

Doorkeeper: "Attention Members of the House of Representatives, the House will convene in 15 minutes. Attention Members of the House of Representatives, the House will convene in five minutes. 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. Be lead in prayer by the Clerk, Jack O'Brien."

Clerk O'Brien: "Let us pray. Lord, bless this House and all those who serve and work here. Amen."

Speaker Redmond: "Pledge of Allegiance, Colonel Mahar."

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

Speaker Redmond: "Representative Ackerman moves that we reconsider the prayer. All in favor say 'aye'. To be lead in prayer by the Reverend Krueger, the House Chaplain."

Reverend Krueger: "Thank you, Mr. Speaker. In the name of the Father, the Son, and the Holy Ghost. Amen. O Lord, bless this House to Thy service this day. Amen. Alexander Pope said: An obstinate man does not uphold opinions, they hold him. Let us pray. Almighty God, we Thy humble servants rejoice this day in our lives as we pursue our endeavors as Members of this Illinois House of Representatives. Open our hearts and our minds that they may ever be ready and able to deal openly and fairly with the issues to come before us this day. May preconception and prejudice give way to earnest evaluation and justifiable consideration that equity and justice may be done for the people of this state whom we have been elected to represent. Through Jesus Christ our Lord. Amen."

Speaker Redmond: "Roll Call for Attendance. Introduction and First Readings."

Clerk O'Brien: "House Bill 3087, Farley, a Bill for an Act to amend Sections of the Code of Criminal Procedure, First



Reading of the Bill. House Bill 3088, Ryan et al, a Bill for an Act making appropriations to the ordinary and contingent expense of the Commission to revise and rewrite the Public Aid Code, First Reading of the Bill. House Bill 3089, Cullerton, a Bill for an Act to amend Sections of the Mental Health and Developmental Disability Confidentiality Act, First Reading of the Bill. House Bill 3090, Kelly, a Bill for an Act to amend Sections of the Illinois Municipal Code, First Reading of the Bill. House Bill 3091, Mahar, a Bill for an Act to amend Sections of the Illinois Drainage Code, First Reading of the Bill. House Bill 3092, Totten-Lechowicz, a Bill for an Act to amend Sections of the Illinois Income Tax Act, First Reading of the Bill."

Speaker Redmond: "Move the Journal."

Clerk O'Brien: "Journal for the 102nd Legislative Day, Wednesday March 5, 1980, the House met pursuant to..."

Speaker Redmond: "Representative Lechowicz."

Clerk O'Brien: "The Speaker in the chair..."

Speaker Redmond: "Representative Madigan. Approval of the Journal is the order. Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. I move that we dispense with the reading of the Journal #102 of March 5, and Journal #103 of March 20 be approved as read."

Speaker Redmond: "You hear the Gentleman's motion. Those in favor indicate by saying 'aye', 'aye', opposed 'no'. The 'ayes' have it. The motion carried. The reading of the Journal is dispensed with, and the Journal is approved as if it had been read. Representative Ebbesen in the chamber? Is the motion? Introduction...further introductions."

Clerk O'Brien: "House Bill 3093, Daniels, a Bill for an Act to amend Sections of the Election Code, First Reading of the Bill. House Bill 3094, Daniels, a Bill for an Act to amend Sections of the Illinois Insurance Code, First Reading of the Bill. House Bill 3095, Daniels, a Bill



for an Act to amend Sections of an Act relating to contractors and material mens liens known as mechanics liens, First Reading of the Bill. House Bill 3096, Daniels, a Bill for an Act to amend Sections of the Election Code, First Reading of the Bill. House Bill 3097, Yourell, a Bill for an Act to amend Sections of the Revenue Act, First Reading of the Bill. House Bill 3098, Yourell, a Bill for an Act to amend Sections of an Act concerning land titles, First Reading of the Bill. House Bill 3099, Yourell, a Bill for an Act to amend Sections of an Act to limit liability of landlord...landowners who make their land and water areas available to the public for recreational purposes, First Reading of the Bill. House Bill 4000, Yourell, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. That last Bill was 3100, Yourell, amends the School Code not 4000...3100...House Bill 3101, Dwight Friedrich-Leverenz, a Bill for an Act to amend Sections and repeal Sections of an Act in relation to the establishment of medical center district in the City of Chicago for the control and management thereof, First Reading of the Bill. House Bill 3102, Dwight Friedrich-Leverenz, a Bill for an Act to amend Sections of an Act in relation to the construction, operation, regulation of maintenance of a system of toll highways, First Reading of the Bill.. House Bill 3103, Dwight Friedrich-Leverenz, a Bill for an Act to repeal authority for the risk management revolving fund, First Reading of the Bill. House Bill 3104, Dwight Friedrich-Leverenz, a Bill for an Act to amend Sections of the Illinois Vehicle Code, First Reading of the Bill. House Bill 3105, Dwight Friedrich-Leverenz, a Bill for an Act in relation to planning by the Department of Transportation, First Reading of the Bill. House Bill 3106, Dwight Friedrich-Leverenz, a Bill for an Act to amend Sections of an Act in relation to state finance, First Reading of the Bill. House Bill 3107, Dwight Friedrich-Leverenz, a Bill



for an Act authorizing temporary interagency transfers of state employees, First Reading of the Bill. House Bill 3109, Dwight Friedrich-Leverenz, a Bill for an Act to change the frequency of certain audits required of the Attorney General from semi-annual to annual, First Reading of the Bill. House Bill 3110, Dwight Friedrich-Leverenz, a Bill for an Act to amend Sections of the Illinois State Auditing Act, First Reading of the Bill. House Bill 3111, Dwight Friedrich-Leverenz, a Bill for an Act to amend Sections of the Illinois State Auditing Act, First Reading of the Bill. House Bill 3112, Dwight Friedrich-Leverenz, a Bill for an Act to amend Sections of an Act to create sanitary districts, First Reading of the Bill. House Bill 3113, Dwight Friedrich-Leverenz, a Bill for an Act to amend the Illinois State Auditing Act, First Reading of the Bill. House Bill 3114, Schneider et al, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. House Bill 3115, Hoffman et al, a Bill for an Act to provide for the ordinary and contingent expense of the School Problems Commission, First Reading of the Bill. House Bill 3116, Leon et al, a Bill for an Act to amend Sections of the Illinois Vehicle Code, First Reading of the Bill. House Bill 3117, Collins-Bullock-Bluthardt-Conti-Leinenweber-Piel et al, a Bill for an Act to amend Sections of the Election Code, First Reading of the Bill. House Bill 3118, Collins, a Bill for an Act to amend Sections of the Illinois Pension Code, First Reading of the Bill."

Speaker Redmond: "Excused absences. Representative Madigan, are there any Members whose absence should be excused? Representative Madigan."

Madigan: "Mr. Speaker..."

Speaker Redmond: "Representative Madigan."

Madigan: "Would the records show that the following Representatives are excused because of illness: Representative Garmisa, Representative Sam Wolf, Representative Alexander,



and would the records show that Representative VonBoeckman should have been excused for the Session of March 5 because of illness?"

Speaker Redmond: "Are there any objections? Hearing none, the records will so show. Representative Ryan, are there any absences,..Republican absences that should be excused?"

Ryan: "Yes, Mr. Speaker. Representative Oblinger for legislative business, and Representative McBroom due to a death in the family."

Speaker Redmond: "Any objection to the absences being excused? Hearing none...Who was the second one, Representative Ryan?"

Ryan: "Representative McBroom due to a death in the family."

Speaker Redmond: "The record will so show. Page two, House Bills Second-Reading, Short Debate Calendar. House Bill 11."

Clerk O'Brien: "House Bill 11, Representative Daniels, Sponsor a Bill for an Act to create..."

Speaker Redmond: "Representative Daniels. Out of the record, the request of the Sponsor. 1801."

Clerk O'Brien: "House Bill 1801, E.M. Barnes-Skinner..."

Speaker Redmond: "We need a...Well, who's...is E.M. Barnes still the Sponsor?"

Clerk O'Brien: "No one has been identified as a replacement Sponsor."

Speaker Redmond: "There are no Committee Amendments, is that correct? I suppose we better take it out of the record. Representative Williamson...Representative Williamson."

Williamson: "I'm not familiar with the Bill as yet. Could I read it and come back to that later?"

Speaker Redmond: "Yeah, we'll take it out of the record."

Williamson: "Okay then. Thank you."

Speaker Redmond: "2211."

Clerk O'Brien: "House Bill 2211, Representative Schneider, Sponsor, a Bill for an Act to amend the School Code, Second Reading of the Bill. Amendment..."

Speaker Redmond: "Representative Schneider on the floor? Is there any motion on the..."



Clerk O'Brien: "Amendment #1 was adopted...in Committee. And.. "

Speaker Redmond: "Out of the record. 2351, Representative Ewing on the floor? Representative Winchester, will you please sit down. Representative Shuneman. We want... we're trying to dig our way through to Representative Ewing on 2351. You want that one called? It's on Second Reading. It's on page two. Okay, 2351."

Clerk O'Brien: "House Bill 2351, Representative Ewing, Sponsor, a Bill for an Act to amend Sections of the Illinois Administrative Procedure Act, Second Reading of the Bill. Committee Amendments..."

Speaker Redmond: "Are there any Amendments from the floor? Any Amendments from the floor? The records show that Representative Walsh is on the floor...brother of Senator Walsh. House Bills Second Reading, 1294, Representative Farley, do you want that one? Representative Ewing... OH, pardon me. I guess I've made a mistake. That's hard to believe, but I did."

Ewing: "Did...did you move that to Third?"

Speaker Redmond: "I shouldn't have. I understand..."

Ewing: "Well, from where did we get that order?"

Speaker Redmond: "Well, I...wait a minute now. Are there any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Redmond: "Third Reading."

Ewing: "Thank you."

Speaker Redmond: "House Bills Second Reading 1294, Representative Farley. Farley on the floor? 14...1517, Representative Griesheimer."

Clerk O'Brien: House Bill 1517, Representative Griesheimer, Sponsor, a Bill for an Act to restrict smoking in designated areas and provide penalties for violations thereof, Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1920..."



Clerk O'Brien: "House Bill 1920, Representative Cullerton-Preston, Sponsor, a Bill for an Act permitting the purchase of funeral, cemetery merchandise or service prior to death, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "No motions relating to Amendment #1."

Speaker Redmond: "Representative Cullerton, are you aware that there are some Floor Amendments?"

Cullerton: "Let's take it out of the record, Sir. There's going to be a change in the Sponsor of the Bill. So I take it out of the record."

Speaker Redmond: "You want this one out of the record? Out of the record. The next one is out of the record. 2349."

Clerk O'Brien: "House Bill 2349, Representative Ropp, Sponsor, a Bill for an Act directing the Director of Conservation to convey certain real property, Second Reading of the Bill. Amendments #1, 2, and 5 were adopted previously."

Speaker Redmond: "Any motion with respect to Amendments #1, 2, and 5?"

Clerk O'Brien: "No motions filed..."

Speaker Redmond: "Any Amendments..."

Clerk O'Brien: "A motion, I move to table Amendment #5, by Representative Ropp."

Speaker Redmond: "Representative Ropp, we're debating an Bill of yours. There is a motion filed on Amendment #5. Are you aware of that? On Second Reading, I think they called it Rock Island Trail or something. Out of the record. 2676."

Clerk O'Brien: "House Bill 2676, Representative Winchester, Sponsor, a Bill for an Act to amend Sections of the Elections Code, Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor? What's that say? Representative Winchester."

Winchester: "Thank you, Mr. Speaker. Could we hold this on



Second? I'm having an Amendment prepared I want to put onto this Bill."

Speaker Redmond: "Out of the record. House Bills Third Reading on page two. House Bill 100, Representative Daniels. Out of the record. Page three, 232, Representative Skinner. Representative Mahar, do you want to handle that? Skinner and Mahar, 232."

Clerk O'Brien: "House Bill 232,..."

Speaker Redmond: "Out of the record. 247."

Clerk O'Brien: "House Bill 247, Representative Polk, Sponsor,..."

Speaker Redmond: "Representative Polk..."

Clerk O'Brien: "A Bill for an Act permitting raffles or drawings for prizes to be conducted by not for profit organizations, Third Reading of the Bill."

Speaker Redmond: "Representative Polk."

Polk: "Mr. Speaker, Ladies and Gentlemen, this is a Bill that we introduced early last year. We held it up until Zeke Giorgi's Bill got through which went to the Senate and went to the Governor's desk and was vetoed. Zeke has a Bill in...in Rules this afternoon. We discussed it with him. This Bill simply allows not for procket...profit organizations to conduct raffles as they are presently doing. It just gives...makes it so the State's Attorney cannot consider this under the Criminal Code Act. The Bill we passed last year didn't get out of the Senate last year, and I would appreciate an 'aye' vote."

Speaker Redmond: "Any discussion? The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question...103 'aye', and eight 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 262, Representative Pierce."

Clerk O'Brien: "House Bill 262, Representative Pierce, Sponsor a Bill for an Act to amend Sections of the Revenus Act, Third Reading of the Bill."

