooved us to put people in those positions who can do the job. Otherwise, we may be kidding ourselves but we are sure not kidding the public and therefore I would oppose this Amendment."

Speaker Shea: "The Gentleman from Knox, Mr. McGrew."

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

Speaker Shea: "He indicates he will, Sir."

McGrew: "Representative McMaster, could you tell me, do the assessors want this Amendment?"

McMaster: "Well, Mr. McGrew, the Bill originally contained the requirements for the examination. This is what the assessors wanted. I am not that hung up on the Amendment except from the discussion that occurred in Committee, Sam, in opposition to an elected official qualifying by an examination, essentially they were saying what would happen if someone required us in the General Assembly to go to a school of instruction and then take an examination before we were qualified to continue as a legislator and if this is what it takes to get some kind of qualifications, I will accept the Amendment."

McGrew: "Well, in other words, to cut through it all, the answer is no, they really would prefer not having this Amendment."



McMaster: "Well, as introduced, given to me by the assessors, they contained the examination parts, yes."

McGrew: "Right. And that is precisely my point. In fact, if we would get to an examination for the General Assembly it might improve the quality of people down here too." I would simply like to point out, Mr.

Speaker, that this Amendment does require or would take out the provision to pass a written examination. In the Bill they have more than one alternative. They can go through the Realtors' Institute, the Appraisers' Institute or some other examination that would be derived from the Department of Local Governmental Affairs or other such measures and I submit to you that this would indeed be the best way to pass this Bill without the Amendment. I realize what the Gentleman from Knox is trying to do and that is pass a measure that would improve the measure some, that would require them to have some sort of training but I submit to you it would be much better if we do indeed check and make sure that they have received some type of training and so I rise to oppose the Amendment."

Speaker Shea: "The Gentleman from Cook, the Assistant Minority Leader, Mr. Walsh."

Walsh: "Mr. Speaker, it is my pleasure to introduce the former Sheriff of Cook County and present County Commissioner, Joe Wood who is in the Gallery and I don't know where. Oh, on the Floor, where are you, Joe? Good to see you."

Speaker Shea: "On the question the Gentleman from Lake, Mr. Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, again, as a Member of the Committee I think that if we were to adopt this Amendment we would be perpetrating what almost amounts to a fraud, a fraud on the assessors, a fraud on the people and possibly



a fraud on the Members of the Committee who voted this Bill out. I got a lot of mail from assessors who said, support this Bill. I received telephone calls and letters and to me, as I analyzed it, the heart of this Bill was the requirement that these assessors were saying we realize we want to upgrade our own profession and to establish an examination so that the people would have confidence knowing we are qualified. And now we have a Bill reported out of Committee and then we have sort of a side maneuver here to gut the Bill and to take the real heart of it right out and I don't know at this point, I know my assessors have been communicating to me on another Bill. So if this Amendment were adopted taking the heart of the Bill out, I have to publicly say I would oppose the Bill until I hear more from my assessors and I would suggest to the Sponsor of this Amendment and the Sponsor of the Bill that he table this Amendment and then try this Bill on Third Reading and if ^{it} doesn't fly because it's a little too hard to swallow for some of the assessors who don't believe in education maybe, then he can bring it back to Second Reading and take the examination out. But run with the Bill the way it was introduced, the way it was reported out of Committee and the way it was understood by every township assessor I know. Vote 'no' on this Amendment."

Speaker Shea: "The Gentleman from Cook, the Committee Chairman on the Committee on County and Townships, Mr. Yourell."

Yourell: "Thank you, Mr. Speaker. Will the Gentleman yield? Tom, in the Bill itself, does the educational and examination requirements become a reality before the candidate is elected as assessor or afterwards?"

McMaster: "Afterwards, Mr. Yourell. It is a post-election



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qualification."

Yourell: "Well, this is exactly why this Amendment should be passed. Because here we have a situation where an individual runs for public office, is elected by his constituency in the township and then, because of the provision of the Bill, he must go to school and pass an examination. On failure to pass the examination is he removed from office or do the township trustees now suddenly hold a special election or do they appoint somebody to take his place or just what is the procedure?" Now, again I say to you that any time that we put educational qualifications and standards as a basis for elected public office that we ought to start with our own House right here in the General Assembly and I can tell you that there wouldn't be one person that would vote to put any kind of educational or professional standards on any Member of this House after they have been elected to this office. Now, if you want to do it before they are elected, fine, as a prerequisite or of a condition to election, fine. But certainly don't saddle an individual who campaigns for public office and is elected by his constituency and then to mandate that he take a course of study and pass an examination and if he fails to make the grade necessary to qualify, then to kick him out. I think that is absolutely ridiculous and I think this Amendment should be supported."

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

Palmer: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I arise to oppose the Amendment for many of the same reasons that were given by my colleague in the 8th District. The assessor's office is primarily an administrative office and not a legislative office. We have the right to establish some sort of performance standard. I voted



fairly well consistently just about on the Amendments before that would have created a performance standard for the assessor. Many persons here speaking have indicated that it is not only good for the assessor but it is good for the people who reside within the township within the county, but also the State of Illinois. If we are going to have high quality officials in the State as we profess certainly in our election campaigns and when we are not engaged in election campaigns I think this is a good place to start. We have had it and we have passed legislation in other areas. If there is an assessor to assess property, a most important function of government, then those persons should be mandated to, as the assessor in this case, should be mandated to take these courses in order that he knows, that he know what he is doing and for this reason I would urge the, that this Amendment be defeated in the interest of good government, in the interest of fairness to all the people of this State and in the interest to the officials themselves. Thank you."

Speaker Shea: "The Gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. I would like to follow up with the comments given by the last speaker and also respond to the distinguished Legislator's comments from Chicago, Mr. Yourell. I would point out to him that this Legislature changed the character of our court system not too many years ago and took the elected police magistrate and mandated that they all must be lawyers and in fact, destroyed their job in status in its entirety unless they went to law school. So there is more than ample precedent for this. So with the precedent being established in that area and several other positions I think it is mandatory that we require some degree of expertise for those people who are personally responsible for



the size of our real estate tax Bills in this State and I feel to require them to go to school, get some education and take a test is quite minimal and I think you would find out that most of your diligent assessors are more than willing to do this, thus I would urge everyone to vote 'no' on this Amendment."

Speaker Shea: "The Gentleman from Winnebago, the Minority Whip, Mr. Simms."

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

Speaker Shea: "The question is, shall the main question be put. Mr. McMaster on a point of order."

McMaster: "Mr. Speaker, I think I have the right to close on the Amendment, do I not?"

Speaker Shea: "I will give you the right if the question is to go back to the main question."

McMaster: "well, the main question in this case is the Amendment."

Speaker Shea: "Yes, sir. The question is shall the main question be put. All those in favor will say 'aye', those opposed. In the opinion of the Chair the motion carries with the requisite two-thirds. Now, back to the Gentleman from Knox, Mr. McMaster, to close."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, as I say earlier in explaining this Amendment, the assessors did present the Bill to me with the examination qualification in there. I am not that hung up on whether they should or should not take the examination. It was merely at the urging of some of my colleagues who were Committee Members that I take that examination out and quite frankly, I am going to vote in favor of my own Amendment but whether it passes or fails is of no great consequence to me and I am merely indicating that the tax assessors of this State are trying to establish qualifications for themselves."

Speaker Shea: "The question is, shall Mr. McMaster's



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Amendment #3 be adopted. All in favor will say 'aye', those opposed 'nay'. Is there a request for a Roll Call? All right, all those in favor of the Amendment will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 51 'ayes', 62 'nays' and the Gentleman's motion fails. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Shea: "Third Reading. On the order of House Bills Second Reading appears House Bill 3489."

Clerk O'Brien: "House Bill 3489, a Bill for an Act to amend the Illinois Vehicle Code, Second Reading of the Bill. One Committee Amendment amends House Bill 3489 on page 1 by deleting line 14 and so forth."

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

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I would ask leave to table Amendment #1. It is in incorrect form and I have Amendment #2 to take its place."

Speaker Shea: "The Gentleman asks leave to table Amendment #1. Is there objection? Hearing ~~none~~, Amendment #1 is tabled. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Kane, amends House Bill 3489 on page 1 by deleting line 14 and 15 and so forth."

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

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, this is an Amendment that has been requested by the Department of Transportation. The original Bill would have removed the requirements that school districts retrofit their school buses that had been purchased prior to December 30, 1975. What this does is extend the present limit of January 1, 1977 to January 1 of 1981 and I would ask for the adoption of the Amendment."



Speaker Shea: "The Gentleman from Kane, from Sangamon, Mr. Kane moves for the adoption of Amendment #2. On the question, is there discussion? The Gentleman from Kane, Mr. Waddell."

Waddell: "Will the Gentleman yield?"

Speaker Shea: "He indicates he will, Sir."

Waddell: "According to the Digest, is it correct that what you have done is to supplant also a flashing light system with a constant light system?"

Kane: "We have had the four light system on school buses until a Bill that was passed about two years ago which mandated an eight light system. At the time that Bill was passed it was represented to the General Assembly that that was required by federal rule. That is not the case and so what we are doing to school districts and there about 5000 buses that have not been retrofitted from a four light to an eight light system. What the original Bill did is say that buses that were purchased prior to a certain time that had the four light system would not have to be retrofitted. What this does, what the Amendment does is to take that provision out and simply extend the deadline and the deadline is picked for that reason because it is the normal life of a school bus that's, or the normal life that it's retained by a school system."

Waddell: "Doug, I have a further question. Are you aware that the Digest has deleted the word flashing on the second where it had it on the first?"

Kane: "No, I am not aware of that."

Waddell: "What you are saying here then is that a flashing light system shall be supplanted by a constant eight light system."

Kane: "No, that eight light system is both flashing and constant. Half of it is flashing and half of it is constant. It's a weird system."

Speaker Shea: "Is there further discussion? The Lady from



Cook, Ms. Catania."

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

Speaker Shea: "He indicates he will."

Catania: "Representative Kane, was I correct in understanding you to say that you are postponing this requirement to 1981?"

Kane: "The present law requires that any bus that is purchased after January 1 of 1975 have an eight light system. Nothing is being done to that, '76, I am sorry. So, all new buses purchased by school districts and used for school buses have to have eight light systems. This Bill only addresses itself to buses purchased prior to this year that are already owned by school districts and were purchased prior to the requirement that they have eight light systems. What this does is say, if you have already purchased a bus prior to a year ago and it has a four light system, you don't have to refit it and make it an eight light system."

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

Speaker Shea: "You can after I get a little bit of order, please. Would the Members please be in their seats? Proceed, Ms. Catania."

Catania: "Mr. Speaker and Members of the House, I have to oppose this Amendment. When we enacted this legislation a couple of years ago, it was sponsored by Senator Glass and it was pretty generally accepted that the eight light flashing system was very important on Illinois school buses. What we would do if we accept this Amendment would be to say that school buses for children who happen to be riding in buses that are a couple of years old didn't have to be as safe as those who were fortunate enough to ride in slightly newer school buses. Now, the school bus industry had ample opportunity to comment and complain and so did the school bus contractors and everybody else



who had any sort of involvement when we voted on Senator Glass' Bill. I would suggest to you that we would be acting very irresponsibly if we were to extend this deadline. They all accepted the deadline when we first put it in and we would also be adding a great deal of confusion to the motorist's predicament on the road. If you are going to get used to an eight light flashing system and functioning in response to that when you see a stopped school bus, it is completely anti-safety to have to adjust to a four light system for buses which as I believe Representative Kane pointed out, are going to be on the road for another five years."