Speaker Redmond: "Representative Pierce...out of the record."





282, out of the record. 331, Representative Kornowicz on the floor? 331...out of the record. 429, out of the record. 432, out of the record. 434, out of the record. 447...Is Representative Edgar on the floor? Read the Bill, 447."

Clerk O'Brien: "House Bill 447, Edgar-Reilly-Giorgi-Wikoff-Ewing, a Bill for an Act in relation to the school district income tax, Third Reading of the Bill."

Speaker Redmond: "Representative Reilly on the floor? Giorgi, out of the record. Former House Member, now Senator Grotberg is in the chamber. 515..."

Clerk O'Brien: "House Bill 515, Representative Stuffle, Sponsor, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Redmond: "Representative Stuffle on the floor? Out of the record. 520, Representative Preston on the floor? Preston on the floor? Out of the record. 549."

Clerk O'Brien: "House Bill 549, Representative Huskey, a Bill for an Act to amend Sections of the Abortion Law, Third Reading of the Bill."

Speaker Redmond: "Representative Huskey."

Huskey: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill is...is a very simple Bill. It is only a one page Bill.. If you could read the back of it,..it is to...if a woman seeks abortion and goes to a doctor, she is to receive by law, printed materials...concerning the options and also counseling pertaining to the options of abortion. She is to receive information, post-operative care, including general symptoms, complications, and other information pertinent to recovery. She is...receives information concerning public services and private agencies available to assist women through pregnancies or programs to provide assistance if she decides to keep the child, put the child up for adoption, or foster care. It is only an informational procedure that the doctor is to give the woman before she accepts the abortion. It is a very good Bill, and the...it



didn't really...it didn't have any con...any opposition We took out all the opposition that the civil liberties... unions...had when they opposed the Bill when...and the Department of Public Health at the time also supported the Bill."

Speaker Redmond: "Is there any discussion? Representative Cullerton."

Cullerton: "How does this...Bill differ from Senate Bill 47 which we passed?"

Huskey: "I don't...I'm not familiar with all the things that Senate Bill 47 has in it. Senate Bill 47 was a long complicated Bill, and I'm not really familiar with all the options that 47 had in it."

Cullerton: "I am told that it is exactly the same as a Bill we have already passed."

Huskey: "Well, this Bill had been introduced long before...last June sometime, long before 47 ever came to the House, so I'm...I'm..."

Cullerton: "If your Bill is already law, do you see any reason why we should vote on it?"

Huskey: "I...I understand it could be, but there could be something to our Bill here that would add to Senate Bill 47, and..."

Cullerton: "You don't know whether or not it is already..."

Huskey: "I haven't checked out the technicalities of it all the way. I...I would move for adoption of this Bill, and if... if it's the same Bill, then there's no...there's nothing lost by passing it or we won't push it on to the Senate."

Speaker Redmond: "Any further discussion? The question is 'Shall this Bill pass?'. 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's 99 'aye', and no...23 'nay'. The Bill having received the Constitutional Majority is hereby declared passed. 554, Representative Leinenweber."

Leinenweber: "House Bill 554, a Bill for an Act to amend Sections



of the Illinois Marriage, Dissolution of Marriage Act, Third Reading of the Bill."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. House Bill 554 is a rather simple Bill. It was put in by me to resolve a problem which had occurred under the Illinois Marriage and Dissolution of Marriage Act in regarding marital property. There have been instances throughout the state where pension funds have been determined to be marital property so at the time of dissolution, there was a forced dissolution of the pension fund which can, and often does cause great penalties to be incurred by the person having the pension fund. For example, take for example a General Assembly pension fund, if at the time of dissolution the fund was distributed, it would obviously leave the Member without a pension. Secondly, if you have an IRA account, or some of these other programs under the Internal Revenue Code, a dissolution prior to retirement age can and will cause great tax consequences. So all the Bill provides is that pensions or other retirement systems where the receipt of proceeds without penalty is conditioned upon reaching a retirement age, then that will not be considered to be marital property. Now obviously the benefits to the pensioner can be considered by the courts in awarding various types of relief such as alimony, but I think this is a good Bill, and I would urge its adoption."

Speaker Redmond: "Any discussion? The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'.  
Representative Dunn."

DunnJ.: "Mr. Speaker, Ladies and Gentlemen of the House, I really did...I'll make my comments in the form of a statement because...I really did have a question. The Sponsor of the Bill indicated that an IRA account should be non-marital property. If the spouses work together to save money to put into an IRA account, then it seems to me that if there is a dissolution of marriage, that should be treated



as marital property. If it is difficult to arrange for a distribution of that asset, then provision can be made from other assets of the parties to offset the...to offset the funds set aside in the pension fund. There is no reason to say that one spouse should receive all the benefits of a pension, and the other spouse should receive none. That is not the philosophy of the present Dissolution of Marriage Act. Provisions of that Act and the philosophy of that Act are to consider all the assets acquired by the parties during their marriage as marital property and to impose upon the court the burden of determining how that property shall be divided and upon what rational basis. I see no reason to change the law with regard to pension just because of the comments made by the Sponsor of this Bill, and I would urge either a 'present' vote or a 'no' vote on this legislation."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "I believe the Gentleman supported the Bill in Committee which of course, doesn't say that he can't change his mind. However, I think I may have misspoken. An IRA account is not a pension or other retirement system, so that would probably not be affected. However, I would point out that under the...the disposition of property Section 503, that after there has been a distribution of non-mar...or marital property,...distribution of property is distributed based upon a number of these... of considerations including the relevant economic circumstances of each spouse. So it is certainly within the prerogative and power of the court to take into consideration that one party to the marriage does retain a pension. The point of the matter is that you are without this Bill, making pension programs subject to disposition of property as marital property which can have great economic consequences to people whose only asset for the retirement was the pension. So I certainly would urge you to reject the Gentlemen's guidance and go along with this



vote which I believe was in...I believe he is on the Judiciary I Committee which voted this Bill out unanimously, and instantly enough after the Republicans had taken a walk, so every Democrat appointed to the Committee was there and voted this Bill out with a 'do pass' recommendation. So with an endorsement like that from the other side of the aisle, there is really no reason at all not to pass this Bill, and let's send it over to the Senate."

Speaker Redmond: "Representative Getty."

Getty: "Mr. Speaker, I rise to explain my vote in support of this Bill. This is a very very good idea. If you have social security and you're covered under the social security system. Because your spouse divorces you does not mean you're going to lose your social security coverage. All this would do would be to put a private pension or retirement system on the same basis. You aren't entitled to the pension or retirement system until the date or age that it accrues to you. What has happened is a practical matter, and the absence of this clarifiacion in the law. But some people, in order to affect the settlement in a dissolution of marriage case, have had to take their money out of a pension or retirement system and thereafter lose the benefits of the company contributions, lose the benefit when they reach age 65 or the other appropriate retirement age of the benefit of that. And I think this is an excellent Bill and should be supported."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker, in explaining my 'no' vote, I'm not on the Committee, and I'm speaking from a vague recollection, but in the event of a divorce, we presume the property acquired by the husband and wife during the duration of their marriage is marital property, and the judge should be able to be...see that it is divided equitably. This Bill, as I understand it, would say that any pension rights are by law not marital property and thus cannot be



equitably divided between the husband and wife. Now what you're saying here if you vote 'yes' is that with a husband and wife married 50 years and then there's a divorce, you're saying that if the man is employed and he has some pension rights, that these are the husband's only even though she may have been washing dishes and caring for the house. And the marriage is supposed to be a partnership, and as I understand this Bill, it flies in the face of that and says 'Oh no, any pension rights that he might have, that's all the husband's, and we are not going to allow that to be considered as marital property.'. That's the reason I'm voting 'no', and I have grave...grave reservations about the Bill, and I think it is contrary to the basic intent of the Dissolution of Marriage, Marriage Act which is that marriage is a partnership and when that partnership ends, there should be an equitable division of the property, and we should not pass a law saying that pension rights belong to one spouse rather than be divided fairly among them, and I would urge more 'no' votes."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 103 'aye', and 18 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 582, Representative Piel. Representative Davis, you seeking recognition? You had your hand up."

Clerk O'Brien: "House Bill 5..."

Speaker Redmond: "Representative Capparelli. Representative Capparelli desires to be recorded as 'aye' on the previous Bill. Is there any objection? Hearing none it will be so ordered."

Clerk O'Brien: "House Bill 582, a Bill for an Act to amend Sections of the Code of Criminal Procedure, Third Reading of the Bill."

Speaker Redmond: "Representative Piel. Representative Piel, don't get so comfortable. Your Bill is up. 582, out of the record. 644 out of the record. 668 out of the record."



675, Representative Katz. 675."

Clerk O'Brien: "House Bill 675, a Bill for an Act to add Sections to an Act to regulate the practice of public accounting and to repeal certain Acts named therein..."

Speaker Redmond: "Out of the record. 677, Representative Marovitz on the floor? Out of the record. 703, Representative Younge. Out of the record. 744, Representative Taylor Pouncey."

Clerk O'Brien: "House Bill 744,..."

Speaker Redmond: "Out of the record. 745, Representative Pullen out there? Out of the record. 748, Marovitz, out of the record. 750, Skinner, out of the record. 755, Representative Watson. He was down on the floor a minute ago. Out of the record? 757, out of the record. 777, Skinner, out of the record. 800, Hahahan, out of the record. 821, Younge, out of the record. 830, Representative Getty. 830."

Clerk O'Brien: "House Bill 830, a Bill for an Act to amend Sections of the Probate Act, Third Reading of the Bill."

Speaker Redmond: "Out of the record. I've been advised that former House Member, now Senator Friedland is in the chamber: Are we going to...will the orchestra play 'Hail to the Conquering Hero'? Representative Collins...whose horn did you hit?'. Representative Hallock."

Hallock: "Mr. Speaker, if you'd turn a microphone on back there, I believe Senator Friedland has a message."

Speaker Redmond: "No, he doesn't have a message. He sent a message. Former Representative Geo-Karis now back using the House phone. 848, Schneider, out of the record. 927, John...John Dunn. Out of the record. 932, Representative O'Brien, out of the record. 945, Representative Cullerton."

Clerk O'Brien: "House Bill 945, a Bill for an Act to amend Sections of the Code of Criminal Procedure, Third Reading of the Bill."

Speaker Redmond: "Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The purpose of this Bill is to



clarify the area of law covering preliminary hearings in criminal cases. The first thing it does is change the name from preliminary examination to preliminary hearing as it is commonly referred to. Secondly we assure the defendants rights to be represented by a council of his choice at a preliminary hearing, and thirdly, we give the defendants the right to cross-examine the state's witnesses. The cross-examination must be relevant and within the scope of the direct examination. We have specifically taken out of this Bill the defendant's right to call witnesses. The State's Attorney's Appellate Service Commission and the State's Attorney's Association testified in favor of the Bill after it was amended. The Bill as amended will not allow the presentation of a defense at the preliminary hearing statutorily, and it will be a...will not be a time consuming trial-like procedure. So I would ask for an Affirmative Roll Call."

Speaker Redmond: "Any discussion? The ques...Representative Brummer."

Brummer: "Yes, first of all, it is rather noisy here so I didn't hear all the explanation. Could...what changes does that make from the existing law?"

Cullerton: "It simply...codifies the defendant's right to cross-examine witnesses. It's not...not in the law now. It just codifies it."

Brummer: "Is the State's Attorneys Association, for example, in support of this?"

Cullerton: "Yes, the...the State's Attorneys Appellate Service Commission and the State's Attorneys Association. After it was amended in Committee, they testified in favor of the Bill."

Brummer: "Thank you."

Speaker Redmond: "Anything further? Representative Kosinski. I couldn't see around the Deputy Clerk's...Representative Kosinski. Kosinski."

Kosinski: "Mr. Cullerton, if you'd yield to a question."





Cullerton: "Yes."

Kosinski: "I don't think actually this does anything that isn't being done at the moment. I mean, presently . . . a preliminary hearing if I remember correctly. The witness can be crossified...cross-examined, can't they? They can be questioned...witnesses presently can be questioned."

Cullerton: "Well, it is up to the discretion of a judge."

Kosinski: "I see. This merely codifies it. It doesn't lengthen the hearing in any shape."

Cullerton: "No, not at all."

Kosinski: "Thank you."

Speaker Redmond: "Anything further? The question is 'Shall this Bill pass?'. 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's 109 'aye', and no 'nay', and the Bill having received the Constitutional Majority is hereby declared passed. 946. Bill..."

Clerk O'Brien: "House Bill 946, Cullerton, a Bill for an Act to amend Sections of the Code of Criminal Procedure, Third Reading..."

Speaker Redmond: "Out of the record. 958."

Clerk O'Brien: "House Bill 958, Representative White, Representative Jesse White..."

Speaker Remond: "Out of the record. 979 out of the record. 980, Representative Skinner, out of the record. 1002."

Clerk O'Brien: "House Bill 1002, Representative Cullerton, a Bill for an Act to amend Sections of the Unified Code of Corrections..."

Speaker Redmond: "Out of the record. 1009, Representative Schraeder."

Clerk O'Brien: "House Bill 1009, Representative Schraeder, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."



Speaker Redmond: "Representative Schraeder."

Schraeder: "This...this is a simple Amendment to the downstate teacher's retirement which just changes the effective date so that all of them will receive the same pension increase on September 1 rather than having two dates, September 1 and January 1. There is no really opposition to it. It is just a matter of getting it more accountable procedure, and I would ask for a favorable vote."

Speaker Redmond: "Is there any discussion? The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 115 'aye', and no 'nay', and the Bill having received the Constitutional Majority is hereby declared passed. 1015, Representative McPike, out of the record. How about 16? Out of the record. 1034, Representative Braun...Braun...1034, out of the record. 1044. Representative Ewell on the floor? Out...1044, Representative Ewell."

Clerk O'Brien: "House Bill 1044, a Bill for an Act to prohibit personal service contracts by state agencies; Third Reading of the Bill."

Speaker Redmond: "Representative Ewell." Does that indicate Ewe you're not pleased with the Bill?"

Ewell: "Oh...it indicates it is a very good Bill, and I wanted to give the Body the benefit of all the information which I didn't quite have with me today, so let's take it out of the record."

Speaker Redmond: "Out of the record. 1000...1136, Skinner, out of the record. 1164, Hanahan, out of the record. 1166, McPike...1166, out of the record. 1182, Ralph Dunn. 1182, read the Bill, Mr. Clerk."

Clerk O'Brien: "House...House Bill 1182, a Bill for an Act to amend Sections of an Act concerning public utilities, Third Reading of the Bill."

Speaker Redmond: "Representative Ralph Dunn. Please give the



Gentleman order."

Dunn: "Thank you, Mr. Speaker, Members of the House. House Bill 1182 passed out of the Public Utilities Committee by a mere vote of ten to two after it had been amended, and I think it met the objections of the utilities, and it is a Bill that says after 1982, any new coal...any new plants that go on line...coal fired plants must use Illinois coal if it doesn't cost more to burn than it would for them to get coal from out of the state. And then it has another Amendment that gives an emergency clause, and I think this is a good Bill. I urge...it has about 25 Cosponsors, and I would urge an 'aye' vote."

Speaker Redmond: "Is there any discussion? The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Representative Sandquist is on deck. Have all voted who wish? The Clerk will take the record. On this question there's 111 'aye', and six 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 1192, Representative Sandquist. Representative Kelly on deck. Out of the record. 1202, Representative Kelly. Out of the record. 1214, J.J. Wolf. Out of the record. 1221, Representative Ralph Dunn. Out of the record. 1242, Representative Bluthardt. Is he on the floor? He was a while ago. He's in the Governor's office? Oh, okay. Representative Bluthardt asked leave to talbe 1242. Is there any objection? Hearing none, it is tabled. 1278, Representative Younge, out of the record. Are you ready for those? What page? 1279, Marovitz, out of the record. 1305, Representative Matijevich. 1305."

Clerk O'Brien: "House Bill 1305, a Bill for an Act relating to the supervisor of assessments, Third Reading of the Bill."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1305 started out when...it was introduced as a Bill that would have provided for election of supervisors



of assessment. That would have been a very controversial Bill; however, the House Revenue Committee, in its wisdom, amended this Bill to provide that the counties in...counties less than a million...the county board by Majority vote could call for a public hearing to review the performance of the appointed supervisor of assessment. Such hearings shall be called if five percent of the real property tax payers in the county shall petition for such public hearings. And the county board may, at an open meeting no sooner than 20 days and no later than 60 days after such public hearing, remove the appointed supervisor of assessment for cause by two-thirds vote. This Bill was called for because in many of the downstate counties where the taxpayers were very irate over assessments in their district. It is a Property Tax Reform Bill in a sense because it provides for a public hearing so that the county board can review the work of the...of the...supervisor of assessment. I think that after this Amendment by the House Revenue Committee, it didn't get a dissenting vote in Committee. It is now a Bill which does allow the taxpayers a voice in the process and also the county board, and it does give that protection that it is a two-thirds vote. I would appreciate your support in the passage of House Bill 1305."

Speaker Redmond: "Is there any discussion? Representative Ewing."

Ewing: "Mr. Speaker, I wonder if the Sponsor would yield for a question?"

Matijevich: "Yes, Sir."

Ewing: "What...would you re...I couldn't hear because of the noise in here too well...the rationale for making the supervisor of assessment an elected office."

Matijevich: "No...no...you got me wrong. That was the way the Bill started out. This is not a Bill to elect a supervisor of assessments at all. This is a Bill now amended by the Committee where the county board, by two-thirds vote,



after a public hearing and for cause, removes the county.. the appointed supervisor of assessment. It is not an elected supervisor of assessment Bill."

Ewing: "Alright, can they...can't they remove him now without this legislation...or is he appointed for..."

Matijevich: "No, there's no way at all."

Ewing: "He is appointed for a specific term and would have to fill it out."

Matijevich: "That's right."

Ewing: "Oh, so it has nothing to do with the election. It just gives them the right to remove them?"

Matijevich: "Right."

Ewing: "Thank you."

Speaker Redmond: "Anything further? Representative Deuster."

Deuster: "If the Sponsor would yield for a question. We have a supervisor of assessments in Lake County, Bob Jasper, I guess. What is his term of office?"

Matijevich: "Four years, John."

Deuster: "I see, so is that standard throughout the state?"

Matijevich: "Yes, Sir."

Deuster: "So they're in for four years, and this Bill would change it so in the middle of that four year term there could be a hearing and for good cause..."

Matijevich: "That's right."

Deuster: "...He could be removed."

Matijevich: "By two-thirds vote of the county board."

Deuster: "Thank you."

Speaker Redmond: "Anything further? Representative Daniels... Daniels."

Daniels: "Is this...the Sponsor yield?"

Speaker Redmond: "He will."

Daniels: "Has this been a problem in Lake County?"

Matijevich: "Well, I'll tell you, Representative Daniels, it all depends on who you talk to. Not so much, I don't believe, in my county as much as some other counties except that we've got in my county as Representative Deuster knows, in



fact one of the county board members, I think, lost his office because of it. We've got a couple taxpayers groups in my county outside...one particularly outside of my Legislative District, that feels it is a problem in my county, too. I don't think it is as much a problem in my county as some others."

Daniels: "So your answer is that its not a problem in Lake County. Is that correct? That's your answer?"

Matijevich: "It's not as much a problem."

Daniels: "Not as much being it is not really a problem in Lake County."

Matijevich: "Not really."

Daniels: "Alright, now let me ask you another question. Is it a problem in DuPage County?"

Matijevich: "Well, you could answer that better than I."

Daniels: "Then I'll accept that as an answer that it's not a problem in DuPage County. Now let me ask you this question. Who actually does the assessment of the local real estate...in like Lake County?"

Matijevich: "The assess...the assessors."

Daniels: "The assessor, and he is by township, is that correct?"

Matijevich: "Right."

Daniels: "And this does not provide for the removal of the assessor, does it?"

Matijevich: "No, it doesn't."

Daniels: "The supervisor of assessments then merely reviews the assessment procedure. Is that correct?"

Matijevich: "That's correct."

Daniels: "And then he would go through and determine whether or not the assessment procedure was uniform. Is that correct...in the various townships?"

Matijevich: "That's correct."

Daniels: "Alright, now, would you agree to bringing this Bill back to Second Reading to delete DuPage County...as you have deleted Cook County?"

Matijevich: "No, I don't think that's..."



Daniels: "You would not."

Matijevich: "No, I wouldn't."

Daniels: "Alright, may I address the Bill, Mr. Speaker? Mr. Speaker, Ladies and Gentlemen of the House, very simply put. We have heard the Sponsor of this legislation state that it does not involve two of the larger counties in the State of Illinois, including his own. Furthermore, he told you that this Bill does not really affect the assessment procedures since it is the assessors that actually assess the real estate. And being as the supervisor of assessment is one that has an overview of the process, he is really not going to the tax reform that he states. Because of this, I suggest that you'd want to vote 'no' on this very bad piece of legislation."

Speaker Redmond: "Representative VanDuyne."

VanDuyne: "Thank you, Mr. Speaker. I would like to address the group here in favor of this Bill. I was on the county board in Will County when the supervisor of assessment was instituted there, and our tax Bills have never been out since that date on time. It has cost our school districts and some of the other taxing bodies a lot of money on tax anticipation warrants. I even had a Bill last year, a couple with...the one that dealt with the county superintendent of highways that would limit and give some control to the terms of the supervisor of assessment because of some of their dictatorial attitude. Now I think the state originally has taken control away from the county board, and I think John has got a right concept here. He gives the control back to a degree to the county board in that they have to take...have a two-thirds vote in order to remove this person, and only after they have a petition of five percent of the electorate, and I don't see a thing wrong with the Bill. It gives the public a little bit of input as to whether or not they should keep a bad supervisor of assessment or a negligent one, or a very non-active one, and it gives a little bit of...



control back to the county board. And I can't see in the world why anybody would want to floor his attempt here.

I am very much in favor of the Bill."

Speaker Redmond: "Representative Robbins."

Robbins: "I think the main...the main thing that they are worrying about is not the supervisor of assessment, it is the multiplier that comes down from the state. Most of the supervisors of assessment, if they was allowed to run their own county, wouldn't have to put up with the problem that... that this Bill is going to create. Most of the county boards at least have...have men on there that use pretty good judgment, and you elect road commissioners for six years. You can't hardly throw them out...any way, shape, nor form. I think a supervisor of assessment should be allowed at least to serve out the term that they put him in there for...and I think that this is a poor thing to do."

Speaker Redmond: "Representative Brummer. McPike."

McPiker: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In Madison County our supervisor of assessments is appointed for six years, and I believe very strongly that the supervisor of assessments should be insulated from numerous public pressures and be able to...allowed to do his job without bending to every public pressure that comes along. But I don't think that the supervisor should be completely isolated, and I think that is the intent of this Bill. We have a supervisor who is appointed for six years, and if he blatantly disregards any public testimony, or any public pressures, or anything that is happening within his county, then after a public hearing, he can be removed by two-thirds vote for cause. It is really not taking that much authority away from the supervisor. It still allows him to be insulated from public pressure, but it doesn't allow him to live on an island isolated from the public completely for six years. I think it is a step in the right direction. I think we





ought to support it."

Speaker Redmond: "Representative McMaster. McMaster."

McMaster: "Thank you, Mr. Speaker. I rise in opposition to this Bill, Ladies and Gentlemen of the House. I think that the supervisor of assessments should not be subjected to problems that arise from tax assessors themselves. What this legislation would do would be to permit everyone who is concerned with increasing taxes to put the blame on the supervisor of assessors, and for that reason, remove him from office. I do not believe that the supervisor of assessments should be subjected to political pressures. I also do not believe that he should be in the position to show favoritism to one specific group. If he did not show favoritism, as would be allowed under this Bill, then that specific group could get together five percent of the people in the county to call him to a hearing and lead to his removal of office...from office. I think it is bad legislation. I would urge a 'no' vote."

Speaker Redmond: "Representative McGrew."

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

Speaker Redmond: "The Gentleman's moved the previous question. The question is 'Shall the main question be put?'. Those in favor say 'aye', 'aye', opposed 'no'. The 'ayes' have it. Representative Matijevich to close. Former Representative Casey is in the chamber."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, if...if Lee Daniels is happy with the supervisor of assessments in DuPage County, that is one thing. But I don't think he nor anybody else should vote against the right of an area where there may be a supervisor of assessments who ought to be removed by two-thirds of the county board after a petition by the voters in that district. This is the first opportunity today that you have to vote on the side of the taxpayers. If you think that the taxpayers don't appreciate a Bill like this, you should have



heard them storming in Committee at the time that this Bill and others like it were presented in the Revenue Committee. And that, I think, is only a small portion of the taxpayers. They really...if you had a vote of the taxpayers all over the State of Illinois, they would really today...today, would want the supervisors of assessments elected. Believe me. I would run against anybody in this Assembly on the issue 'Do you want the supervisor of assessment elected or appointed?', and I'll take my chances that they would want the supervisor of assessment elected because he ought to be. He ought to be listening to taxpayers, so I say that this Bill ought to be supported and show that you're on the side of the taxpayers and vote for the right of removal for cause. And I appreciate your 'yes' vote on House Bill 1305."

Speaker Redmond: "The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 98 'aye', and 37 'no'. This Bill having received the Constitutional Majority is hereby declared passed. 1327, Representative Totten."

Clerk O'Brien: "House Bill 1327, a Bill for an Act reorganizing and consolidating various Legislative Committees, Third Reading of the Bill."

Speaker Redmond: "Representative Totten. Out of the record. 1371, out of the record. 1375, Representative Katz. 1375."

Clerk O'Brien: "House Bill 1375,..."