Speaker Shea: "Ms. Catania, excuse me please. Mr. Kane on a point of order."

Kane: "I think she is addressing herself to the matter of the Bill which we can argue on Third Reading. The Amendment is more restrictive than the Bill if that is what she is trying to get at."

Speaker Shea: "Ms. Catania, if you would please discuss just the Amendment at this point."

Catania: "All right, maybe I misunderstood. I thought that the Amendment was going to say that buses did not have to have the eight flashing system until 1981 if they had been purchased..."

Kane: "That's what the Amendment says. The Bill itself says that they don't have to have the eight light flashing system ever so the Amendment is more restrictive than the Bill."

Speaker Shea: "Mr. Kane, now you are out of order. The Lady is addressing herself to the Amendment. Proceed."

Catania: "Well, I think we better kill both the Amendment and the Bill. Clearly it's a terrible Amendment to a terrible Bill and I think we might as well get in practice and start putting our red lights on now when we see 3489 up on the board if we are at all



interested in safety for the children of the State of Illinois. This isn't going to cost the taxpayers any money to get good safety, it is only going to cost the people money who are out there trying to make money at the expense of our children's lives. Please vote 'no'."

Speaker Shea: "The Gentleman from McLean, the Majority Whip for an announcement. Turn Mr. Bradley on."

Bradley: "Well, thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, we have some students from the Tulley Middle School on the Republican side upstairs. They are from the 14th Representative District represented by Representative Brandt, Farley and Fleck and I wish that they would stand and be recognized."

Speaker Shea: "Thank you for joining us. Is there further discussion? The Gentleman from Stephenson, Mr. Brinkmeier, the Gentleman from Knox, Mr. McGrew."

McGrew: "Thank you very much, Mr. Speaker. As most of you are aware, last session I was the only Representative that introduced any real upgrading of school buses. One of those provisions was that we would go to a universal eight light flashing system. This Amendment would give the school districts, would change it from the January, 1976 requirement, change that to 1981. It would give us five years additional and so I think that it would be a very realistic requirement. I think that the Amendment is good. The Bill is good. In fact it is saving the school districts money because at this time what the law says is that every school district must take their used buses in, have them completely redone to conform to this eight light system and that is a ridiculous requirement for a school district that has a one or two year old bus and it's totally ridiculous in light of the situation that nearly every school district in the State is



bankrupt and I suggest to you that we need to adopt both the Amendment and the Bill. Thank you."

Speaker Shea: "The Gentleman from Lake, Mr. Deuster."

Deuster: "Would the Sponsor of the Amendment respond for a question?"

Speaker Shea: "He indicates he will."

Deuster: "Representative Kane, last year as a Member of the School Problems Commission I worked with Senator Glass and Representative Berman and the school bus operators to develop some Amendments which we adopted last year to solve some of their problems and that's why I am going to ask you a question. One of them had to do with black fenders, yellow fenders, or black fenders on yellow buses and we agreed that fenders didn't have anything to do with safety and painting the fenders would save the school districts money. Secondly, we had some legislation relating to the lettering of the owner's name on the bus and that didn't have anything to do with safety. And it was my understanding in conversations, many of them with the school bus operators that they were perfectly willing to conform to the law in areas where it had to do with the safety of the boys and girls, the safety of the children and I would like to ask you this. Have they now come to you and requested this legislation with respect to the flashing lights?"

Kane: "The people who came to me and asked for this legislation were the school districts of my legislative district who own school buses and are going to have to retrofit these school buses at a cost of about \$300 a bus in a year in which they are very sapped for funds. Unlike many of the school districts up in the ~~suburban areas around Chicago~~ which those school districts contract with private bus companies to transport their children. Most of the downstate school districts own their own buses and would have to shell



out money in a very tight year that they just don't have and they can't afford."

Deuster: "Mr. Speaker, if I might speak to the Amendment.

I would like to urge all of you to vote 'no' on this Amendment. All of the school of Illinois have been conscious of the safety legislation we adopted several years ago to protect our children and all the schools in my district and everywhere I know have been complying with this and they have had ample opportunity to come in, talk to us. We had remedial legislation last year. I think that all of the schools should comply and I would urge a 'no' vote on this Amendment."

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

Laurino: "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 will say 'nay'. In the opinion of the Chair, the 'ayes' have it. Back to the Gentleman from Sangamon, Mr. Kane, to close."

Kane: "I think there are a number of misconceptions about what this Bill does and what the Amendment does. The Amendment is more restrictive than the Bill. Contrary to what the Lady from Cook had to say is that this Bill, the retrofitting of school buses, is going to cost the taxpayers money. Maybe not in her district because she doesn't have school buses, children ride the CTA. But what this does is it is going to save school districts, particularly in downstate in which there are some 5000 buses that were purchased prior to January 1 of 1976 that would have to be retrofitted before January 1 of 1977 at a cost of about \$300 to \$350 a bus and I know of no study which says that the eight light system is any safer than a four light system and I would urge the adoption of this Amendment."

Speaker Shea: "The question is, shall Amendment #2 be adopted. All those in favor will vote 'aye', those



opposed will vote 'no' and the Gentleman from Moultrie, Mr. Stone, to explain his vote."

Stone: "Mr. Speaker and Ladies and Gentlemen, I think this is one Amendment that it's very imperative that we adopt. There has been some misunderstanding from, by the Lady from Cook and the Gentleman from Cook, Mr. Deuster. This Amendment does not do what they think it does and I see we have enough green lights and I hope there are a few more because this is a good Amendment and it should pass."

Speaker Shea: "Have all voted who wish? Take the record. Mr. Skinner."

Skinner: "Well, Mr. Speaker, we have a defective Amendment here that we are voting on and it seems to me the Members ought to know that. There is nothing underlying that is being added and there is nothing crossed out that is being deleted besides the fact that it is a bad Amendment."

Speaker Shea: "Well, we will check that. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Shea: "Third Reading. I did not, on that question there were 14 'ayes', 16 'nays' and the Amendment was adopted and if there were no further Amendments, Third Reading. On the order of House Bills Second Reading appears House Bill 3541. Mr. Ryan, are we ready to go ahead with that today? Take that out of the record. House Bill 3819 at the Sponsor's request will be held. House Bills Third Reading. Ladies and Gentlemen of the House, there is a Supplemental Calendar out, Supplemental Calendar #1 which appears three House Bills on Third Reading that were inadvertently left off the list and the first two Bills called will be from that list. On the order of House Bills Third Reading appears House Bill 3159."

Clerk O'Brien: "House Bill 3159, a Bill for an Act to amend



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Sections of the Illinois Insurance Code, Third Reading of the Bill."

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

Berman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is a Bill that was requested by the Department of Insurance. It amends the Bill that we passed last year that set up the Medical Injury Reparations Study Commission and also the Joint Underwriting Association. As you all may recall, that's the Bill that sets up the mechanism to provide a backup mechanism in the event that medical malpractice insurance ceases to be available in the private market. The changes that are involved in this Bill really don't deal substantially with that concept. It does make a couple of changes. The main ones are that adds the word for 'alien' on the last page of the Bill so that the Bill would not be constitutionally defective so that it includes both foreign or alien companies in the Joint Underwriting Association. The other provisions of the Bill is that it empowers the Commission to have the right of subpoena and it corrects a typographical error on, in Section 656. Two of the objections that were raised in the Insurance Committee have been taken out by Amendment #1. I would be glad to respond to any questions and solicit your affirmative vote."

Speaker Shea: "The Lady from Lake, Ms. Geo-Karis, for which purpose do you arise?"

Geo-Karis: "Would the Sponsor yield for a question, sir?"

Speaker Shea: "Well, he will when we get to that point.

He was still discussing the Bill when you started to..."

Geo-Karis: "He finished."

Speaker Shea: "I know, but in the middle of it you were raising your hands."

Geo-Karis: "I just wanted to make sure you didn't forget me."

Speaker Shea: "I saw you. He indicates he will yield."



Geo-Karis: "Representative Berman, the synopsis of this Bill says that it would give the alien companies, in other words companies from outside of Illinois the same tax credit rights as domestic and foreign companies. By alien companies do they mean European companies, for example or, what do they mean because foreign companies would mean the same as alien ordinarily. Could you explain it for me, please?"

Berman: "Yes, as I understand it, in the Insurance Code, there are two types of non-domestic companies, foreign and alien. Foreign means American companies outside of Illinois. The alien companies are like Lloyds and in order not to make the Bill defective and to make it apply across the board these words should have been in the Bill that was passed last year, namely when we say foreign, we should say foreign or alien and this Bill adds the words or alien to that paragraph and I think Representative Epton might be able to elaborate on that explanation even more."

Geo-Karis: "In other words, the way your Bill now reads, alien companies meaning companies that are not American companies would get the same credit, tax credit rights as our American companies, is that right?"

Berman: "Only partially."

Geo-Karis: "What do you mean by only partially?"

Berman: "Well, without this language there is a question as to whether we could bring in, under this Joint Underwriting Association, companies such as Lloyds. We want every company to be in and we want them to have both the obligations and the responsibilities or benefits that every other company has."

Geo-Karis: "Thank you."

Speaker Shea: "The Gentleman from Cook, Mr. Epton, the Chairman of the Insurance Laws Study Commission."

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



House. Representative Berman's explanation is accurate as always. This situations was necessary to correct a deficiency in the wording of our previous legislation and I urge that you support him in the passage."

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

Washington: "Will the Sponsor yield for one question? I would have asked you before but I just hadn't read this Bill until now and I don't have the Bill as a synopsis but why have you deleted the requirement that the Director of Insurance consult with members of the public?"

Berman: "We have not. Amendment #1 took out that change in the language in this Bill. Under this Bill as amended as it is before you today, the Commissioner or the Director of Insurance must consult with the public and with the others, and others before the plan of operation is adopted."

Washington: "So it goes back to the original language?"

Berman: "That's correct."

Washington: "Thank you."

Speaker Shea: "The Gentleman from Cook, Mr. Berman, to close."

Berman: "I think it has been explained, Mr. Speaker. I would appreciate an affirmative vote."

Speaker Shea: "The question is, shall House Bill 3159 pass. All those in favor will vote 'aye', those opposed will vote 'nay'. Shea, 'aye', please. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 130 'ayes', 1 'no', 3 Members voting 'present' and House Bill 3159 having received the Constitutional Majority, is hereby declared passed. On the order of House Bills Third Reading appears House Bill 3222."

Clerk O'Brien: "House Bill 3222, a Bill for an Act to add Sections to an Act creating the Department of Children



and Family Services, Third Reading of the Bill."

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

Grotberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3222 is the final version of a Bill that's been kicked around now for several months toward the end of the last Session which mandates that the Department of Children and Family Services do contract with the various private agencies of the State of Illinois for care for their wards. And it mandates that they shall pay 100 percent of a reasonable cost of the care of these children pursuant to a written negotiated contract between the Department and the Agency furnishing the services. I think most everyone in the House is very familiar with the Bill in general. I would just ask for a big green vote on it and answer any questions that anyone may have."