Speaker Redmond: "Out of the record. 1381, Steczo, out of the record. 1384, out of the record. 1387, Representative Pullen...out of the record. 1407, Marovitz, out of the record. 1410, Marovitz, out of the record. 1416, Representative Gaines. Out of the record. 1476, Representative Gene Hoffman. What's that? Out. The next on is out of the record. 1483, Katz...Katz...1483. Out of the record. 15000, Skinner. Out of the record. 1503, Yourell, out of the



record. 1522, Hanahan, out of the record. 1566, Terzich. Representative Terzich. Out of the record. 1570, Terzich, out of the record. 1589, Younge, out of the record. 1590, Younge, out of the record. 1592, Younge, out of the record. 1624, Representative John Dunn. The Gentleman from Macon. Out of the record. 1625, Skinner, out of the record. 1629, Representative Winchester. Representative Winchester. 1629, out of the record. 1673, Representative Bowman. You ready? Out of the record. 1691, Representative Giorgi. Out of the record. 1695, out of the record. 1696, out of the record. 1697, out of the record. 1702, Representative Leverenz. Leverenz. Out of the record. 74, out of the record. 1710, Representative Reilly. Out of the record. 1711, Representative Jaffe. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate (sic) Bill 1711, a Bill for an Act to amend Sections of the Criminal Code, Third Reading of the Bill."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, Members of the House, House Bill 1711 is the work product of the Rape Study Committee. It came out of the Judiciary Committee by a vote of eight to nothing. And basically what it does, it allows the prosecuting witness in a case involving rape, devious sexual misconduct, or devious sexual assult to have a support person at the preliminary hearing and at the trial during such prosecuting witness' testimony, and if you look at Paragraph Two of the Bill, it says that the defe...at the request of the defendant...or the defendant's counsel, the..."

Speaker Redmond: "Representative Jaffe; Representative Wolf complains that he can't hear. Representative Campbell, would you please stop talking?"

Jaffe: "All that I was saying is that Paragraph Two provides certain protections for the defendant to make sure that the defendant gets a fair trial, and it indicates that the



court shall order person so chosen not to communicate any at all of the testimony of the prosecuting witness to any person during or after the preliminary hearing and up to the conclusion of the trial. And if any person so chosen attempts to do so, then of course, the courts shall exclude that person and not allow...and shall allow the prosecuting witness to chose amother person pursuant to the Section. And as I indicated it went through Judiciary II. It is the work product of the House Rape Study Commission, and I would urge an 'aye' vote on this Bill."

Speaker Redmond: "Representative Leinenweber."

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

Speaker Redmond: "He will."

Leinenweber: "What is the purpose of this support person.

I mean, what does that person do, or..."

Jaffe: "Harry, in some other states throughout the Union, this is not a new concept. Basically when you have a victim of rape or devious sexual assault, that person is really hesitant to come forward. That person needs some moral support. So all that the support person does is sit with that particular individual. That individual cannot get involved in the testimony, cannot do anything with regards to the prosecuting witness at all. As a matter of fact, if that person does such a thing, as you will note in Paragraph Two, that person will be knocked out of the courtroom."

Leinenweber: "Well, would the...where would the person sit.

I mean, would he be up along the side of the witness?"

Jaffe: "Well, if...if it doesn't actually state, I think that would be at the discretion of the court. I would imagine that while the person is sitting at the bench or is waiting, the person can sit with them."

Leinenweber: "Why can't that occur now?"

Jaffe: "Because it just hasn't been occurring, Harry, and that's one of the things that we hear..."



Leinenweber: "The only reason for excluding a person for... from a courtroom is if that person might be a witness, and otherwise, courtrooms are public places..."

Jaffe: "Right."

Leinenweber: "And the support person would be entitled to sit right along the...the witness wouldn't be in the courtroom in all probability until he was called to testify, but I can't see what this person would be doing if they... for example, or not to give advice..."

Jaffe: "If you'll read the stat...the statute as written, it specifically says that they cannot give advice. Look at Paragraph Two. And if they do that, they are bounced out of the courtroom. So all that you really have is somebody who can actually go with this woman through the trauma of trial and sit with that person to give them some support, and it is only moral support because they can't communicate. ~~Why you know...~~ with the person during the trial of the case. It's tried...it's been tested out in California and in a few other jurisdictions, and it has worked out well, and I see no reason why we shouldn't have it in the State of Illinois."

Leinenweber: "I just don't see what purpose the person would serve if they can't give advice for..."

Jaffe: "Well, but they're not there to give advice, Harry. They're there to give moral support. They're not supposed to give legal advice. That's what the lawyers are there for."

Leinenweber: "Well, how do you give moral support without giving advice or some..."

Jaffe: "Well, Harry, I'm sure if you've gone through a traumatic situation in your life, you know that when you have people around you, and you've talked to them before and after trial, and they sit with you that that might give you some sort of moral support."

Speaker Redmond: "Representative Deuster."

Deuster: "I would like to speak in opposition to this Bill. I



have, in my legal practice as a private attorney, represented or assisted a rape victim through this very traumatic and difficult circumstance that Representative Jaffe describes, and quite typically at such a public preliminary hearing or trial you will have the rape victim's mother, or brother, or relative, or girlfriend, or somebody else who is there who sits with them until the time...the case is tried and is present and gives them all the comfort and love and affection and support...moral support that is needed. There is no reason in the world for this Bill. It is a 'surplusage'. It can be done right now. There is no reason, as Representative Leinenweber pointed out, that at a public trial, the whole family, or all the friends, or a graduating class, or as many people as might be needed to comfort a person can be there. There is no need for this Bill, and I think our statute books are voluminous enough without adding language that is absolutely not needed. It is important, as Representative Jaffe points out, for a person to have moral support, and under the present law they can have all the moral support, they can have all the friends at the present...present at the public trial that they need or want, and so I would urge a 'no' vote on this legislation. Thank you."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Jaffe, you'd yield to a question, please?" I have no particular opposition or joy about this Bill. And certainly no opposition. It is essentially a hand holding Bill, but what physically within the courtroom, if the Bill passes, would the hand holder, the assistant, the moral support be able to stand with the defendant at the judge's bench in a preliminary when they're not permitted to do so now, or what physical change would occur during the course of a trial?"

Jaffe: "Basically I think what would happen is it would give the court more leeway than it has at the present time. Yes, I would imagine that the court could say you could stand at the..."



you know...at the witness stand, but you could not communicate anything illegally to that particular individual with regard either to the testimony or to the law."

Kosinski: "So actually it is...it doesn't impair the...the proceedings within the court. It doesn't lengthen the court trial or any sense..."

Jaffe: "Not at all. Not at all."

Kosinski: "And you think, or your Commission feels that this hand holding capacity of the other person might be a moral support to the person facing the bench. Is that the problem?"

Jaffe: "That is absolutely correct."

Kosinski: "But it hurts nothing."

Jaffe: "It hurts nothing. Absolutely correct."

Kosinski: "Thank you."

Speaker Redmond: "Anything further? Representative Jaffe to close."

Jaffe: "Yes, Mr. Speaker, Members of the House. I think that Representative Kosinski hit it on the head. Basically this Bill hurts nothing. It doesn't lengthen the proceedings or do anything like that. All that it does is give moral support to the complaining witness, to the woman who's been raped in a rape proceeding. I think this is a very humane type of Bill. It has been adopted by other jurisdictions, and it's been adopted and used very well. It's now used in the State of California and a few other states. It is a good Bill, and I would urge an 'aye' vote."

Speaker Redmond: "The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question Representative Robbins, is he on the Roll Call? Put Robbins 'aye' there. On this question there's 105 'aye', and 11 'no', and the Bill having received the Constitutional Majority is hereby declared passed. Representative Christensen, for what purpose do you...desires to record as 'aye'. Does he have leave? Representative Bell, 'aye'. 107... 1729, Representative Kornowicz. Out of the record."



1736, Marovitz, out of the record. 1737, Representative VanDuyne. 1737."

Clerk Leonard: "House Bill 1737, a Bill for an Act to add Sections of an Act to revise the law in relation to the Secretary of State, Third Reading of the Bill."

VanDuyne: "Thank you, Mr. Speaker, Members of the House. As you all know, our Secretary of State is charged with the responsibility of furnishing space in this building and others around here, and as you already know, the Space Needs Committee is in some cases in search of some type of cheap space. So it came to my attention some time back where our news media enjoys the space on the mezzanine just immediately to our right and down the stairs, and it also came to my attention it costs us somewhere in excess of \$500,000 to fix it up. It is also came to my attention that it costs us something like \$70,000 a year to maintain just the absolute expenses of that area, and I want to reiterate that so everybody in the place understands what I am talking about. It costs the State of Illinois and our taxpayers \$70,000 roughly from all the information I can gather, and a fiscal note has been filed to that extent to keep that space open. Now I have no objection to the news media enjoying that space rather adjacent to the operations of the House and the Senate, but I do believe that in all fairness to everybody concerned that they should pick their own tab. Now I also want to emphasize that I'm not asking for the state to make any money on our news...on our media. I am saying that they should just pick up the actual expenses. And so that is what this Bill does. I want to emphasize also that in Committee there were at least 15 or 20 reporters sitting there, and they were asked to respond to the Bill. I can't remember who it was...anyway in regards, one of the Republican Representatives...and there was not one that spoke against the Bill, and I'm not sure whether the Bill passed out of Committee unanimously, but there was very little support...very little opposition if any.





I'd be glad to answer any questions if I may, and I would ask for your support of this Bill."

Speaker Redmond: "Any discussion? Representative Collins."

Collins: "Mr. Speaker, would the Gentleman yield for a question?"

Speaker Redmond: "He will."

Collins: "I am a little confused by this synopsis which says the fiscal note states that there would be a negligible cost effect upon the state, and then the next sentence says there will be a cost savings of expenditures of \$69,580,000. Is that negligible, or is that a mistake?"

VanDuyne: "Well, as I understand the fiscal report, it is supposed to to state what it would cost the State of Illinois and that is the negligible part of the fiscal note. It is not going to cost the State of Illinois a penny. And in fact, it goes on further to state that it will save the State of Illinois something like \$70,000."

Collins: "Well, that was my question. The synopsis says the saving would be \$69,000,000. I...I'm confused."

VanDuyne: "Well, I'm sorry. No, I don't think that that is accurate. It is something like \$70,000, Phil."

Collins: "Well, thank you, Representative Hot Dog."

Speaker Redmond: "Anything further? Representative Tuerk."

Tuerk: "Well, Mr. Speaker, Members of the House, I rise to oppose this Bill simply because if it supposedly saves \$70,000, I think it is...the savings itself is ill-advised. I think the press, the media in this state provides its service to the State of Illinois much more beyond the \$70,000 that we're talking about here. I don't particularly necessarily see why we have to provide plush set ups for the press, but at the same time, I think we have to provide the services the space available for them to do the job so that the electorate back home knows what's going on in Springfield. And I, therefore, would oppose the Bill."

Speaker Redmond: "Anything further? Representative VanDuyne to close."

VanDuyne: "Thank you, Mr. Speaker. I'm not going to belabor the



point. I think the newspapers, and the television media, the radio all have really assumed the position that everybody pays his own way. I tried to emphasize that the media was asked as to their opinion of this Bill in Committee, and not one responded in a negative way. As far as Representative...the previous...speaker's comments, I'm not asking that we give them less service. I am asking that we give them the same service. The only thing I am asking is that they pick up their own tab, and I'm talking about absolute cost. The state is not going to make one cent on this. All they are going to do is have the news media pick up their own costs. I ask for an affirmative vote."

Speaker Redmond: "The question is...Representative Wolf."

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

Speaker Redmond: "He will...a little late, but he will."

Wolf: "I just want to know if he would accept an Amendment to charge Hugh Hill the whole \$70,000 and exempt the rest of the press corps?"

VanDuyne: "Yeah, I was...I would really. I was thinking about that telephone they use up there, and I was wondering, too, whether or not that was involved in the \$70,000, some of these phone calls they make from up there in the balcony late at night must cost us \$50 to \$100 bucks a shot, so... Anyway, I would really urge you...urge you to vote in the affirmative for this good Bill."

Speaker Redmond: "The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Kelly."

Kelly: "I...thank you, Mr. Speaker. I just wanted to speak briefly and explain a little more about the Bill. I have heard some of the fellow Legislators ask 'What does this Bill do?'. This Bill makes the press, the media, pay for space in the Capitol building that is being used. I... my feeling is, and it was when I introduced this Bill



during the last Session, and I know that Representative VanDuyne has the same intention, that fair is fair, and if any agency, whether it be the media, or any other private group, would use space, certainly should...they should pay for their services that they are receiving. I don't think they...in fact, I know that there are a number of representatives of the media who don't want a free ride. They want an opportunity to...to pay for it, but there is some of our colleagues, and I know that a number of other persons are a little...felt a little funny about voting favorably for legislation that would be against someone as strong and powerful as the media, but at the same time, I think that it would be a good and a right thing to do to vote to allow, and it's not going to be no overcharge that certainly the Secretary of State would determine how much that fair would...that fee would be, and I know that the Secretary of State would be very fair in making an appropriate price. So I would ask for your support."

Speaker Redmond: "I guess I called for the vote prematurely. Would you clear this vote? The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Representative VonBoeckman."