Speaker Shea: "The Gentleman moves for the passage of House Bill 3222. Is there debate? The question is, shall House Bill 3222 pass. All those in favor will vote, Mr. Ryan, did you wish recognition? I am sorry, sir."

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

Speaker Shea: "He indicates he will."

Ryan: "Representative Grotberg, what is the cost of this program?"

Grotberg: "The cost of this program is within whatever the budget for the Department of Children and Family Services is. For instance, we have already passed out the Bill, this year, the appropriation. The inherent cost in it would be under the negotiation part of these contracts, Representative Ryan."

Ryan: "There is no additional money needed here?"

Grotberg: "No additional money."

Ryan: "Thank you."

Speaker Shea: "The question is, shall House Bill 3222 pass."



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All those in favor will vote 'aye', those opposed will vote 'nay'. Vote Shea 'aye'. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 145 'ayes', one 'nay', one Member voting 'present', House Bill 3222 having received the Constitutional Majority is hereby declared passed. On the order of House Bills, Third Reading, appears House Bill 3302. The Gentleman from Lawrence, Mr. Cunningham."

Clerk O'Brien: "House Bill 3302, a Bill for an Act making an appropriation to the Department of Conservation, Third Reading of the Bill."

Cunningham: "Mr. Speaker, the signs are not quite auspicious yet for the passage of this, hopefully tomorrow. I've been talking to the right people. In the meanwhile, a parliamentary inquiry. How do we add the names of Representatives O'Daniel and Keller as joint Sponsors of this Bill? In fact, it's primarily their good idea and I'm just..."

Speaker Shea: "Do you want it out of the record?"

Cunningham: "Yes, but how do I add them? It's a parliamentary inquiry, it's your duty to answer."

Speaker Shea: "It's very simple, you sign a slip and let them go to the Clerk's office."

Cunningham: "Thank you, Mr. Speaker."

Speaker Shea: "On the order of House Bills, Third Reading,not today.....Representative Tipsword, are you ready on your Bill, today?.....House Bill 3551."

Clerk O'Brien: "House Bill 3551, a Bill for an Act making an appropriation to Shelby County, Third Reading of the Bill."

Speaker Shea: "The Gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, this is a Bill that would provide \$100,000 to the County of Shelby. Now, this sounds a bit unusual, but I'd like to tell you the circumstances of it. This money is to provide funds for the purchase of right of way for the



reconstruction of three different roads in and near the Lake Shelbyville area, giving access to three different access and recreation areas, that serve actually millions of visitor days to Lake Shelbyville. One of the really active and one of the rare recreational areas in Central Illinois, that serves all of this State and in fact part of the Midwest. The roads that serve this, each of them about a mile to a mile and a half in length, into these three areas, lead from a good and sufficient county road, but our township roads that were built years ago to provide only rural farm trafficah...carrying capacity..now, there are ^{literally} ~~literally~~..... during the spring and summer and fall months, thousands of vehicles, recreational vehicles, traveling over them. The roads have been unable to hold up. The U. S. Corps of Engineers, which operate Lake Shelbyville, has indicated that they will provide \$500,000 to, and fund, fully, the reconstruction of these roads, if the county will simply buy the right of way and the moving of those utilities.....telephone lines and electric lines, that are along these four to four and a half miles of roads. This area has provided three and a half million visitor days of recreation time....ah...during this past year. And, for that reason,ah...we are asking for this hundred thousand dollars to buy the right of way. The county is, just as most counties are, completely unable to provide any moneys for thisah....right of way. The Department....ah...the Appropriations Committee has received a letter which they've provided a copy of. to me, from the Corps of Engineers, indicating that....ah... the right of way must be provided this spring and if it is not by the first of July or the funds are not available for it by that time, that the \$500,000 will no longer be available. So, it will be impossible thereafter to construct these roads unless sometime in the future the



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future the Corps would be willing to sometime, come up with the money. So, I'd urge the passage of this Bill, for it serves the entire State of Illinois, and not just this one county."

Speaker Shea: "The Gentleman from Christian has moved for the passage of House Bill 3551, is there debate? The question is, shall House Bill 3551 pass? All in favor will vote 'aye'. Those opposed vote 'nay'. Shea 'aye' please. Mr. Mann.....would somebody push Mr. Mann's switch 'aye', please? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 110 'ayes', 20 'nays', 11 Members voting 'present'. House Bill 3551 having received the Constitutional Majority is hereby declared passed. On the order of House Bills, Third Reading, appears House Bill 3586, Mr. McMaster, are you ready on that?..... On the order of House Bills, Third Reading appears House Bill 3624. Ms. Dyer, do you want to proceed with that Bill today?"

Clerk O'Brien: "House Bill 3624, a Bill for an Act to amend the Illinois Municipal Code, Third Reading of the Bill."

Dyer: "Ah...Mr. Speaker and Ladies and Gentlemen of the House, Ah....House Bill 3624 is a very simple Bill, but it would solve a problem that the Village of Hinsdale....Lake Forest....many other villages, non-home rule villages, throughout the State of Illinois have. It concerns the marketing of revenue bonds for recreational facilities. The Bill just simply proposes that we increase the ceiling on interest rates from 8 percent to 9 percent, just on revenue bonds on recreational facilities only, and just until July 1st, 1977. After that they would go back presumably to 8 percent. Several villages have had the problem in trying to float their revenue bonds for recreational facilities. They have not been able to get bids at 8 percent.....ah....I would respectfully request



a 'yes' vote on H-B 3624."

Speaker Shea: "The question is, shall House Bill 3624 pass?

And, on the question, is there debate? The Gentleman from Cook, Mr. Palmer."

Palmer: "Aye.....Ah...Thank you, Mr. Speaker. Will the Sponsor yield.....to a question?"

Dyer: "Certainly."

Palmer: "Can you.....is there reason that you can't sell these bonds at 8 percent? Has that anything to do with the credit rating of Hinsdale or.....ah...I believe you said Lake Forest?"

Dyer: "Ah.....No, Mr. Palmer, the....the credit rating for Hinsdale is.....top-notch....it's A-1 or AA-1what-ever the top is. These are revenue bonds.....not general obligation bonds and...ah...the market for these bonds just seems very high right now."

Palmer: "Well, just let me ask you one further. . This is revenue bonds, right? Is the.....if you do not have enough revenue to pay for these.....the interest and principal on the bonds, would then your general revenue ...ah....of those municipalities be tapped?"

Dyer: "No."

Palmer: "Well, could you not write an ordinance that would provide that in the event thatah...the revenue that you did not have enough money....from the revenue bonds, that you could....that the corporate...ah....funds could be used..that's general tax funds, could be used to pay for them. They'd make up the difference."

Dyer: "That could be..."

Palmer: "They'd make up the difference.....Under present existing law..."

Dyer: "I....I....I'm told, Representative Palmer, that that cannot be done under existing law. Let me give you a little more....further details on this. Ah....the experience has shown that ...ah...the kind of recreational



facilities that I propose, was to be built with these bonds, you know, it's a sports facility, ...in a...in a park area. It will be an indoor facility, with tennis court, handballs, racquet balls, they do pay off handsomely though. You do get a return from the fees of users....and that is the whole purpose....that the fees of the people who use these facilities will help not only to pay off these bonds but help in the development of the rest of the 52 acres in the park...ah...site."

Palmer: "Well, I just wonder if you couldn't set up some sort of a bonding system....ah...or the issuance of bonds or referendum on your general corporate fund, if you couldn't do that and then you could perhaps get a lower ...rate of interest."

Dyer: "I think that's an excellent idea and if you'd introduce such a Bill, I'd certainly support it. Thank you."

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

Carroll: "I have one question I'd like to ask. Are those revenue bonds tax exempt?"

Dyer: "Are revenue bonds tax exempt?Yes.....yes they are."

Speaker Shea: "Did that answer your question, Mr. Carroll?"

Carroll: "Thank you."

Speaker Shea: "The Gentleman from Adams, Mr. McClain."

McClain: "Thank you, Mr. Speaker, I think Paul Stone's answered my question."

Speaker Shea: "Do you want to share that with the House?"

McClain: "No.....thanks....I'm not so sure that I agree...ah.. Ha...Ha..Ha..."

Speaker Shea: "The Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Yes, Mr. Speaker, would the ...ah...Sponsor yield to a question?"

Speaker Shea: "Yes, he will.....she will."

Schuneman: "You're asking for an increase in the rate on revenue bonds from 8 percent to 9 percent?"

Dyer: "That's correct."



Schuneman: "Could you tell me when the 8 percent rate was established?"

Dyer: "I believe a year ago....Ah....Mr. Schuneman, I'm not so sure when it was established. I think perhaps within the last two years, it seems to me. Ah...it is to expire, I believe, this July '76. I know it's 8 percent now. All we're asking for is a one year, just a one year extension to 9 percent, to permit these villages throughout Illinois to float their revenue bonds."

Schuneman: "Are you saying that the present rate is 9 percent?"

Dyer: "No. I'm saying the present rate is 8 percent."

Schuneman: "And that will expire this year?"

Dyer: "No....No....I would like to correct that. We did not set a cutoff. It is presently at 8 percent. I beg your pardon."

Schuneman: "But you can't tell me when that was established?"

Dyer: "No, but perhaps someone else in the General Assembly could answer that, it seems to me that we permitted an increase within the last session....er..within the last few years."

Schuneman: "Thank you."

Speaker Shea: "The Gentleman from Moultrie, Mr. Stone..... You're finished, Mr. Schuneman, I assume? You're through, Sir? Mr. Stone, would you push your light for a minute, to see if it works?"

Stone: "It is pushed, Sir. And, I am turned on. It flashes here but apparently not up there."

Speaker Shea: "Not a bit."

Stone: "Thank you. In reference to the remark that was made by the Gentleman from Adams, I think it's rather unfair that he did not let the...the whole General Assembly have the benefit of my good advice that I gave him. I told him that this was a good Bill and that this could not possibly cost the taxpayers any money and I think that was his main worry. This Bill only allows ...ah...ah..."



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these....groups that want to issue revenue bonds to pay more interest. The reason they have to pay interest is because people feel that since it is a money making proposition, if it doesn't make money, they might not get their money back. So, they want more interest. It doesn't cost the taxpayers any money, the only ones it could possibly cost would be those who invest in the bonds. And, I think it's a good measure and we should pass it."

Speaker Shea: "The Gentleman from Cook, Mr. Pierce....er...
From Lake, Mr. Pierce. I'm sorry, Sir."