VonBoeckman: "Well, Mr. Speaker, Ladies and Gentlemen of the House. I see a lot of red votes up there, but I sincerely urge you to vote green for the simple reason that in my own mind I don't feel like we have a free press in the United States any more. It's only free to the press, but... in the 45th Legislative District this past election, all the incumbant Legislators were really crucified over one issue. Though...as a person who sends out a questionnaire whether the press should pay for the facilities down here, the respondents were 85%, in my district, says that they should pay for the facilities, so...I wish everybody would reconsider and let's save the taxpayers some more money, because that's what they were hollering about



when they talked about the payraise, so I feel like they should pay their own price."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 34 'aye', and 95 'no'. The Bill having failed to receive the Constitutional Majority is hereby declared lost. 1741. Representative Hoffman, 1741. Out of the record. 1742, out of the record. 1747, Representative Breslin."

Clerk Leone: "House Bill 1747, a Bill for an Act to amend the Controlled Substances Act, Third Reading of the Bill."

Speaker Redmond: "Representative Breslin."

Breslin: "Mr. Speaker, Ladies and Gentlemen, your synopsis is accurate on this Bill. This bill allows for the accumulation for amounts of different controlled substances to allow for the prosecution for a crime of a higher degree. In other words, it allows for greater sentences for drug pushers. The situation this addresses is a situation where a person who traffics in drugs is arrested for delivery of a number of different kinds of drugs. He can only be charged, convicted, and sentenced as if he had delivered only one. However, under this Bill, he could be charged...they could be added together, and he could be charged for the next greatest classification of crime. I ask for a favorable Roll Call."

Speaker Redmond: "Any discussion? The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Molloy on deck. Have all voted who wish? Representative MacDonald desires to be recorded as 'aye'. Representative Totten, can you move over there, and...Representative MacDonald. Have all voted who wish? The Clerk will take the record. On this question there's 146 'aye', and no 'nay'. The Bill having received the Constitutional Majority is hereby declared passed. 1762, Representative Molloy. Out of the record. 1765, Yourell. 1765, out of the record. 1800, Representative Currie. Currie, that's you and Representative



O'Brien, out of the record. 1823, Representative Donovan, out of the record. Stearney here? Johnson here? 1830, out of the record. 1857, Steczo, out of the record. 1878, Representative Richmond...1892, Representative Mulcahey..."

Clerk Leone: "House Bill 1892, a Bill for an Act to amend the Illinois Public Aid Code, Third Reading of the Bill."

Speaker Redmond: "Out of the record. 1918, Giorgi, out of the record. 1953, E.G. Steele...E.G. Steele, 1952, out of the record. 2010, Representative Taylor. Taylor, 2010. Out of the record. 2011, Taylor, out of the record. 2022, Taylor, out of the record. 2025, Alexander... Representative Alexander...Is she in her seat back there? Out of the record. 2029, Representative Braun. Braun, 2029...out of the record. 2035, Representative Lechowicz. Out of the record. 2036, Lechowicz... 2044, Skinner, out of the record. 2045, Simms,...2045 amends the Pharmacy Act. Out of the record. The next one out of the record...next one out of the record... next one out of the record...next one out of the record... 2061, Marovitz, out of the record. 2069, Hoxsey...Representative Hoxsey in the chambers? Out of the record. 2075, Representative Griesheimer. Field Marshal Griesheimer."

Clerk Leone: "House Bill 2075, a Bill for an Act to amend an Act relating to circuit courts, Third Reading of the Bill."

Speaker Redmond: "Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. House Bill 2075 was extensively discussed as an Amendment to another Bill which was before this House and passed last year...last year. What we're trying to do...it's a Bill which essentially affects only the counties in the north-eastern part of the state not including Cook County. Lake County now is in a circuit...a judicial circuit which is the second busiest in the State of Illinois, second only to Cook County. We have a fantastic backlog of cases



building up and are very short of judges. The only way this problem can be coped with is to create a single circuit county in Lake County as we did many years ago in DuPage County. This Bill would create a single circuit judicial circuit for Lake County, Illinois as we now have in Cook County and in DuPage County. It would also give us two additional judgeships in Lake County in order to cope with the backlog. If anyone has conferred with Judge 'Gully', our chief court administrator in this state, he will concur with the fact that Lake County, at the present time, has probably one of the more difficult tasks of any county in the state in trying to keep up with our work load. Even in Cook County, the judge-case ratio, I believe, is better than it is in Lake County, Illinois. In order to create a single circuit county in Lake, we have changed some of the other counties, and I would point out to you that the House Amendment that was originally put on this Bill has been tabled. It is no longer in effect, and that the original Bill is now in effect which would create a single circuit county in Winnebago County and take McHenry and Boone and put those two together as a single circuit. It's my understanding that the judges in McHenry County favor the concept of a new circuit for themselves with Boone. I believe there is only one judge in Boone County. I don't really...I haven't conferred with him, but in my counsel with the various Legislators from Winnebago County, they also concur. They have a problem similar to Lake County. It is not as severe. We would be anticipating three or four years in advance. To those people who would question the fact of whether there is a general review of all judicial circuits in the state, I would point out to you that although this is being studied by the Judiciary Committee, the problem in Lake County today is so severe that quite frankly, we can't wait. We've got a very severe problem up there, and until this is



taken care of by the creation of a single circuit as we've done in Lee Daniels', and Gene Hoffman's, and the Speaker's county, we will have a continuing problem. I would urge the passage of this Bill."

Speaker Redmond: "Any discussion? Representative Getty."

Getty: "Will the Gentleman yield? What is the position, Ron, of the administrator of the Illinois courts?"

Griesheimer: "When last I talked to him, this was last year when I was preparing this same Amendment to Senator Daley's Bill, his position was no position. He said that he would not take a position on this. He recognized the problem in Lake County as being very severe. He also favors the concept of a general complete change of all circuits in the State of Illinois, but it's a long term operation as we both know, Mike. It will probably be a two year process before we can even approach that subject. It will have to be studied by the Legislature and also the Bar Associations and the Judiciary. The problem we have in Lake County is...I don't believe I've ever seen you up there practicing, but a good many of the attorneys that are in Chicago that come up there, I'm sure, will attest to the fact that we have for instance, one judge handling five and six different major subject areas, probate, small claims, and there is just not enough judges to cover it any more. Lake County, I believe, is now the fastest growing county in the state, and in some parts of our county itself, we're the fastest growing in the nation, and there is just no way that we can keep up. And there is no surplus judges in other parts of the state to assign to us when there is a vacancy. In one...in one small area, Judge 'Gully' did assign a judge from the Peoria area to come up and sit in for a vacancy for a while, and he said he was four times as busy in Lake County as he was down in the Peoria area. So it is a very very severe problem, and although I sympathize with the need for a general reform throughout



the state, I just don't feel that we can wait."

Getty: "Well, as I understand it, this would affect Winnebago County, Lake County, McHenry County, and Boone County. Is that correct?"

Griesheimer: "That's correct. The references in the first House Amendment were deleted when that Amendment was tabled."

Getty: "Thank you."

Speaker Redmond: "Anything further? The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there's 121 'aye', and two 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 2082, Sharp. 2010, Representative Taylor. I looked for him in the back row, and he wasn't there."

Clerk Leone: "House Bill 2010, a Bill for an Act to create an Act in relation to the Work Study Program for high school students, Third Reading of the Bill."

Speaker Redmond: "Representative James Taylor."

Taylor: "Thank you, Mr. Speaker and Members of the House. Could I have leave to have 2011 heard, ...companion Bill?"

Speaker Redmond: "Does the Gentleman have leave to have 2010 and 2011 heard together? Hearing no objection, leave is granted. Read 2011, Mr. Clerk."

Clerk Leone: "House Bill 2011, a Bill for an Act making appropriations for the Work Study Program for high school students living in areas of high unemployment, Third Reading of the Bill."

Speaker Redmond: "Representative Taylor."

Taylor: "Thank you, Mr. Speaker and Members of the House. House Bill 2010 and 2011 creates the work...a Pilot Work Study Program for high school students living in areas where unemployment is 20% or better. This Bill has been passed before through this House and through the Senate, and it was vetoed. There has been some changes made in this





Bill as this present time. I think it is a needed piece of legislation, especially in the areas such as mine and many other areas throughout the state where the unemployment is at an all time high. I think it will 'enhance' the schools...the students to stay in school and continue his education. I think it will solve some of the problems of many of the students in my area that complain because they cannot find employment that they will not continue at school. I think that it will also help the neighborhood, especially where parents are... cannot afford to give their kids the extra incentive that they need. This will also help enhance the business in our community and further the work force. Mr. Speaker and Members of the House, I solicit your support for House Bill 2010 and House Bill 2011."

Speaker Redmond: "Any discussion? Representative Leinenweber."

Leinenweber: "Thank you, Mr. Spekaer. I rise reluctantly to oppose House Bills 2010 and 2011. This is an effort to spend state funds, taxpayers funds, about \$200,000 which in itself isn't so much except it is an effort to spend these funds in order to try to eliminate a problem that we have both in the state and the federal level created. And that is, of course, the elimination of youth employment opportunities through the constant enact...original enactment and the constantly raising of the minimum wage. Now this, of course, shows the absurdity of the minimum wage. We are forced to subsidize jobs in the private sector with two dollars an hour, apparently, because of the fact that the minimum wage pushes...a governmental Act pushes the wage up into the level where it must be subsidized. This is a very circuitous type of Bill which ends up costing the taxpayers money in an absolutely needless way. If we wanted to solve the youth unemployment problem, we could go a long way by eliminating the minimum wage in its entirety, or at least provide for a



youth exception to the minimum wage so that the jobs of my youth, and many of the others here such as ushers in movie theaters and that type of job could, once again, be available to our young people. It seems to me... absolutely no sense to spend taxpayers' money to try to solve a problem which we have created through other legislation."

Speaker Redmond: "Any further discussion? Representative Taylor to close."

Taylor: "Thank you...thank you, Mr. Speaker and Members of the House. I am sorry that the Representative found that he has to get up and oppose the youth of our state. If we don't help them, then we are a lost cause. The businessmen in my area have often complained that they cannot get enough work out of high school students for the minimum wages that he should have to pay. But under this Bill, it would give him the opportunity to hire two persons for the same price that he paid for one. I urge your support to help the young people of the State of Illinois, and this is the place that should help it and with taxpayers' dollars. I solicit your support for House Bill 2010 and 2011."

Speaker Redmond: "The question is 'Shall these Bills pass?'. Those in favor vote 'aye', opposed vote 'no'. Representative Henry..."

Henry: "Thank you..."

Speaker Redmond: "To explain his vote."

Henry: "Thank you, Mr. Speaker. Just to briefly explain my vote, I heard the Gentleman from Joliet mention about taxpayers' money for education and jobs. Well I would certainly rather spend taxpayers' money for education and good work habits and reduce the crime in our community."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Listen...Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I personally believe that this is



probably one of the most critical areas that is facing not only the people in the State of Illinois, but of the nation. If you take a look at the statistics within the State of Illinois in unemployment, and especially among young adults in the high unemployment areas, the unemployment figures presently within the state reflect a three or four month backlog. But when you take a look at the unemployment figures for young adults, especially in the black communities throughout this state, it is a crying shame that the State of Illinois has not been working in this area long ago. Representative Taylor has tried very...very diligently in order to promote an impact in promoting the work programs for the young adults in this state. This Bill deserves your support. It deserves a 'yes' vote. Thank you."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 96 'aye', and 36 'no'. These Bills having received the Constitutional Majority...hereby declared passed. How about 20...2022, Mr. Taylor. You want that called? Out of the record. 2105, Yourell. You want that called? Out of the record. 2119, Representative Stanley. Midnight closing, is that what this one is? Out of the record. 2136, Representative Campbell."

Campbell: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2136 was a Bill which we didn't get to in the last Session of the Legislature, and it simply does this, it amends the Illinois Government Ethics Act. It raises from 20 to 30,000 dollars the amount of compensation a person must receive before being required to file a written statement of economic interest. Now since 1972 that this Act went into effect, we've had quite a bit of inflation. There are any number of people who are now filing these economic interest statements with the county clerk and with the state who were not originally included, who were not up to the \$20,000 limit. And they



have now gotten up to 25, even carpenters, engineers, plumbers, police force, and as a matter of fact, we are now filing thousands and thousands of these reports that are not...that are simply collecting dust, both in the Secretary of State's office and also in county clerks throughout the State of Illinois, and I certainly don't think it changes the intent of the original legislation since it was adopted in 1972, and I ask for your favorable support."

Speaker Redmond: "Any discussion? Representative Currie. Will you yield to a question, Representative Campbell? He will."

Currie: "...We're still covered under Act even though you raised the salary...elected officials are all covered regardless of the change of income limitations?"

Campbell: "It only applies to employees."

Currie: "Okay, thank you. I support the Bill."

Speaker Redmond: "Anything further? Representative Hallstrom."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Bill. I have had calls from local officials within my own district who are very concerned about the extra amount of paper work that is being done that had nothing to do with the intentions of the original legislation. The fact that the \$20,000 is no long...longer a real figure as far as what policemen earn, firemen, bus drivers, garbage pick-up men...that was not the real intention of that original Bill, and I hope that you will please give a 'yes' vote to this legislation. Thank you."

Speaker Redmond: "The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Oh yeah, will you read the Bill, Mr. Clerk?"

Clerk Leone: "House Bill 2136, a Bill for an Act to amend the Illinois Governmental Ethics Act, Third Reading of the Bill."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 111 'aye', and 12 'no'."



The Bill having received the Constitutional Majority... hereby declared passed. 2182, Representative Robbins. Robbins, 2182, out of the record. 2218, Farley, out of the record. 2219, out of the record. 2221, Representative Taylor...out of the record. 2222, out of the record. 2224, Taylor,...Taylor, 2224,...out of the record. 2225, out of the record. 2272, Representative Kane... out of the record. 2275, Daniels...Representative Daniels...2275, out of the record. 2316, McPike... McPike...out of the record. 2383, Representative Dyer... 2383 amends the County Act and County Board Act. Representative Catania, do you want to handle that for Representative Dyer? You want to...out of the record. 2453, Representative Langdon Patrick, out of the record. 2475, Representative Gaines...out of the record. 2495, Leverenz. Leverenz, out of the record. 2496, Leverenz, out of the record. 2497, Leverenz, out of the record. 2502, Patrick ...out of the record. 2512, Laurino,...Representative Laurino...out of the record. 2524, Hanahan, out of the record. 2530, Pierce...2531, Leverenz, out of the record. 2536, Representative Schlickman...delegates the... national convention. Out of the record. 2572, Representative Anderson...Anderson on the floor? He was a little earlier...out of the record. 2580, Giorgi,... out of the record. 2607, Representative Currie...out of the record. 2611, Lechowicz...Representative Lechowicz, 2611, out of the record. 2612, Lechowicz, out of the record. 2621, Representative Bower,...out of the record. 2656, Leverenz, out of the record. 2657, Laurino, out of the record. 2703, Representative O'Brien...Preston on the floor? You want to handle that? 2704, out of the record. 2710, Garmisa...not here I guess...out of the record. 2720, Representative Breslin...2720."

Clerk Leone: "House Bill 2720, a Bill for an Act to amend the Election Code, Third Reading of the Bill."

Speaker Redmond: "Representative Breslin."



Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill allows registration forms to be printed on computer cards rather than the standard binder cards which are filled out by hand. The information contained on the card would be exactly the same of that which is required in the binder. The State Board of Elections supports this Bill. It is permissive, not mandatory,, and I think it would encourage efficient and convenient record-keeping in those counties that wish to use it. I request a favorable Roll Call."

Speaker Redmond: "Any discussion? The question is 'Shall this Bill pass?'. 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's 113 'aye', and four 'no', and the Bill having received the Constitutional Majority...hereby declared passed. 2723, would you read the Bill, Mr. Clerk? You going with that, Representative Daniels? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2723, a Bill for an Act to amend the Illinois Income Tax Act, Third Reading of the Bill."

Speaker Redmond: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2723 amends the Illinois Income Tax Act and as amended provides for exemption of charitable remainder annuity trusts and charitable remainder unit trusts except as it relates to unrelated business income and provides the distributions by such trusts. The non-charitable beneficiaries will be taxed. This Bill conforms the state law to federal law that does not at the present time conform. It has been supported by the Chicago Bar Association. The Department of Revenue has taken a 'no' position' on this Bill. It came out of Revenue Committee and 17 to one, and I would urge your adoption of this Bill."

Speaker Redmond: "Any discussion? The question is 'Shall this Bill pass?'. Representative Kane...Representative Kane."



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

Speaker Redmond: "He will."

Kane: "What kinds of tax breaks does this give to what kinds of people?"

Daniels: "As I stated in the adoption of this Bill, it follows the federal rule and provides that a charitable remainder unit trust and annuity trust are exempt from taxation except as to any unrelated business income. It creates... it corrects two technical deficiencies in the Illinois Income Tax Act. I can go through those technical deficiencies for you. It is not meant to benefit any particular business interest, but it does exempt from taxation any amount ~~distributed~~ to the non-charitable beneficiaries that are subject to taxation. I guess you would have to lose...look at each one, but it adopts the federal rule that is currently in existence right now."

Kane: "But...there's...there a lot of things in the Illinois Income Tax Act that do not follow the federal statute and generally, we've tried to keep the Illinois Income Tax Act free from these kinds of deductions, and individuals don't get a deduction for their charitable contributions, and I'm not sure why..."

Daniels: "Let me see if I can explain it to you this way..."

Kane: "Yeah, in...in non-legal language so that I can understand it."

Daniels: "Well, it is very difficult because it is a very technical legal Bill. After the Illinois Income Tax Act became law, Congress enacted the Tax Reform Act of 1969 which introduced two new entities into the law. These two entities were: the charitable remainder unit trust and the charitable remainder annuity trust."

Kane: "What are those?"

Daniels: "Because...because the remainder interest of these entities are for charity, they are expressly exempt from taxation under Section 6...64 of the Internal Revenue Code. Now the non-charitable beneficiaries of



these entities, however, continue to be taxed as under Illinois law, but not under federal law. So what we're doing, because of the new introduction of these two types of trusts which are very technical in nature, and because they came into adoption after the Illinois Income Tax Law was passed, we are asking that the Illinois Law comply with the federal law."

Kane: "It's a charitable..."

Daniels: "Charitable..."

Kane: "Okay, it is the non-charitable entities that you're exempting though. Right?"

Daniels: "We are exempting the taxation, and the non-charitable beneficiaries from these entities. However,..."

Kane: "Okay, the non-charitable entities..."

Daniels: "They continue to be taxed."

Kane: "Well, that's not what you said."

Daniels: "Alright, let me say it again. The non-charitable beneficiaries of these entities, however, will continue to be taxed on distributions from them. The non-charitable beneficiaries of these entities will continue to be taxed on distributions from them."

Kane: "Okay, and who will not be taxed...that is presently being taxed?"

Daniels: "Why don't we take it out of the record. I'll go through it if you'd feel better about it."

Speaker Redmond: "Out of the record. 2738, Representative Bowman."

Clerk Leone: "House Bill 2738, a Bill for an Act to amend Sections of the Election Code, Third Reading of the Bill."

Bowman: "Thank you, Mr. Speaker, Members of the House. This Bill has already been enacted into law as an Amendment to another Bill that we passed last Spring, and at that time I promised the Members of the House that if that were to come to pass, that I would table this Bill so





it would not be used as a vehicle for some other purpose, and on the basis that assurance, the Amendment was adopted and the Bill was ultimately enacted into law and signed. So at this time I would like to ask leave of the House to table House Bill 2738. Mr. Speaker, I ask leave of the House to table House Bill 2738."

Speaker Redmond: "The Gentleman asks leave to table 2738.

Are there any objections? Hearing none, it is tabled. On page 15, Conference Committee Reports appears Conference Committee report with respect to House Bill 2184. Representative Chapman."

Chapman: "Mr. Speaker, I move the adoption of Conference Committee report #1 to House Bill 2184. This is a bi-partisan Bill sponsored by Chapman-MacDonald-Mugaliany-Stanley, and in the Senate by Senator Graham. It passed the House by 108 votes, and the Conference Committee in the Senate was adopted by 51 votes. What we need to do today is to adopt the Conference Committee report. This relates to a local problem affecting our Harper Community College. It amends the Public Junior College Act to authorize community college districts to use the balance of the sale of property for any purpose of the district after paying that portion of the principal of any bonds expended to acquire such property. I move for adoption of the Conference Committee report."

Speaker Redmond: "Is there any discussion? Representative Walsh."

Walsh: "I wonder if the Lady would take this out of the record for a few minutes. There is some question about it."

Speaker Redmond: "Representative Daniels. Did you hear..."

Chapman: "Yes, Representative Walsh had asked that it be taken out of the record and if there's time to do this, I certainly would be happy to oblige the Gentleman."



Speaker Redmond: "Well, what do you want to do? Take it out of the record?"

Chapman: "If I'd...I'd like to be able to...can we come back to it, Mr. Speaker, or are we about adjourned?"

Speaker Redmond: "Yeah, we'll get back. I don't know whether I can make it today, but I'll sure try."

Chapman: "I hope..."

Speaker Redmond: "I've always found that Representative Walsh is reasonable...so..."

Chapman: "He's an eminently reasonable man. I've always found Representative Walsh to be reasonable."

Speaker Redmond: "And respected, too. And respected, too."

Chapman: "And very highly respected. I'm wondering what his question is so that possibly I could respond to it."

Speaker Redmond: "That isn't staff. That's Representative Leinenweber. 524, Representative Huff. Representative Huff, Conference Committee report 524...out of the record. 905, Representative McGrew...McGrew, out of the record. 925, Skinner, out of the record. 1325, Representative Robbins."

Robbins: "Mr. Speaker, I wish to move to adopt this Conference Committee report."

Speaker Redmond: "Is there any discussion? Any discussion? Representative Kane."

Kane: "Would the Sponsor explain to us what the Conference Committee report does?" Would the Sponsor explain to us what the Conference Committee report does?"

Robbins: "The...the Conference Committee report agrees with the Bill as it comes back to the House from the Senate. The Bill gives the road commissioners in a district the right to issue a ticket to someone that is in violation of the use of the roads on 'lakes'..."

Speaker Redmond: "Are we all set on 1325? Representative Robbins has moved that the House adopt the first Conference Committee report to House Bill 1325. Those in favor vote 'aye', opposed vote 'no'. Have all voted



who wish? This is final passage. The Clerk will take the record. On this question there's 106 'aye', and no 'nay', and the House does adopt the first Conference Committee report to House Bill 1325. Representative Lechowicz, 'aye'. Representative Dunn...Dunn."

DunnJ.: "Mr. Speaker, these Conference Committee reports are not on the desks. There's a lot of noise here. This whole area of the room couldn't hear what was going on. We don't even know what that is yet."

Speaker Redmond: "The problem is that nobody called it to the Chair's attention. I asked if there was any further discussion. You had your lights on? Well, okay. Somebody moved to reconsider. Representative Satterthwaite. Representative Satterthwaite having moved...having voted on the prevailing side moves to reconsider the vote by which the first Conference Committee report was adopted. Those in favor indicate by voting 'aye', opposed by voting 'no'. Well I... It's a mix-up is all, Representative Schlickman. We're trying to get back to the first base and see where we go. The Clerk will take the record. On this question there's 99 'aye', and 12 'no', and the motion carried. Now Representative Robbins on the Conference Committee to House Bill 1325."

Robbins: "As I explained earlier on this Bill, this Bill allows a road commissioner the right, instead of having to call the sheriff out to write you a ticket if you're dumping salt water on the road as they do in Southern Illinois, or if you are moving...heavy loads over the township roads and the county roads. This gives them... this gives them the right to issue a ticket just as if you were the sheriff. Now, some of you people that live in the cities and don't realize what this Bill amounts to...in...in some of our townships in Southern Illinois we have as much as \$5,000 to keep up a whole township. And the weight limits and the other are abused because



they are not allowed the proper amount of police to patrol the county. Some of the small counties in Southern Illinois have two officers. So this allows a man... that when he goes out and posts a road, to see that the road is protected, and that your tax dollars are protected."

Speaker Redmond: "Representative Getty."

Getty: "Mr. Speaker, Members of the House, I rise in opposition.

I would call to the attention of the Membership that the Conference Committee report is signed by only six Members. I call it to the attention of my colleagues on the Democratic side that none of the House Members on the Democratic side signed this Conference Committee. As a matter of fact, this was very hotly debated. It shouldn't be easily passed. I think it is a very very definite step into the unbeknown. We are, for the first time if we would pass this, give a highway district commissioner the authority of a Legislative Body. This isn't something that should be slightly passed as we roll through motions this afternoon. This is a very significant step. I am going to oppose it. I am going to suggest that it go back to a second Conference Committee, and at that time we may be able to reach some sort of an agreement."

Speaker Redmond: "Representative Johnson. Representative Johnson, the Gentleman from Champaign."

Johnson: "I have a question or two of the Sponsor. Representative Robbins, what...maybe I didn't understand fully. What public officers are vested with additional authority to make arrests here that don'e have that authority now?"

Robbins: "The township roads commissioner."

Johnson: "The township roads commissioner has the authority to make an arrest?"

Robbins: "Has an authority to write a ticket on the road. He has authority at the present time to detain you. He does not have the authority to write the ticket."

Johnson: "So you're saying then that he would be given the authority for the purposes set forth in this Act equivalent



to the power and authority of a state policeman to make...  
to write tickets for speeding. Is that right?"

Robbins: "This...this Act here applies to your rules on your weight..."

Johnson: "I understand that. I am just saying, he's given the same authority as a state police officer would. Right?"

Robbins: "No. He has the authority of a county officer."

Johnson: "Pardon."

Robbins: "He has the authority as a...as a township..."

Johnson: "Let me restate the question. With respect to the ability...with respect to his ability to make arrests within his jurisdiction, he has the same authority as a police officer would except in a more limited jurisdiction. Is that right?"