Pierce: "I thank you, Mr. Speaker. I have a municipality inah...partially in my District, partially in the 31st District, that ...ah...has authority from its city council to construct indoor facilities....recreational facilities....for tennis and handball and so on. It's a very well rated municipality...Lake Forest. And, with the 8 percent limitation, which I put into law last year, Mr. Schuneman, that ...that passed in the 1975 Regular Session, and the Bill authorizes cities to build indoor ...ah....racquet ball, tennis courts and so on. Park districts always had the authority, but last year, cities were given the authority. Ah...they've been unable to sell, even....even a community with a high rating as they have....have been unable to sell these recreational bonds at 8 percent. They're hopeful that by thisah... temporary increase to 9 percent, the 8 percent is permanent, they will be able toah...market the bonds at maybe eight and a quarter, eight and a half, some figure where the marketer or some insurance company, would be willing to buy the bonds. The answer on the tax ..situation.... ah...wasn't quite accurate. The interest on the bonds is exempt under the federal income tax, but it is not exempt under Illinois Income Tax. Under Illinois, income tax, interest on State and Municipal Bonds is fully ..fully taxable. It's a good Bill. It's needed. They'd have



sold the bonds at 8 percent had they had a market for them. There's no market for 'em. Mr. Stone was right, there is risk here on recreational bonds because if the fad.....if tennis is a fad....and if people stop playing tennis, then the bonds of course won't be paid off and the investor, not the stockholder, but the investor in the bonds will lose his money. So, they may have to charge a little bit more at the end of our recreational facility in order to cover this interest charge...ah... but they're willing to try it and they feel with the 9 percent, they will be able to sell these recreational bonds, hopefully at eight and a quarter or eight and a half percent, it's a time of high interest rates. There's risk here. The New York City situation has hurt all municipal bonds throughout the country, especially recreational revenue bonds.....and therefore I'm going to support this Bill and hopefully we can pass it today."

Speaker Shea: "The Gentleman from Cook, Mr. Bluthardt...Mr. Bluthardt...Mr. Ebbesen."

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

Speaker Shea: "Well, since you're the last of the Speakers, we will withdraw your question and let Ms. Dyer close."

Dyer: "Ah....Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I want to stress again, this is a self-destruct Bill. Ah...this increase in interest rate would be only until July 1st, 1977, at that time we could reassess the market for revenue bonds again. It is an emergency. In the case of the Village of Hinsdale, we inherited 52 beautiful acres of land from the International Harvester Company. The village has carefully studied.....surveyed what they want to do.... they've got their plans ready to go. \$2,600,000 bond issue is just ready to go....to develop these facilities. In order to get any kind of matching funds that might be available, they need to go right now. They need your help



in order to be able to develop this property. I....I appeal to you for a 'yes' vote and invite you to come and play handball, racquet ball or tennis when they are developed. Thank you."

Speaker Shea: "The question is, shall House Bill 3624 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 103 'ayes', 24 'nays', 10 Members voting 'present'. House Bill 3624 having received the Constitutional Majority is hereby declared passed. House Bill 3626."

Clerk O'Brien: "House Bill 3626, a Bill for an Act to amend the Illinois Vehicle Code, Third Reading of the Bill."

Speaker Shea: "The Majority Whip, the Gentleman from Fayette, Mr. Brummet.....Take it out of the record. The Gentleman from Cook, Mr. Berman."

Berman: "Thank you, Mr. Speaker, I would move that the House stand in recess for the period of one-half hour, for purposes of a Democratic caucus.....in room 114."

Speaker Shea: "The Gentleman from Grundy, the Minority Leader, Mr. Washburn."

Washburn: "Thank you..thank you, Mr. Speaker and Ladies and Gentlemen of the House, the...ah...ah...Republicans will recess until 4:30....ah....for the purposes of a conference, in room 118."

Speaker Shea: "All right. There will be a Republican Conference in room 118. A Democratic Conference in room 114, and the House will stand at...."

Washburn: "Mr. Speaker, may I add one more thing? We will be back in the Session by 4:30 so that we can...ah...ah...attend the industrial...ah...ah...Springfield, Illinois...Industrial Day...ah....for the Industrialists at about 6 o'clock."

Speaker Shea: "Yes, Sir. We will accommodate the Membership,



Sir."

Washburn: "Thank you, Sir."

Speaker Shea: "The House will stand in recess until the hour of 4:30, with the Republican Conference in room 118, and a Democratic Conference in 118....and while we are in recess the Clerk will read in some messages. Now, Mr. Houlihan, do you have a....an announcement orah..."

Houlihan: "No announcement....ah...Mr. Speaker, just a question. We're going to be in Session, when we come back at 4:30, for approximately an hour? Some of us have commitments for tonight. Major events that we are going to attend. I wondered...."

Speaker Shea: "We will conduct the business of the House probably until 6 or so, Sir."

Houlihan: "We probably won't conduct a lot of important business, will we?"

Speaker Shea: "I think we're going to conduct whatever comes up."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed the Bill of the following title, passage of which I'm instructed to ask concurrence of the House of Representatives... to wit; Senate Bill numbers 1620, passed by the Senate May 19, 1976, Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary, Mr. Speaker I am directed to inform the House of Representatives the Senate has passed the Bills with the following titles, the passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills number 1526, 1621, 1664, 1665, 1796, 1851, 1861, 1918, 1933 and 1934, passed by the Senate May 19, 1976. Kenneth Wright, Secretary. Committee Reports, Representative Yourell, Chairman, Committee on Counties and



Townships, to which the following Bills were referred, action taken May 19, 1976, reported the same back with the following recommendations. Do pass on House Bills 3245, 3246, 3436, 3512, 3602 and 3603. Do pass as amended on House Bill 3310 and 3609. Representative Taylor, Chairman from the Committee on Cities and Villages, reported the following Committee Bills for introduction. House Bill 3930, action taken May 18, 1976. Representative Maragos, Chairman, Committee on Revenue, reported the following Committee Bill for introduction, House Bill 3932. Action taken May 18, 1976. Introduction and First Reading, House Bill 3929, Mautino, a Bill for an Act to amend the Sheriffs and Deputies in General Act, First Reading of the Bill. House Bill 3930, Cities and Villages, a Bill for an Act to authorize...municipal real property tax increment allocation redevelopment financing by amending certain Acts named therein, First Reading of the Bill. House Bill 3931, Mugalian, a Bill for an Act to amend the Pension Code, First Reading of the Bill. House Bill 3932, Committee on Revenue, a Bill for an Act authorizing the creation of Citizens to operate Policy and Number games, providing for the regulation of taxation, First Reading of the Bill. House Bill 3933, Rigney, a Bill for an Act to amend Sections in the Title of an Act to require Braille markings on Control Devices for Elevators, First Reading of the Bill. House Bill 3934, Capparelli, a Bill for an Act to Amend Sections of the Illinois Pension Code, First Reading of the Bill. Senate Bills, First Reading, Senate Bill 1619, Jim Houlihan, a Bill for an Act to provide for the ordinary and contingent expenses of the Illinois Commerce Commission, First Reading of the Bill. Senate Bill 1782, Chuck Campbell, a Bill for an Act to amend Sections of the Illinois Public Aid Code, First Reading of the Bill. The House stands in recess



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until 4:30.....or thereabouts."

RECESS.....

Speaker Shea: "House Bills, Third Reading. On the Order of House Bills, Third Reading appears House Bill 3586."

Clerk O'Brien: "House Bill 3586, McMaster, a Bill for an Act to provide for the Public County Library Services, Third Reading of the Bill."

Speaker Shea: "The Gentleman from Knox, Mr. McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3586 is directed at the only two county library systems that we have in the State of Illinois. There are only two of them. One is in Warren County, which happens to be in my district, and one in Putnam County. The people of the Library Board, County Library Board, in Warren County, asked me to put this Bill in. They currently are limited to four cents as a tax rate for their county library purposes. This Bill would increase that tax rate from four cents to eight cents. You see there's quite a problem for the county library system to operate in a county that is...has a number of small towns in it....and in order to serve the people in that county they have had a bookmobile type of operation, which they carry books around the county to these various small towns by means of a bus. If they do not get the right to increase this tax rate from four cents to eight cents, they will have to discontinue that bus service. And, in addition the county libraries are restricted to a much lower tax rate than any other library district in the State of Illinois, whether it is municipal, township, district library or whatever. And, I do not feel that it is fair for these two county library systems to be as restricted as they are by this tax rate. They are approximately 10 to 15 cents below the other library district as far as the levy they can make upon their tax money. I would urge your support."



Speaker Shea: "Is there debate? The question is, shall House Bill 3586 pass. All in favor will vote 'aye', those opposed will vote 'nay'. Shea 'aye' please. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 105 'ayes', 17 'nays', 3 Members voting 'present'. House Bill 3586 having received the Constitutional Majority is hereby declared passed."

Speaker Bradley: "On the calendar appears House Bill 3624. 3626. Representative Brummet."

Clerk O'Brien: "House Bill 36..."

Speaker Bradley: "Take it out of the record. House Bill 3705."

Clerk O'Brien: "House Bill 3705, Washington, a Bill for an Act in relation to nonsubstantive revisions, Third Reading of the Bill."

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

Washington: "Mr. Speaker and Members of the House, this is the annual revisionary Bill put together by the Legislative Reference Bureau. The reason for the necessity of these Bills annually is that in each session, we, on many occasions, amend a given Section of the statutes more than once and if we do that more than once then the Reference Bureau by statute is mandated to revise the statute in such a way that the legislative intent is clearly delineated. If they don't do that in the subsequent legislative body, then we are hard pressed to try to find out how to amend the present statute. It is a custom of housekeeping but somewhat of an emergency type of legislation. There was no opposition in Judiciary I and I urge your support of House Bill 3705."

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

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

Speaker Bradley: "He indicates he will."



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Shea: "Representative Washington, in your capacity as Chairman of the Reference Bureau, at the time this Bill came out of Rules Committee there was some debate about a recent court case. Now, have you discussed that with the Bureau or the Reference Bureau?"

Washington: "The Bureau has discussed it. It doesn't bear particularly on this Bill, Mr. Shea but we have discussed it and the problem arose because the Supreme Court in ruling on a particular case inserted language into that case that gave the impression that when this situation arose they would rule contrary to the legislative body. For example, if we amended a given Section of the statute by changing the entire statute and replacing it with another and that Bill was signed into law say, August 1 and then a subsequent Amendment of that same statute with the old language amended that Section but did not strike out the other language and say it was signed into law in October, the court gave what they call dictum which would lead you to believe that the court would look at the last piece of legislation filed when clearly it was the intention of the Legislators to strike the entire section and the question was what we should do to inform the court of our position in terms of legislative intent. The Bureau hasn't discussed it. There was discussion of whether or not we should go in on the amicus curiae creed. That was ruled down and the matter is now in the state of limbo, and has not been resolved."

Shea: "So that we are cognizant of the problem, though. I know we are curing it now by this Bill but I was concerned of the court's position unless we do something affirmatively."

Washington: "I have just been apprised by the Parliamentarian, Mr. Dave Epstein, that two days ago the court removed the offending or dictum language and so that crisis no longer exists."



Shea: "Thank you."

Washington: "I ask support of House Bill 3705."

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

Walsh: "I wonder if the Gentleman would consent to take this out of the record until we can look at it a little more closely, would you?"

Washington: "I would certainly consent because this is a volume involving about 400 pages and..."

Walsh: "Yeah, we want to talk with some staff people about this."

Speaker Bradley: "All right, let's take it out of the record, then. House Bill 3795."

Clerk O'Brien: "House Bill 3795, a Bill for an Act to provide for the ordinary and contingent expense of the Sudden Death Syndrome Study Commission, Third Reading of the Bill."

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

MacDonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 3795 is the appropriation Bill for the Sudden Infant Death Syndrome Commission. I was just recently put on this Commission and was elected the Vice-Chairman with the Chairman being Judge B.B. Wolfe who is a former Member of this body. I have been impressed by two things in this Commission. The first is the very cautious and conservative expenditure of the funds that have been allotted to them. In the time since they have been organized in 1973 they have turned back more than half of the appropriation that has been granted them. On that basis I reduced the appropriation from \$6000 to \$4500 after discussion with the Chairman and finding that he too felt that that amount of money would be sufficient for us to continue our cautious and careful pursuit of possible legislation that can address itself to this very tragic incidence in the State of Illinois. Sudden Infant Death Syndrome is the cause,



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the second greatest cause of infant death and affects almost 1000 children in Illinois. Because there is no standard procedure on the death certificate it is a very serious and very traumatic experience for families that have this unexpected and unexplainable death occur in their family. So there is need for us to pursue this study and to come up with regulations and appropriate legislation to at least unify the death certificates for these infants. So, I do ask for your support of this Bill, this appropriation Bill."

Speaker Bradley: "Discussion? The question is, shall House Bill 3795 pass. 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 we have 133 'ayes', 6 'nays', 2 voting 'present'. The Bill having received the Constitutional Majority is hereby declared passed. On the calendar appears House Bill 3806. The Gentleman..."

Clerk O'Brien: "House Bill 3806, a Bill for an Act to amend an Act concerning Botanic Gardens and Forest Preserve Districts, Third Reading of the Bill."

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

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this is a Bill that affects only Cook County. It was put in at the request of the County Board of Cook. It allows a tax increase from .0048 to .0076 which is still about 3/4 of a cent per hundred dollars of evaluation to keep the Botanical Gardens in Cook County going. I would try to answer any questions on the Bill."

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

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

Speaker Bradley: "He indicates that he will."

Ryan: "Representative Shea, I notice that your Cosponsor



was Representative Walsh on this Bill. Do you fellows belong to the same garden club?"

Shea: "I will let my Cosponsor answer."

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

Ryan: "There must be something wrong with this Bill if you two guys agreed on it. I don't know what it is but you got us all fooled, I tell you that."

Speaker Bradley: "Further discussion? Further discussion? If not, the question is, shall House Bill 3806 pass. All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question we have 116 'ayes', 17 'nays', 5 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3807."

Clerk O'Brien: "House Bill 3807, a Bill for an Act to amend an Act concerning zoological parks and forest preserve districts, Third Reading of the Bill."

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

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, again, this Bill only affects Cook county and it affects a zoological park called the Brookfield Zoo and it allows a tax increase from .0058 to .025 as an outside cap which is 2 1/2 cents per hundred dollars of evaluation. If the ordinance were passed at the outside limit it would be approximately \$1.65 per year for each homeowner of \$10,000 assessed evaluation. The need for this is that over the last five or six years the cost of the zoo operation has increased substantially and in favor, to prevent an increase for admission this is the only other source of revenue the zoo has and at the present time it's \$1.50 for adults and 50 cents for children and many of my colleagues had an opportunity on last



Saturday to visit the zoo and see what a fine institution it is and I would appreciate the support of the House on this measure. This also was put in at the request of the County Commissioners of Cook County."

Speaker Bradley: "The Gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Mr. Speaker, will the Sponsor yield?"

Speaker Bradley: "He indicates that he will."

Griesheimer: "Mr. Shea, I just question, does this have a referendum provision in here for the tax increase?"

Shea: "No, sir."

Griesheimer: "Thank you."

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

Palmer: "Mr. Speaker, if the Sponsor will yield."

Speaker Bradley: "He indicates that he will."

Palmer: "Gerry, I am going to vote for the Bill. I just wonder, though, Cook County being a home rule county whether or not it could not do this anyway."

Shea: "This is part of the forest preserve. The forest preserve is a separate unit of government which cannot be a home rule government and what has substantially happened here, the Chicago Zoological Society which owns the zoo is a private not-for-profit corporation. The zoo or the forest preserve has rented for a dollar a year 35 acres to the zoological society for that purpose."

Palmer: "Thank you."

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

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

Speaker Bradley: "He indicates that he will."

Porter: "Gerry, this is without referendum, I think you said and it indicates that there is an increase from the maximum rate of almost five times. I wonder if you could explain why it has increased so much."

Shea: "For two reasons. Number one, they don't expect to go to the maximum but the tax supported part of this institution in the last five years has gone from



85% down to about 43% and even that's with substantial increases in the gate admission price and without this kind of a tax increase and without these kind of tax revenues the zoo could not keep going at the present gate admission price. They would have to substantially increase it which would make it prohibitive for many of the people that enjoy it."

Porter: "If they kept the same gate admission price, how much of an increase would they have to, how much of this maximum would they have to use in order to break even?"

Shea: "They anticipate that this tax rate will assuming the economy and inflation stays the way that it is, that this tax increase will last for at least ten years."

Porter: "Thank you very much."

Speaker Bradley: "Further discussion? Mr. Shea, do you wish to close, sir?"

Shea: "I just would ask for the support of my colleagues."

Speaker Bradley: "The question is, shall House Bill 3807 pass. 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 we have 122 'ayes', 17 'nays', 9 voting 'present'. The Bill having received the Constitutional Majority is hereby declared passed. On the calendar on the order of Third Reading is House Bill 3814, a Committee Bill that the Gentleman from Cook, Mr. Kempiners will handle. Read the Bill a third time."

Clerk O'Brien: "House Bill 3814, a Bill for an Act in relation to merit systems for sheriffs' personnel in certain counties, Third Reading of the Bill."

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

Kempiners: "Thank you, Mr. Speaker. This Committee Bill, House Bill 3814 is, as it was described, it is the



Sheriff's Merit System Act. It is something that the Illinois Association of County Sheriffs and the Illinois Association of County Police and Merit Board have worked for the past four years to devise and it repeals any existing Act that involves itself with the Sheriff's Merit Commission. The two associations are in agreement. It passed out of Committee very easily and we went into great detail of the provisions of the Bill and I would ask for a, the support of the House."

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

Waddell: "Will the Gentleman yield?"

Speaker Bradley: "He indicates that he will."

Waddell: "In adopting this system what have you done if anything to the automatic salaries?"

Kempiners: "Which automatic salaries?"

Waddell: "Well, I think as you get in merit systems and you have various categories, I think that the salary increases are automatic as to the number of years under a merit system. What is the impact in this?"

Kempiners: "It provides for the sheriff to set various categories within his office and to set the requirements and also the salaries and then for the Merit Commission to certify people who would be going into those various categories."

Speaker Bradley: "Further discussion? If not, Mr. Kempiners, do you want to close, sir?"

Kempiners: "Yes, just to say that this is something that has been agreed to by both the Sheriff's Association and the County Police Merit Board. It responds to the vagueness of the existing law and includes provisions or recommendations by the Attorney General through his opinions that have been rendered of the existing laws and I would ask for the support of the House."

Speaker Bradley: "The question is, shall House Bill 3814 pass. All those in favor will signify by voting 'aye',



those opposed by voting 'no'. The Gentleman from Macon, Mr. Dunn, to explain his vote."

Dunn: "Thank you, Mr. Speaker, I really intended to ask a question by way of explaining my vote. I will ask the question, maybe the answer will come up. I wonder what effect this has on counties that presently have....ah... merit system for deputy sheriffs?"

Kempiners: "It...it....mandates it between the counties of...."

Speaker Bradley: "In explaining his vote, Mr. Kempiners will answer your question, I'm sure."

Kempiners: "It mandates it in counties between 1 million and 100 thousand, and every county within that category.... presently has a Sheriff's Merit Commission and they would have to comply with this law. Under 100 thousand, it's optional, according to the county board, passing a resolution or having a referendum of the people....But, if they have an existing merit commission, they would have to....ah...go along with what it provided in this Act."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question we have 139 'ayes', one 'nay', 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the order of Third Reading appears House Bill 3831."

Clerk O'Brien: "House Bill 3831...."

Speaker Bradley: "Is Representative Maragos here? Take it out of the record. On the....."



Speaker Bradley: "Is Representative Maragos here? Take it out of the Record. On the Supplemental Calendar appears House Bill 3834."

Clerk O'Brien: "House Bill 3834, a Bill for an Act to amend the Alcoholism and Intoxication Treatment Act. Third Reading of the Bill."

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

Downs: "Thank you, Mr. Speaker and Members of the House, this Act incorporates the revisions, which are the recommendation of the special Subcommittee of the House Executive and Human Resources . . . ah . . . Committee . . . ah . . . which met throughout last summer and fall . . . ah . . . throughout the state, heard numerous persons make suggestions for changes in the . . . ah . . . Alcoholism Prevention and Treatment Act which was passed by the previous General Assembly; but . . . ah . . . which implementation date was put off until July 1, 1976, because of a number of provisions that concerned . . . ah . . . potential providers of detoxication facilities . . . ah . . . the Hospital Association was concerned and other groups; and the . . . this Bill represents a Committee Bill as a result of those hearings and as . . . ah . . . prepared by the Human Resources Committee and with . . . ah . . . with Amendment; and I'd be happy to answer any questions."

Speaker Bradley: "Discussion? The Gentleman from Cook, Mr. Williams."

Williams: "I wonder if the Sponsor would yield to . . ."

Speaker Bradley: "He indicates that he will."

Williams: ". . . a question? Ah . . . I don't know just what posture this is in now, but I understand that a local police officer now, if he should . . . ah . . . I don't want to use, you know, we'll say the word 'apprehend' a . . . a . . . a person who is intoxicated, that he has to, if there is no detoxification center available in the area, he has to remain with that person . . . ah . . . until he's dried out, as it were?"

Downs: "Ah . . . No, Representative Williams, the Act defines two categories, intoxicated people, which is the example you used, and incapacitated people. Ah . . . The police officer has absolutely no . . . ah . . . mandated responsibilities in connection with an



intoxicated person. The police officer may if he . . . ah . . . exercises the judgment and the person who is intoxicated consents may take that person to whatever facility is available; but he is not required to do anything. In connection with a incapacitated person . . . ah . . . the police officer is required to take the person to the nearest detoxication facility. The . . . the result of our hearings was, indeed, to address just that issue. The . . . the existing Act before this proposed Amendment did impose burdens on police officers that . . . that under almost any circumstances they had to take anybody intoxicated otherwise to, I believe, to . . . to the nearest detoxication facility and the detoxication facility was defined in such a way that . . . that . . . ah . . . none existed other than hospital emergency rooms, which created hardships, particularly in suburban and downstate Illinois where facilities didn't exist. This eases what the police are to do. It enables them to exercise more discretion as to where they may take people if they're going to take them; and thirdly, it provides . . . ah . . . a far more . . . ah . . . a far more latitude as to the types of facilities that would be called detoxification facilities, all consistent with the experience in other states and in Canada, where programs such as this already exist."

Williams: "Ah . . . I can see where perhaps in the six-county area there may be, and I'm sure you must have, I would say they would probably be ready by October with detoxification centers, but what would happen in the rural areas where the only facility might be a hospital, and if they were taken to the hospital, . . . ah . . . who would pay the bill?"