Robbins: "Yes."

Johnson: "Would it be your intention to vest a township road official not only with the ability to write tickets, but all those 'accrued erments' that normally surround the... an arresting officers ability to make arrests including the right to...well, you know what they are. All those other...all those other rights that someone has?"

Robbins: "No, and I don't think it is...I don't think the Bill is worded that way."

Johnson: "Well, wouldn't you say this is a substantial departure from our normal practices vesting township officials with basically arrest authority, whether you call it a ticket or whatever, it is still legally an arrest. Don't you think this is a pretty substantial departure from practice of the past?"

Robbins: "Your town...your township man has the right at the present time to detain a person on the road, but he does not have the right to make the arrest. He has to call the county sheriff."

Speaker Redmond: "Representative Bluthardt."

Bluthardt: "Wonder if the Sponsor will yield? In the case of a highway commissioner, who sets the regulations...enacts



the ordinances?"

Robbins: "The...the ordinances are set by statute and by the town board."

Bluthardt: "The ordinances are enacted by the town board?"

Robbins: "The ordinances are set by statute...by the law."

Bluthardt: "Ordinances are enacted through the town board... legislative practice. Is that right?"

Robbins: "The ordinances are set by the state...are set by the State of Illinois on your roads in these little areas."

Bluthardt: "Well..."

Robbins: "The Legislature itself sets the ordinances."

Bluthardt: "Well, I don't accept that, but the point I want to make out...is that if you're going to have an overweight on a township road, you're going to put an overweight limitation, say a ton and a half, who establishes that ordinance? The town board?"

Robbins: "The town...the town board can. The county can, and the road commissioner can, and the law of the state says the number of days that it can be set for the road."

Bluthardt: "Well, the point that I was trying to bring out is you're not giving the highway commissioner legislative authority to enact ordinances by this law."

Robbins: "No. It only goes as far as the statutes that are already on the books."

Bluthardt: "And you propose to give the highway commissioner, only the highway commissioner not his employees, the authority to make arrests for violation of those ordinances."

Robbins: "That is correct."

Bluthardt: "Okay, thank you."

Speaker Redmond: "Representative Lev...Leverenz."

Leverenz: "Would the Sponsor yield?"

Robbins: "Yes I will."

Speaker Redmond: "He will."



Leverenz: "What does it delete from the Rules of the Road. The Bill does delete something from the Rules of the Road."

Robbins: "I'll have to pull that part of it out. I had that... I'm not prepared to answer that at the present time."

Leverenz: "Pardon me."

Robbins: "I said I can't give you the answer on that right now."

Leverenz: "Well, let me ask a different question. This allows them to issue tickets and arrest."

Robbins: "This would allow them to issue the ticket."

Leverenz: "It would or would not include the arrest power?"

Robbins: "It would not include the arrest power is the way I understand it."

Leverenz: "When they are issuing the tickets, are they going to have blue uniforms on?"

Robbins: "I..don't believe so."

Leverenz: "Would they have Smokey the Bear hats and guns and stars? How about red lights on the tops of their cars?"

Robbins: "I'm afraid that I came from far enough south that you don't have to worry about too many of them."

Leverenz: "Well, I knew how you felt about red lights in as much as I had a Bill previously that dealt with red lights, but would they have red lights on their cars, and a big insignia on the side, and blue uniforms or brown uniforms?"

Robbins: "This is not an attempt to make a policeman out of a road commissioner. This is an attempt to allow the road commissioner to stop some of the people in the area from polluting the roads and the roadsides, and from moving weights over the roads which totally destroy them in this weather. At the present time, there isn't any way that you really get your laws enforced."

Leverenz: "Don't you think that the highway...the road commissioner would have to pull these offenders over to the side as they were doing this so he could issue the ticket?"

Robbins: "He has the right at the present time to move an of-



fender over to the side without anything at all and to detain him on that road."

Leverenz: "Then, it does provide that he can do that. Why doesn't he just call the police and have the police issue the ticket rather than to extend that authority to the roads commissioner? Because you are, in fact, giving him police power."

Robbins: "How...how many of your road commissioners are fed up with two way radios and calling the police. All he can do at the present time, he can take a license number and report it to the police and swear out a warrant."

Leverenz: "Don't you think that is the proper way of doing it?"

Robbins: "If I had, I wouldn't have introduced the Bill."

Leverenz: "Would you be coming back asking for uniforms and red lights for these people?"

Robbins: "I don't think that would be necessary."

Leverenz: "How about two way radios?"

Robbins: "I have...I haven't asked for that at all."

Leverenz: "I'm sorry."

Robbins: "I have not asked for that."

Leverenz: "Yet...how about whistles. Maybe they'll pull them over by waving a handkerchief."

Robbins: "That's what they do now."

Leverenz: "Thank you."

Speaker Lechowicz: "Any further discussion? The Gentleman from Cook, Mr. Ewell. Mr. Ewell."

Ewell: "Could the Sponsor enlighten us as to how many roads... county roadship commissioners there are in the state?"

Speaker Lechowicz: "The Gentleman from Wayne, Mr. Robbins."

Robbins: "No, I...I cannot. There are..."

Ewell: "How many..."

Robbins: "There are 29 in my county."

Ewell: "Alright, what procedure...I have a question as a..."

Speaker Lechowicz: "Proceed."

Ewell: "...Civil libertarian. What would be...suppose one of





these county road commissioners became a 'robber baron', and simply decided to, you know, pick up...stick up the trucks literally because they were overweight and tell them you've got to go back 50 miles and be weighed and be delayed off your job, you know, etcetera, etcetera, what authority then would the state have over them in terms of trying to either fire these elected officials?"

Robbins: "The state does not have the right to fire an elected official, but there is...the roads when they're posted now or whenever...as...you don't have to worry about it in your area, but whenever they come out and dump enough salt water in your roads to...along your roads and in your ditches to pollute the creeks to where you can't use the water out of a stream for city water, something must be done. And...all...all they have is the statute to impose which is set by the State Legislature."

Ewell: "Well, the question was, if you had one of these county roads commissioners go bad and decide that he was going to supplement his income by stopping trucks, people, you know, harrassing the public etcetera, how could we, the state, handle them? In other words, what could we do towards firing them since they are elected officials and not under any code?"

Robbins: "You...you can't fire township roads commissioners. They can be...taken back by a recall election as you are well aware. The statutes of the State of Illinois will protect the people from this. Are you familiar with the...with the weight statutes on the township roads and..."

Ewell: "Yeah, well I'd like to speak to it very briefly."

Speaker Lechowicz: "Please proceed."

Ewell: "Ladies and Gentlemen of the Body, it appears to me that you are now getting into a very dangerous area. You are deciding to give local officials with...without marked cars, without being...notifying the public who they are or what their particular status is, you're giving them the



life and death control of the trucking industry of the state. Now it might be well said to do this where we could trust everybody and believe in them, but believe me, if time proves us right, you will catch one or two robber barons who decide now to abuse their authority to take it out upon the truckers, the people who are forced to use the highways. I think that you have an adequate system now, and unless these people underwent training, proper types of training in law enforcement, authority and the like, I would hesitate to venture further into this type of authority for people with no training. I don't believe...I believe that if a single polluter were responsible, the state or the county would have remedy by going to the courts and getting an injunction against them, and I believe in this instance what we're attempting to do here will only serve another series of scandals in the future. I would like to avoid that, and I think that it is illadvised at this time to make this type of police extension without the proper safeguard to the public."

Speaker Lechowicz: "The Gentleman from Henry, Mr. McGrew."

McGrew: "I move the previous question."

Speaker Lechowicz: "The Gentleman has moved the previous question. All in favor signify by saying 'aye', 'aye', opposed. The previous question has been moved. The Gentleman from Wayne, Mr. Robbins, to close."

Robbins: "It would be nice if the trucking industry in the State of Illinois would consider the dirt, gravel, and oil roads that we have in Southern Illinois. Though most of the trucking industry in the State of Illinois travels the major highways. All the roads...all these commissioners would have would be the right to enforce the local weight limits on these roads. Now, this will not affect the majority of the people sitting in this House. It is... it is a very tiresome and hard job to go out and try to catch the people, and as...as they said, it isn't one



person, there are several that pollute our roads with salt water and that kind of stuff over these southern counties where the oil is produced, and this Bill is needed. So I want to request that you approve it."

Speaker Lechowicz: "The question is 'Shall the House adopt the First Conference Committee Report on House Bill 1325? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 44 'ayes', 67 'nays', six recorded as 'present', and the House does not concur in the First Conference Committee Report on House Bill 1325...is hereby...is hereby declared lost. House Bill 2184, the Lady from Cook, Mrs. Chapman."

Chapman: "Mr. Speaker and Members of the House, this is House Bill 2184. It is a bipartisan Bill that has been submitted to you by Representatives MacDonald, Chapman, Stanley, and Mugalian. It was sponsored in the Senate by Senator Graham, passed comfortably in the House, over in the Senate they wanted additional protections in the Bill. We arrived at an agreement in a Conference Committee Report on the last day of the Session. The Senate has approved the Conference Committee Report by 51 votes. All that is needed is 89 votes on this good Bill which will help Harper Community College in the northwest suburb of Cook County. Harper bought a second site. At the time, it seemed that we were going to require a second campus for Harper Community College. Subsequent events made it quite clear that we did not need a second site. This college board would like to sell the present site; however, the only thing the law will allow them to do if they sell the second site is to put it in the building fund, and they don't need it in the building fund. They would like to use their discretion as the elected trustees of this local educational body to decide after the bonds are all paid off, what is the best way authorized by law



that they could use these dollars left over from the sale of the second campus. This is a good local control Bill. All that this Bill does is to say that the local board of the community college, if they sell property they don't need, after they pay off all the bonds, can put the money left over in the funds that this local elected board determines is the best place for it, except, five of the seven have to do that, and there are provisions for a back door referendum. I hope that you put 89 votes on this Conference Committee Report to help Harper Community College and help the Legislators from the northwest suburbs in serving the needs of their local governmental bodies. I move for the adoption of Conference Committee Report #1 to House Bill 2184."

Speaker Lechowicz: "Any discussion? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I would like to address one question to the Sponsor."

Speaker Lechowicz: "She indicates she will yield."

Hoffman: "It is my understanding, Representative, that if we don't pass this Bill, and they do in fact pay off the bonds and have money left over, there is no authority for them to do anything with the money. Is that correct?"

Chapman: "The authority would be to put it in the building fund, and they really don't need it there. You're right, Mr. Hoffman."

Hoffman: "Fine, thank you very much."

Speaker Lechowicz: "Any further discussion? The Gentleman from Cook, Mr. Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, it is with a great deal of reluctance that I rise to oppose the young Lady's Bill. I do it only for the reason that I understand that some of you people are running for office, and it is in your interest to vote in a fiscally responsible manner. What we propose to do here



is to give the money that was the taxpayers' in this community college district, and in all community college districts, an opportunity to spend for operations what the taxpayers have been led to believe would be spent for capital. I submit to you that that's a deception, Mr. Speaker, whether it is done by the school board, or whether it is done by us, it should not be allowed. Now, Mr. Speaker, I have no objection to something being done with this money, and I proposed to the young Lady when she was over talking about the Bill, that perhaps what we could do in legislation and in this Session, and so that we could get rid of the money as quickly as possible, and for all other community colleges, what we could do is permit money that had been acquired for capital to be used to retire bonds that are issued for other purposes. This was unacceptable to the Lady. She wanted the school board...the junior college board to be able to spend the money in any way that they saw fit. I suggest to you that that's not responsible on our part. I suggest to you that it is wrong for her to limit this to Harper Junior College District. It applies to every junior college district in this state, and if I were you, and I were running for office, I would watch my step, and I would certainly vote 'no' on this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Pechous. Mr. Pechous, your light is on. The Lady from Cook, Mrs. MacDonald."

MacDonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to support the acceptance of this Conference Committee Report. I was the chief Cosponsor of this Bill, and the situation at Harper is not deceptive. It will allow elected local officials to make determinations for the people of that area with a back door referendum for the needs that are so crucial to the support of Harper Junior College, as a matter of



fact, of any junior college, and I do not feel that it is deceptive whatsoever. I feel that...that with educational needs such as they are today, that it is entirely within the right of the board to make those decisions and it is very important for us to let the local officials decide how that money will be spent."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Mugalian. The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "It isn't often that I disagree with my esteemed seat mate, but I think that she is really on the wrong side of this Bill. Perhaps it is a local matter with her, but in any event, we are here, we have a piece of property which apparently is no longer in use by a school district. They want to sell it which is commendable. No one objects to the fact that they want to get rid of excess property, but this is capital money raised previously through a bond issue. And what should they do with the \$2,000,000 or so which is going to be raised through the sale of this land? Now it seems to me in this day and age, at least as far as my area, people are concerned about taxes. It seems to me that if a school district comes up with a bonanza in the form of a \$2,000,000...proceeds of a sale of real estate, that the first thing they ought to think about and the first thing we ought to think about when we authorize them to get rid of this is what they should do with the proceeds. Now they want to be very flexible and use them for whatever purpose they want, but I should suggest the best purpose, and I suggest this very strongly to all the Members of the Legislature, the best purpose for this \$2,000,000 or so would be to abate their tax levy and provide tax relief in the form of real estate tax relief right now. So I urge that we do not support this Conference Committee Report, and send them back, and let them perhaps sell this, but to abate their tax levy."