Downs: "Well, paying the bill insofar as anybody under this Act is in a very . . . it's a very minority number of people that may indeed require medical attention; and you're only talking about the incapacitated people, and if they are incapacitated . . . incapacitated and need medical attention, it's no different under this proposed Act than it would be under the previous law or indeed prior to the passage of this Act in '74. Ah . . . That is a difficult problem. We do have in the Act the encouragement that insurance companies . . . ah



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. . . provide coverage for alcoholism as it covered illness. Ah . . . This is not a great problem for the group carriers, and Blue Cross and Blue Shield provided . . . ah . . . the facilities can be better defined and licensed; and this does just that as far as a much better definition of facilities and then there is another Act, which is the Licensure Act, now pending before the Human Resources Committee which sets up the licensing standards and will enable insurance to cover these various programs."

Williams: "Actually, I have no problem with the intent, and I think you're to be complimented for going into this, but yesterday, I understand, there was a meeting of the Chief's Association, and . . . ah . . . I understand that they are opposed to this, and I was wondering if you heard anything about that and if the Bill . . . if you did take care of, you know, the problems, I wonder why they would still be opposed to it. That was my . . . the main question."

Downs: "I would have the same questions. We . . . our hearings were notorious as far as the public knowledge of them. We have been in communication with various . . . ah . . . police representatives working out all of the concerns that they expressed, I've heard, not being of, you know, the meetings to which you refer. Ah . . . You know, I can't comment other than that."

Williams: "Would a local municipality have any liability under this Act?"

Downs: "Well, it in no way expands anybody's liability. It does have, indeed, a provision in it . . . ah . . . stating that 'No authorized person acting in good faith and without negligence in connection with', and so forth, 'shall . . . shall not have liability'. There is a good Samaritan clause in it and this is a clause consistent . . . ah . . . with . . . ah . . . recommendations of the National Commission and uniform state laws."

Williams: "All right, thank you very much."

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

Bluthardt: "Yes, I wonder if the Sponsor would respond to a question?"

Speaker Bradley: "Yes, he indicates that he will, and wish that Mr.



Skinner would sit down so the Chair can see Mr. Bluthardt. Thank you."

Bluthardt: "The first question, Bob, is, has the effective date of this Bill been changed?"

Downs: "The effective date of this Act will be, you know, as the . . . as the Constitution provides. The . . . the Act that we are amending with this Bill has an effective date now of July 1, 1976, and that has not been changed."

Bluthardt: "So my understanding of . . . of the effect of the Bill is . . . or the original Bill is that it . . . the . . . what we used to call the public drunk is staggering down the street and a police officer sees him, that police officer cannot pick him up, bring him into the police station and hold him there, but must take him to some drunk tank area and have him dried out, is that it?"

Downs: "If the person is not incapacitated under the Act he doesn't have to do anything, but certainly it doesn't change what the previous law passed by this General Assembly . . . ah . . . provides, which as merely being drunk in a public place is not a criminal offense. That was the underlying issue, and all this does is make the, you know, what do you do then with such a person . . . ah . . . more workable than that law had provided."

Bluthardt: "Well, you know, what is drunk and what is incapacitated? My dad used to tell me, and he used to be a Chicago police sergeant, that a man was never considered drunk until he was down; and I suppose if he's down and can't get up, then he's incapacitated; but, no, seriously, I'm concerned about this and the effect it has on the small municipalities, and I think that's why Jack Williams is concerned about it. Ah . . . That someone should buy him another bottle. Well, maybe that's part of the answer, I don't know; but what do the local gendarme do when they find people who are intoxicated and creating problems for the people who, you know, are just not imbibing? Ah . . . Does the police officer have the power, and maybe this is under the original Bill and should have been asked then, and I think I did ask this question at that time?"

Downs: "Representative Bluthardt, on the example that you just gave,



absolutely yes, they could arrest the person and prosecute them if they so chose that that person is causing problems for other people."

Bluthardt: "Wherever they . . . except in a . . . being inebriated."

Downs: "Exactly, and the Act defines incapacitated in a manner in which the person is unconscious or is a physical danger to himself . . . ah . . . so that you're in an extreme situation."

Bluthardt: "But isn't there an obligation on the municipality . . . on that police department to see that this person who is intoxicated and who . . . ah . . . may be incapacitated to be taken to a . . . to a hospital or to one of these institutions where they have been set up to take care of inebriates?"

Downs: "Intoxicated, no; incapacitated, yes; and in the past they would have taken both categories in Illinois from 80,000 times and put them into the criminal justice system and taken them down to the police station, book them and tied up police personnel and court personnel in the prosecution of these individuals."

Bluthardt: "But what specifically does your Bill, your Committee Bill, do that changes the present law?"

Downs: "It renders by definition . . . ah . . . the . . . the ability to have many more facilities as detoxification facilities where persons may go, aside from the police officer question, but where persons may go to dry out and then enter the so-called triage or treatment system. Number 1, it . . . it eases by redefinition the kinds of facilities that qualify for licensing and receipts of D.M.H. and other funds to conduct such programs; and secondly, it removes some of the mandates on . . . on police departments and municipalities to tie up their police force and go in downstate Illinois 100 miles to the nearest hospital because that was the only place that qualified."

Bluthardt: "All right, thank you very much."

Speaker Bradley: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you. Will the Sponsor yield for a question or two?"

Speaker Bradley: "He indicates that he will."

Mautino: "Bob, may I give you a . . . 'for-instance'. okay? As this was



directed to . . . me through a hospital and a local township supervisor. If a . . . if a person were to be picked up by the local police department inebriated, and there is no . . . ah . . . center in that particular county, he is then taken in this case to the hospital, right?"

Downs: "Well, he . . . under those conditions, he may be taken to whatever facility is customarily used. Persons merely inebriated they need do . . . nothing."

Mautino: "Okay, if he is taken to that hospital and doesn't have any money, can't afford the emergency room, but they give him the treatment. Then does that bill go back to the . . . ah . . . township supervisor of that county . . . of that township . . . ah . . . when this occurs as under the normal procedures of public health."

Downs: "Well, I'm not familiar with how that . . . that billing may take place, but . . . but your premises . . . ah . . . are not accurate. The . . . an inebriated person does not require to be taken to a hospital. There'd be no reason for the police to take an inebriated person to a hospital. The underlying Act and this Act in no way requires . . . ah . . . that people be taken to a hospital just because they're drunk."

Mautino: "Ah . . . We're talking once again definitions and, you know, . . . ah . . ."

Downs: "If you're talking about somebody who is unconscious, then they may well need medical attention, and . . . and . . . and the whole point is to provide places for people to be taken. If they need medical attention, they should be taken to a hospital under any law, and . . . ah . . . all we're saying is that . . . ah . . . our experiences is that about 96% to 98% don't need medical attention and we need to ease up the law so that there are many facilities available besides hospitals that can take these people in. There are, for instance, approximately 34 . . . ah . . . immediately potential facilities throughout the state, besides hospitals, ready to go provided this Act passes. Right now without this Act only hospitals qualify and then there is just a problem you're talking about."



Mautino: "All right, thank you."

Speaker Bradley: "The Gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Ah . . . Yes, will the Sponsor yield?"

Speaker Bradley: "He indicates that he will."

Ebbesen: "Ah . . . Yes, I see there's a provision in there and I think you

hinted this a little bit earlier in your remarks in response to some of the questions about allowing the provision of medical services without a physical examination by a licensed physician . . . ah . . . and you said something there, someone asked a question about liability. Would you respond to that once again please?"

Downs: "Would you please . . . ah . . . with the noise I couldn't hear your question, would you ask it again please? I'm sorry."

Ebbesen: "Ah . . . Yes, there is . . . it allows . . . this legislation allows the provision of medical services without a physical exam by a physician, as I understand the Digest, and . . . ah . . . earlier in your remarks you responded in . . . in something relative to liability. Now, would you respond to that again, elaborate a little bit further on that particular aspect?"

Downs: "I . . . ah . . . frankly, the Digest's description does not really capture anything that's in the Bill. The . . . I . . . I suppose that is relating to the fact that one of the changes made . . . ah . . . absolutely unanimously adopted change as the result of the hearings is that detoxification facilities . . . ah . . . under the present Act must be . . . the administrator must be a licensed physician, and it is a . . . an unrealistic requirement. It is . . . ah . . . out of experience in every program unnecessary and obviously renders it that much more difficult to create such facilities because of the lack of availability of such personnel, and so it removes that definition of the . . . what the administrator must be. That's all really it does in that area. It in no way states that any medical services can be rendered, you know, by someone . . . ah . . . not a physician, the Act does not contain that."

Ebbesen: "In other words, you are saying that that . . . ah . . . the Digest in that Section it addresses itself, in the Digest it says,



'It allows the provision of medical services without a physical examination by a physician', is no longer in the legislation, is that what you said?"

Downs: "That is . . . that is not in the legislation, correct."

Ebbesen: "All right. Now, how about the . . . the liability? You were talking about someone, that they had . . . ah . . . good intentions and so forth . . . ah . . . would you expand on that again?"

Downs: "Well, the statement with regard to liability . . . ah . . . states, 'No authorized person acting in good faith and without negligence in connection with the preparation of petitions, applications, certificates or other documents for the apprehension, transportation, examination, treatment, detention or discharge or the taking into protective custody of an individual under the provisions of this Act shall incur any liabilities civil or criminal by reason of these Acts.'"

Ebbesen: "All right, what does that . . . what do you mean by examination of that individual? A physical examination?"

Downs: "Presumably so, yes."

Ebbesen: "Well, my point is this, if your . . . if a non-licensed individual, whether it's dentistry, or medicine, podiatry or anything, if they give a . . . that type of an examination, they are indeed practicing that profession without a license; and my question is . . . ah . . . in view of medical malpractice that we see today, where do we . . . ah . . . we find ourselves with this type of legislation . . . ah . . . in an effort to have accomplished the intent of the legislation and still protect the individual from the liability?"

Downs: "Well, the only . . . the really practical answer is that police every day when they come across people under the conditions that we're talking about in this Act conduct that kind of an examination. Ah . . . As far as any medical examination, those are only going to be performed . . . ah . . . in a hospital under the Act, and the . . . ah . . . the Medical Society, for instance, has not raised any question about that provision and they support this . . .



this Act. Ah . . . This . . . this, I guess, it's called a good Samaritan clause is in there simply because there was some concerns expressed with regard to the people who would be doing the transporting and so on."

Ebbesen: "Thank you."

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

Schraeder: "Yes, Mr. Speaker, I have one question. The Digest in the last line says, 'This Bill requires insurance programs to include alcoholism as a covered illness'. Does that correctly mean that everyone that has a health and welfare policy must have that as part of his coverage?"

Downs: "No, this was amended yesterday. Ah . . . We took it back to Second Reading and the . . . ah . . . our recommendation leaves unchanged the present law, which simply states . . . encourage insurance companies to provide coverage."

Schraeder: "Thank you."

Speaker Bradley: "The Gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Will the Sponsor yield?"

Speaker Bradley: "He indicates he will."

Cunningham: "It's noted that the present . . . day is July 1, '76, for the Alcoholism Treatment Act; but I note that there's a Bill coming over from the Senate, 1630, which delays the effective date until July 1, 1977. Have you followed that Bill?"

Downs: "Yes, to the extent I'm aware of it and that it's in fact coming over is . . . is news. I understand that it's, you know, simply pending there."

Cunningham: "Am I correct in my assumption that the reason for the delay that we've had now for three years in the implementation of the Act is that the difficulty in local communities to meet the conditions that are prescribed for these detoxification centers?"

Downs: "That's partly the reason, yes."

Cunningham: "If that be true, doesn't it seem unusual to increase these difficulties when they're . . . when the communities are not yet able to, according to them, comply with the original Act?"



Downs: "Well, that's the whole point of this Act, is to ease a number of those difficulties. The Bill that you are referring to is still in the Rules Committee in the Senate and . . . ah . . . I do not believe it's coming out."

Cunningham: "Has there been any thought to provide local funds for local communities to . . . state funds for local communities to help them provide these centers?"

Downs: "Yes, this . . . there's \$8,000,000 in the Department of Mental Health's budget."

Cunningham: "Are there any detoxification centers now available anywhere downstate?"

Downs: "Well, there's a small number, three or four, there's one ready to go in Mt. Vernon, but the whole problem is until this Act passes and the licensing standards are adopted, there's a . . . there's a whole bunch ready to go, there's 34 . . . ah . . . that . . . that will qualify under these standards and the proposed public health licensing standards."

Cunningham: "Well, you caught my interest when you said Mt. Vernon. That's why I asked initially if our . . . it's the top city in our district . . . is it on the list for the mental health program for grant, do you know?"

Downs: "Well, I don't know, but I'd be surprised if it wasn't. If that's Pat 'Conane's' program, I'm sure they, not only would be on the list, but at the top of the list."

Cunningham: "Thank you."

Speaker Bradley: "The Gentleman from Cook, Mr. Ewell. The Gentleman from Cook, Mr. Leverenz."

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

Downs: "Yeah."

Speaker Bradley: "He indicates that he will."

Leverenz: "Do you have the estimated cost of this?"

Downs: "Well, the estimated cost to this would be zero."

Leverenz: "It will not cost local governments or the state anything at all?"

Downs: "No."



Leverenz: "Thank you."

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

Palmer: "If the Sponsor would yield for a question . . . ah . . ."

Speaker Bradley: "He indicates he will."

Palmer: ". . . or two? On page 9 of the Bill, Section 18, and I believe there's only been one Amendment to this Bill, am I correct on that?"

Downs: "Yes."

Palmer: "Ah . . . Subsection C of Section 18 provides 'that except as set forth in Subsections A and B of this Section, nothing in this law effects any law, ordinance, resolution or rule against drunken driving', et cetera. Now, you go back to A and it provides in effect, 'that the municipalities, and counties and political subdivisions . . . ah . . . may not adopt . . . ah . . . any local law, ordinance, resolution', et cetera, . . . ah . . . 'concerning being intoxicated or incapacitated by alcohol as a sole basis of the offense'. My question then is this, whether it is, was the intent of the sub . . . the Subcommittee to not exclude the ability of local municipalities in providing for . . . ah . . . D.W.I. ordinances?"

Downs: "Absolutely, . . . ah . . . or other ordinances in connection with . . . ah . . . assault. It doesn't purport to change even a disturbing the peace . . . ah . . ."

Palmer: "All right, that was the intent of the Subcommittee."

Downs: "Absolutely."

Palmer: "The other . . . the other question has to do with an incapacitated by alcohol found in Section, it looks like, G, page 2, and it provides . . . well, let me . . . let me set up some facts. Suppose that you have a person in a car, one person in a car, and the car is parked along the highway, the officer comes up and . . . and under this definition would be an incapacitated person, but with the odor of alcohol on his breath. The question then is whether or not the officer is to take him to the police station for the question of a Breathalyzer for that purpose or to a local hospital?"



Downs: "It in the . . . in the intent, and I don't know there's . . .
I don't . . . do not believe there's any wording in the Act that
would contravene this . . . ah . . . the officer would most cer-
tainly enforce the criminal law so that if there was the added
elements of operating the motor vehicle, they would take the per-
son and prosec . . . you know, and run . . ."

Palmer: "Well, they take the person to the police station for a
Breathalyzer, if he refused, then to the hospital?"

Downs: "Well, they would . . . they would . . ."

Palmer: "What would the person do?"

Downs: ". . . because this leaves untouched any law, for instance,
prohibiting D.W.I. . . . ah . . . that law is in effect and they
would treat that person as they would any person under D.W.I.,
which means . . . it would mean to book them, . . . ah . . . per-
haps post a bond, if they can't raise the bond, they'd remain in
jail and no way would be taken out of the prosecutorial system
by anything in this Act. . . ."

Palmer: "All right, the only . . . the only other . . ."

Downs: ". . . and that is the intent for the . . ."

Palmer: ". . . the only other thing is that you might find a person
under the same circumstances as I . . . as I have stated who might
be in a diabetic coma as a result of drinking or ingesting some
alcohol, but he might not be incapacitated by alcohol, and I assume
it's the same procedure as far as the police officer would take
place?"

Downs: "Yes."

Palmer: "Okay. Thank you."

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

Dunn, R.: "Will the Sponsor yield?"

Speaker Bradley: "He indicates he will."

Dunn, R.: "I have a couple of questions . . . ah . . . there's been
a lot of talk about expanding the kinds of facilities that can be
used for detoxification treatment, and can you give me some examples
of what those might be in addition to hospitals?"

Downs: "Ah . . . Well, it . . . it's also referred to as a social
study model or what you might see as a half-way house. Ah . . ."



There are private facilities, there are facilities with various kinds of funding, which are . . . ah . . . for treatment of alcoholics. AhWhen we held hearings in Quincy, for instance, we . . . we visited such a facility where they have a voluntary program and they would be ready to go to . . . to enter the system of treatment under . . . ah . . . under the State's Alcoholism Act."

Dunn, R.: "What I'm really getting at is . . . ah . . . our lo . . . what . . . to what extents are local communities going to be put to . . . ah . . . construct facilities . . . ah . . . if they choose not to use hospitals?"

Downs: "Well, there's nothing in the Act that requires them to do that at all."

Dunn, R.: "Then if they don't have a hospital nearby and don't construct anything, what do they do with somebody who is paralyzed drunk when they find him?"

Downs: "Well, the . . . the Act again softens it and says that they would be taken to such places customarily used, so wherever they would've taken such a person before. They simply are not to arrest them and put them into the criminal system."

Speaker Bradley: "Mr. Kane . . . turn Mr. Kane on."

Kane: "This is becoming a dialogue, Mr. Speaker."

Speaker Bradley: "Your point is well taken. We were being very lenient, and maybe too lenient, so . . . were you finished, Mr. Dunn?"

Dunn, R.: "No, no, I'm not, Mr. Speaker, I . . . ah . . . I have a couple more questions that I think I'm entitled to ask, and I've only asked one so far. I don't see how that's a dialogue . . . ah . . ."

Speaker Bradley: "I think Mr. Kane's point was well taken though, it's been a dialogue all during debate. There's nothing in the rules that provide for questions on the floor of the House, you're provided for 10 minutes to speak on the issues; but go ahead and ask your question, Sir."

Dunn, R.: ". . . I'll be happy to use my time to speak to ask questions. Ah . . . I'd like to ask the Sponsor . . . ah . . . there was an



earlier remark that indicated there are no costs for this program, and I have the impression that the cost for this program, if to an extent there are costs, come out of the Mental Health budget. Is that correct?"

Downs: "The cost to the state's . . . ah . . . the Alcoholism and Prevention and Treatment Act, which this is not, . . . ah . . . are provided for in the budget of the Department of Mental Health. There is nothing in this Bill that adds any costs or costs any money."

Dunn, R.: "Okay, now, one . . . one final question. There was earlier some concern about the requirement to have doctors on duty . . . ah . . . 24 hours a day in emergency rooms and have you taken care of that problem with this?"

Downs: "Yes, that was one of the major revisions."

Dunn, R.: "Thank you."

Speaker Bradley: "The Gentleman from Winnebago, Mr. Simms."

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

Speaker Bradley: "The Gentleman moves the previous question. The question is, shall the main question be put? All those in favor will say 'aye', opposed 'no'; in the opinion of the Chair the 'ayes' have it. The Gentleman from Cook, Mr. Downs, to close, Sir."

Downs: "Thank you. Ah . . . I'd ask the favorable consideration of this House in a Bill, which is the result of a very bipartisan, indeed, nonpartisan . . . ah . . . Subcommittee and there are numerous provisions that have been worked over and we have made every effort to reconcile objections so that . . . ah . . . in the form this Bill is in now, we have done the very best job we can. It has . . . ah . . . opposition, has been removed by the groups that opposed the Act before; and I move your favorable consideration."

Speaker Bradley: "The question is, shall House Bill 3834 pass? All those in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Burt . . . would you push my button back there, vote me 'aye'. Have all voted who wished? Have all voted who wished? The Clerk



will take the Record. On this question there are 122 'ayes', 10 'nays', 10 voting 'present'; this Bill having received the constitutional majority is, hereby, declared passed. If we could back up for just a moment, I understand there's been an agreement on House Bill 3705. It's been read a third time. The Gentleman from Cook, Mr. Washington."



Washington: "Mr. Speaker and Members of the House, we've already discussed House Bill 3705, which is the Annual Revisionary Act.....by the Legislative Reference Bureau, It was taken out of theout of the Roll Call because Minority Leader Walsh wanted to look at it. He has done so and I understandhe agrees, and I see no opposition and I ask for your support in the passage of House Bill 3705."

Speaker Bradley: "Discussion? Discussion? The question is, shall House Bill.....What happened to the other one?.... The question is,we're having to wait for the Roll Call to....The question is, shall House Bill 3705 pass? All those in favor.....the Lady from Lake, Ms. Geo-Karis. State your point."

Geo-Karis: "I'd like to....I was going....I wanted to ask the Sponsor a question if it is...I've been trying to get you."

Speaker Bradley: "Proceed."

Geo-Karis: "Mr. Sponsor, are you sponsoring this Bill in order to cover the difference that was cited by the Supreme Court, in a recent case?"

Washington: "No. This doesn't bear directly on this....I.... Ha...Ha..Ha....No, Ms. Geo-Karis."

Geo-Karis: "What does it.....ah...It has something to do with that case, does it not?"

Washington: "Well, let's be specific. Which case are you alluding to?"

Geo-Karis: "That's the one where the Supreme Court says that the present Workmen's Compensation Act was unconstitutional. in certain....er....ah...ratherdid not cover, did not change the...ah...the amount I think it was."

Washington: "No, this has absolutely nothing to do with that case whatsoever. Ah...Mr. Shea asked a question about that case and what the Reference Bureau was doing in reference to it and I answered that. This Bill doesn't bear upon that at all."



Geo-Karis: "Thank you."

Speaker Bradley: "Further discussion? Hearing none, Mr. Tuerk, the Gentleman from Peoria....I'm sorry, Sir."

Tuerk: "Will the Sponsor yield to a question?"

Speaker Bradley: "He indicates he will..."

Tuerk: "Will this Bill then take care of what is commonly called the construction of statutes.....language. In other words, a Bill that passes at one point in the Session, another Bill that amends the same Act...passes later in the Session and depending on which one is signed first, this Bill isah....designed to take care of that.....problem?"

Washington: "That's correct, Mr. Tuerk. I explained it when the Bill first came up. I should have gone back through it, but you explained it absolutely correctly..... It's a technical matter, the Legislative Reference Bureau is mandated by Statute to update the Statute each Session so that the intent of the Legislature is clearly delineated in so that there is no confusion as to what we mean. For several reasons. The main one being...ah... so that when we revise the Statutes subsequently we can go to one point rather than to two or different....two or more sections dealing with the same...same thing. Your explanation is adequate."

Tuerk: "Thank you."

Speaker Bradley: "Further discussion? The Gentleman from Cook, Mr. Washington, do you wish to close, Sir?.....I'm sorry, the Gentleman from Cook, Mr. Duff,....I didn't see your light on, Sir."

Duff: "Well, yes, Mr. Speaker..."

Speaker Bradley: "I don't think it was on..."

Duff: "....further to Representative Tuerk's ...ah...point. I would like to get a clarification from the Sponsor, if I might? Will this piece of Legislation, in any way, affect the...ah...Supreme Court decision with the opinion



written by Justice Hirschenberger....Hirschberger, to whichat the moment...is considered to have put a question mark on the efficacy of the Workmen's Compensation Laws."

Washington: "This Bill does not bear upon that question, whatsoever. Unfortunately, what has happened, is that... that particular case, dealing with Workmen's Compensation, had dictum in it, Mr. Duff, which gave the impression to the General Assembly that the court had erroneously interpreted the method by which we revise our Statutes. That is the only connection...."

Duff: "Mr. Speaker...."

Washington: ".....Any Bill.....This deals only with Legislation which we have passed, and the function of the Reference Bureau is to place it within the Statute in its proper order, properly Sectioned, to the exclusion of extraneous language, with an eye toward making it abundantly clear, that we have expressed Legislative intent. It does no more than that. This is done periodically. It is in the nature of a housekeeping mechanism. It is tinged with an emergency to the extent that we cannot proceed from session to session unless the Statute is clear."

Duff: "Mr. Speaker, first of all let me correct myself. I meant Justice Goldenhersh....of course."

Washington: "I knew who you were referring to."

Duff: "But, I don't think I got an answer to my question. I acknowledge the significance of the broad purpose of the piece of Legislation but my question is more specific. Ah...because in my opinion the dictum in that case was not a mistake, it was not erroneous; but can assume can be assumed to been intended and if intended, in fact, does place a cloud upon that Legislation; and, so, I am asking specifically, is it the opinion of the Sponsor that this Legislation will affect the interpretation of



that court decision, or any future litigation regarding that particularah...circumstance of last year's action by this General Assembly."

Washington: "I'll answer it in part and then if I may I'll defer it to the Majority Leader..."

Duff: "And it isprospective...."

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

Washington: "Well, just let me say this and then Mr. Shea can carry on... That case has been resolved. The dictum to which you referred, the extraneous language, the offensive language, if you can so dub it, has been stricken by the court. There is no longer any confusion."

Duff: "Now, Mr. Speaker, on that ...on that....still if I may, continue with the Sponsor.....unless Representative Shea has a point of order.....or something..."

Speaker Bradley: "He,.....I think could clear up some of your questions, Sir."

Duff: "All right."

Speaker Bradley: "Mr. Shea."

Shea: "I am the one that raised, with Representative Washington, that case. Representative Washington's Bill is doing what we have done ever since I have been in the General Assembly....and that is the Reference Bureau, takes.....where we have taken more than one Amendment to a section, and clarifying it, with all the regular language in it, into one Amendment so that the Statutes are not cluttered up. Now, I perhaps, caused the confusion by asking Representative Washington, that case has nothing to do with this Bill, that Bill has nothing to do with the case or any changes in any substantive law of the State of Illinois."

Speaker Bradley: "Mr. Duff."

Duff: "I'm sorry, Mr. Speaker, my light was cut offfor some reason. I....am....have asked the Sponsor and I



I would like his impression....ah...and I appreciate Representative Shea's attempt to help me again, but I would like to have the Sponsor answer my question, if he will....ah....Does this piece of Legislation, in his opinion, affect, what I believe is, dictum that stands relative to the Workmen's Compensation Law?"

Washington: "I've answered it several different ways. Let me approach it this way. And, I'll read from page 1 of the Act. 'An Act in relation to the nonsubstantive revision,....renumbering or repeal of the Sections of Act necessitated by the Amendment of....', et cetera and so forth. Now, in the event, which is highly unlikely, that the Legislative Reference Bureau, should make a mistake in numbering, resection, revision, or in that narrow area where they just might have judgment, the Supreme Court sits there to overrule it, by going back to the original language and clearing it up. I can't answer it any other way, Mr. Duff."

Duff: "That was a very clear answer, Representative Washington. Thank you."

Speaker Bradley: ".....Washington, do you wish to close, or shall we just....the question is, shall House Bill 3705 pass? All those in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted....yes..... fine.....Have all voted who wish?...Have all voted who wish? The Clerk will take the record. On this question we have 140.....er....150 'ayes', no 'nays', 2 voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. An announcement The Illinois Manufacturers Association has sent us word that they are holding their festivities until we adjourn. And, the Majority Leader, the Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, I move that the House do now stand adjourned until 1 o'clock...p.m.....tomorrow afternoon..."



Speaker Bradley: "Hold....Hold that, we have just a couple of announcements, Mr....Dunn....er...The Gentleman from Cook, Mr. Mann....for the purpose of an announcement."

Mann: "Thank you, Mr. Speaker, I wanted to remind the Members of the Higher Education Committee that we will meet on the House ...of the Floor tomorrow....not at 9 o'clock, but at 10 o'clock..to receive testimony from University professors and board Members and Commission Members. Thank you very much, Mr. Speaker."

Speaker Bradley: "The Gentleman from Cook, Mr. Katz, for the purpose of an announcement..."

Katz: "Mr. Speaker, it's for two purposes. First, an announcement that those matters of proposals for changing the House Rules are going to be heard in the Speaker's Office at 10 o'clock.....in the morning. Now, Mr. Speaker, thethe clerk of the Committee made a typographical error on it and posted House Resolution, 370, when it should have been Resolution 730. I have cleared it with the opponent of the proposal and it's perfectly okay with them and I would just ask leave for them to be able to hear ...7....House Resolution 730, posted as 370."

Speaker Bradley: "Does the Gentleman have leave? Hearing no objections, leave is granted. Now, the Gentleman from Stephenson, Mr. Brinkmeier. We'll come right aroundah.."

Brinkmeier: "Mr. Speaker and Members of the House,....this is a motion....pursuant to Rule 18-K. I move to suspend the posting requirement on Rule 18, in relation to the following Committee and Bill and Resolution. Now, this is in reference to House Bill 3569, that deals with the Housekeeping measures, merely to change the names ofof the Health service agency. I've touched base with the Leadership on both sides of the aisle, the Chairman of the...Chairperson of the Human Resources Committee. As far as I know, there is absolutely no objections to this."



And, we'd like to have the Bill posted for hearing tomorrow."

Speaker Bradley: "The Gentleman needs unanimous consent. Mr. Brinkmeier, will you hold that for just a minute? We're going to have to go back....and, Mr. Katz, we're going to have to ask for unanimous consent....Use the attendance Roll Call for your motion, Sir. Is there consent? Then, hearing no objection, we'll use the...unan... we'll use the....Senate Roll Call. Now, Mr. Brinkmeier, do you...."

Brinkmeier: "Yes, once again, this is merely a housekeeping thing and if we can't hear it tomorrow, it means, maybe the Human Resources Committee would have to meet next week just to hear this one Bill....and as I said a moment ago, I've cleared it with the Leadership on both sides of the aisle and so this by now....there is just absolutely no objections."

Speaker Bradley: "Is there objections? Hearing none, we'll use the Senate....He has unanimous consent....We'll have to use the attendance Roll Call on the Gentleman's Motion. The Motion is to suspend the six and a half.... Now, the Gentleman from Cook, Mr. Washington...for an announcement...."

Washington: "A motion, Mr. Speaker. I ask leave to suspend the pro....relevant provisions of Rule 18, dealing with posting, so that the Judiciary I, full Committee and the Judiciary I, Medical Malpractice Committee can meet on Monday. The Subcommittee at 2 p.m., the full Committee at 6 p.m., to deal with the question of the medical malpractice. I have spoken to the Minority Leader, and the Majority Leader, the Chairman of the Rules Committee and none of them object to this and I ask leave to so post."

Speaker Bradley: "Is there unanimous consent? Hearing no objection, now,on the Gentleman's Motion, we'll use



the Attendance Roll Call. Hearing no objection the Attendance Roll Call will be given the motionah... to suspend the Rule....has passed....All right....The Gentleman from DuPage, Mr. Schneider, for an announcement."

Schneider: "The Elementary and Secondary Committee will meet in Room 12....er 212, in the Capitol Building, rather than our usual spot,in C-1, and I hope to be back on schedule on Tuesday...."

Speaker Bradley: "The Lady from Lake, Ms. Geo-Karis."

Geo-Karis: "Mr. Speaker, I wonder if I could direct a query to both Mr. Katz and someone from Appropriations I?... Mr. Katz,ah....your meeting today, was it continuous until tomorrow? Did I understand you? I have a Bill with your Committee. Can I have Mr. Katz on?...."

Speaker Bradley; "Turn Mr. Katz on, please."

Katz: "Yes, Ms. Geo-Karis, we met all morning hearing petitions to have exemptions. Tomorrow is not for that purpose. We will meet again next Wednesday... .ah... all morning to hear petitions for exemption, so you could appear before the Rules Committee next Wednesday morning, at 9:30 a.m., in Room 122-B, for the purpose of having your Petition for Exemption heard."

Geo-Karis: "Thank you, Mr. Katz. Now, may I ask the.... someone from Appropriations I.....ah...they had a meeting today....I couldn't get to that one either.... are they meeting tomorrow? I think, Mr. Lechowicz is the Chairman and I think....ah...Mr. Totten is the...Minority Spokesman, perhaps....he can tell us."

Speaker Bradley: "Is there anybody here from Appropriations I, that can answer the Lady's question?"

Members: "Eight o'clock."

Speaker Bradley: "Eight O'clock."

Geo-Karis: "Was my Bill continued 'til eight?"

Speaker Bradley: "Mr. Leverenz says 8 o'clock tomorrow morning."

Geo-Karis: "Where, Sir?"



Katz: "114."

Geo-Karis: "Thank you very much."

Speaker Bradley: "Now the Gentleman from Lake, Mr. Pierce with an announcement."

Pierce: "Mr. Speaker, the Committee on Environment and Energy and Natural Resources is not meeting in the broom closet tomorrow morning at 10:00. We are meeting in Room A-1 in the State Office Building so don't come to the Capitol Building. A-1 in the State Office Building. We have very important Bills up tomorrow. We need a quorum badly."

Speaker Bradley: "Now the Gentleman from Cook, Mr. Shea again renews his motion that the House stand adjourned until 1:00 o'clock tomorrow afternoon. All those in favor will say 'aye', opposed 'no'. The 'ayes' have it. The House stands adjourned."