Speaker Lechowicz: "Any further discussion? The Lady from



Cook, Mrs. Chapman, to close."

Chapman: "I've had the honor of serving in this Body since 1964 with Mr. Walsh, and I'm so glad he didn't break his record today by supporting a Bill which, I suppose, . . . This is a good Bill. It is a local control Bill. It helps the ~~northwest~~ suburban community college that has been very careful in its expenditure of the dollars which the taxpayers have provided for them. This is money which they will be able to determine, if five of them agree, to use in a way that is in the best interest of the college rather than to be placed in a fund where there is no need for this amount of money. Please vote 'yes'."

Speaker Lechowicz: "The question is 'Shall the House adopt the first Conference Committee Report on House Bill 2184?'. All in favor vote 'aye'. All opposed vote 'nay'. The Gentleman from Henry, Mr. McGrew, to explain his vote."

McGrew: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise to support House Bill 2184 as the Chairman of the Committee and also Member . . . served on the Conference Report. Simply what we have here is a junior college district whose needs changed and whose financial picture changed. They had purchased the site for additional campus, some years later found that it was totally unnecessary. They want the rights to spend the money within the junior college district to develop their programs. For those of you that haven't been following junior college district funding, I suggest you take a look at it. We're going to have quite a controversial Session on that very funding, and I think that Lakeland certainly deserves your support. I ask for you to vote 'yes'."

Speaker Lechowicz: "The Gentleman from Effingham, Mr. Brummer, to explain his vote."

Brummer: "Yeah, thank you, Mr. Speaker, Members of the House. I rise in support of this Bill. I don't understand why



those people who usually speak on behalf of the taxpayers are not speaking on behalf of the taxpayers and voting 'yes' with regards to this legislation. It seems to me ludicrous to...to provide that if...if property is sold that is no longer necessary, that those funds need to be held in the building fund, and that additional funds may be needed to...for the education fund that these funds then cannot then be used. The only alternative the board members would have then would be to raise additional taxpayers dollars through the education fund. I think they ought to be able to use the building fund...funds for whatever cause that they deem necessary and advisable rather than holding them in the building fund when they have no intention of doing any building. That would be an error. If you are interested in voting on behalf of the taxpayers, you will vote 'yes' with regard to this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Mugalian, to explain his vote."

Mugalian: "Thank you, Mr. Speaker. I think that the opposition of this Bill may be well intended, but I think it is a little doctrinaire, and a little puristic. All we're asking for is that the board, a locally elected board with locally raised tax monies be able to use it in a way that makes sense and not have to use it for building another building which it decides now that it doesn't need. There is...a slow down in the growth of students. The second campus will not be needed, and this board has used its good judgment, and said, 'We're not going to build something we don't need.' So there ought to be a way for the board to use these funds for other purposes and not have to increase taxes on the constituents of that district. I urge an 'aye' vote."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this





question there's 113...114 'ayes', 27 'nays', eight recorded as 'present', and the House does concur and adopt the First Conference Committee Report on House Bill 2184...hereby declared passed." House Bill 2410, Mr. Matijevich...take it out of the record. House Bill 2411, Mr. Matijevich,...take that out of the record. Senate Bill 185, Mr. Davis,...Mr. Davis...out of the record. 'Senate' Bill 1150, Mr. Dawson, out of the record. Any announcements?" The Gentleman from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker, with your permission may I ask the House to waive posting requirements that House Bill 2847 may be heard in Rules Committee today. The paperwork was done and presented, but evidently not in time to be printed into the daily...reference...2847 has a companion Bill, 2860 that is being heard today. I think they should be heard together. I received permission from the Leadership of both sides of the aisle and Mr. Katz."

Speaker Lechowicz: "Is there any objection? Hearing none, we'll use the Attendance Roll Call. The Gentleman's leave is granted on House Bill 2847 to be heard in Rules today. The Gentleman from Cook, Mr. Katz."

Katz: "Mr. Speaker, Ladies and Gentlemen of the House, announcing a meeting of the House Rules Committee in room 114 immediately after adjournment today."

Speaker Lechowicz: "Any further announcements? The Gentleman from Henry, Mr. McGrew."

McGrew: "Thank you very much, Mr. Speaker. Under Conference Committee Reports is House Bill 905. I move to table that as the chief Sponsor."

Speaker Lechowicz: "I'm sorry Sam, would you repeat that?"

McGrew: "Under Conference Committee Reports, House Bill 905, I am the chief Sponsor. I move to table the Bill."

Speaker Lechowicz: "The Gentleman asks leave of the House to table House Bill 905. Hearing no objections, the Bill is tabled. The Gentleman from Cook, Mr. Collins, for what



purpose do you seek recognition? Oh, okay. The Gentleman from Lake, Mr. Pierce."

Pierce: "I want to remind the Members of the House Revenue Committee, because Thursday is not our usual day, that we will be meeting tomorrow, Thursday, March 27 at 9 a.m. in room 118 right here in the Capitol building, House Revenue Committee tomorrow morning. I would appreciate the Members being there at 9 o'clock in the morning."

Speaker Lechowicz: "Any further announcements? Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 81, Madigan et al. House Joint Resolution 82, Bell. House Resolution 640, VonBoeckman. 642, Katz-Pierce. 643, Jane Barnes. 644, Wikoff. 645, Grossi. 647, Mahar. 648, Leon. 649, Yourell. 650, VonBoeckman. 651, Bower. 652, Jake Wolf. 653, Johnson. 654, Johnson. 655, Johnson. 656, Satterthwaite. 657, DiPrima. 658, Hallock-Giorgi-Simms. 659, Hallock-Giorgi-Simms. 660, DiPrima."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijevich, on the Agreed Resolutions."

Matijevich: "Mr. Speaker, Members of the House, House Joint Resolution 81, Madigan, asks the...that the system of text book selection be studied by the State Board of Education. House Bill...Joint Resolution 82, Bell, memorializes the President and Congress of the United States...index federal income brackets. 6...House Resolution 640, VonBoeckman, commends...or celebrates the 100th birthday of Martha Minnie Milkereit. House Resolution 642 asks the Illinois Economic and Fiscal Commission to study the utilization of electronic data processing equipment in connection with the criminal justice system. House Resolution 643, Barnes, observes the 25th anniversary of the <sup>dination</sup> ~~organization~~ of Father 'Getterg'. House Resolution 644, Wikoff, the...honors the 1970 Farm Leader of the year, Morris Gordon. House Resolution 645, Grossi, honors C.A. 'Lucky', and the Inter-



national Small Fry Basketball Organization. House Resolution 647, Mahar, celebrates the golden wedding anniversary of Marshall... 'Lupinski' and his wife. House Resolution 648 celebrates the 50th anniversary of 'Austin' Federal Savings and Loan, by Leon. House Resolution 649, Yourell, honors the retirement of William Cole from the Oak Lawn police department. 650, VonBoeckman, extends the reporting date of the Illinois Transportation Study Commission. House Resolution 651 salutes David L. Hart for his years as a trustee of the Illinois Eastern Community College. House Resolution 652, Jacob J. Wolf, marks the 62nd anniversary of the Belorussian independence. 653, Johnson, celebrates the 50th anniversary of the American Luthern Church in Rantoul. 654, Johnson, celebrates the 40th wedding anniversary... Mr. and Mrs. Mike 'Franson'. 655, Johnson, honors associate professor, Tom 'Kresan' of the University of Illinois. 656, Satterthwaite, recognizes and congratulates Joe 'Fisaro' due as the national mineral science award winner. 657, DiPrima, honors Alderman Anthony Laurino who was man of the year by the West Suburban 'Unicole' at its 21st annual dinner. 658, Hallock, congratulates Sandy 'Lenz' for her ninth place finish in the Lake Placid Olympics. 659, Hallock, congratulates Debby 'Genovese' for her performance in the Olympics. 660, DiPrima, congratulates again the American Legion. Mr. Speaker and Members of the House, I move the adoption of the Agreed Resolutions."

Speaker Lechowicz: "The Gentleman has moved the adoption of the Agreed Resolutions. Is there any discussion? All in favor signify by saying 'aye', 'aye', opposed. The Agreed Resolutions are adopted. Death Resolution."

Clerk O'Brien: "House Resolution 662, Tuerk, respects the memory of William J. Ziggy O'Connell, Kankakee. House Resolution 646, McBroom-Ryan, respects memory of Lenn H. Small, Kankakee."



Speaker Lechowicz: "What happened to...The Gentleman from Lake, Mr. Matijevich, moves the adoption of the Death Resolutions. All in favor signify by saying 'aye', 'aye'. Death Resolutions are adopted. Death Resolution for a former Member. The Body will please arise. The Clerk will read the Resolution."

Clerk O'Brien: "House Resolution 661, whereas this Body was deeply saddened by the death of our former colleague in the House of Representatives, the honorable John B. Brandt, and whereas Mr. Brandt served with honor and distinction in this Body of the General Assembly from 1969 through 1978, and whereas before coming to the General Assembly, Mr. Brandt was alderman of the 33rd Ward in Chicago, Illinois from 1943 to 1960 which he also served as Democratic Committeeman, and whereas he was on the Board of the Metropolitan Sanitary District which is...encompasses Chicago from 1960 to 1966 and was Chairman of its Finance Committee, and whereas we have missed him in this Body since 1978 and now we join with all who mourn his passing, and whereas he leaves a proud heritage in the persons of his wife, Agnes, a son, John Jr., three daughters, Dolores, Theresa, and Judith, brother, Henry, and a sister, 'Virg Kania', nine grandchildren and four great grandchildren. Therefore, be it resolved by the House of Representatives of the 81st General Assembly of the State of Illinois, that we express our deep sorrow upon the death of our former colleague in this Body, the Honorable John B. Brandt, Chicago, Illinois, that we extend our heartfelt sympathy to the Members of his bereaved family and be it further resolved that suitable copies of this preamble and Resolution be presented to his widow, Mrs. Agnes Brandt."

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

Leon: "Mr. Speaker, Ladies and Gentlemen of the House, it is with deep sorrow that I stand here and ask for adoption



of this Resolution in memory of our late colleague, John B. Brandt. Mr. Brandt served this Body with distinction. He also represented the people of his district in the greatest fashion that any man could. I would appreciate each member of this Body being maned be on the Resolution, and I move for its adoption.

Speaker Lechowicz: "The Gentleman asks leave of the House to include all the House Members. Leave is granted. The Gentleman moves the adoption of the Death Resolution. All in favor signify by saying 'aye'. The Death Resolution is adopted. In further respect, the Gentleman from Cook, Mr. Madigan, makes a motion that the House now stands adjourned until 11 o'clock tomorrow morning after giving the Clerk ten minutes for a perfunctory Session. All in favor signify by saying 'aye'. The House stands adjourned until 11 o'clock tomorrow morning. Thank you."

Clerk Leone: "Introduction of Bills, First Reading. House Bill 3119, Yourell, a Bill for an Act to amend the Illinois Municipal Code, First Reading of the Bill. House Bill 3120, Matijevich et al, a Bill for an Act to amend the Criminal Code of 197...1961, First Reading of the Bill. House Bill 3121, Kent-Friedrich, a Bill for an Act to amend Sections of the Revenue Act, First Reading of the Bill. House Bill 3122, Yourell, a Bill for an Act to amend an Act in relation to the shift of the composition of county boards in certain counties, First Reading of the Bill. House Bill 3123, Leon-Piel, a Bill for an Act to amend Sections of the Illinois Income Tax Act, First Reading of the Bill. House Bill 3124, DiPrima-Doyle et al, a bill for an Act to amend Sections of the Real Estate Brokers and Salesmen License Act, First Reading of the Bill."

Clerk O'Brien: "Rules Committee is meeting immediately in the Speaker's Office. Rules Committee to the Speaker's office please."

Clerk Leone: "Continuing with introduction of First Readings."



House Bill 3125, Conti-Collins, a Bill for an Act prohibiting strikes of public employees, First Reading of the Bill. The correction to that previous announcement. The Rules Committee will be meeting in Room 114, not the Speaker's office. Room 114 for Rules Committee.

House Bill 3126, Daniels, a Bill for an Act making appropriations to the Judicial Inquiry Board, First Reading of the Bill. House Bill 3127, McCourt-Hallstrom, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. House Bill 3128, Piel, a Bill for an Act creating the Interest Rate Limitations Study Commission, First Reading of the Bill. House Bill 3129, Hallstrom et al, a Bill for an Act to amend Sections of the Illinois Governmental Ethics Act, First Reading of the Bill. House Bill 3130, Murphy et al, a Bill for an Act to amend Sections of the Revenue Act, First Reading of the Bill. House Bill 3131, Ewing-Hoxsey et al, a Bill for an Act to amend Sections of the Election Code, First Reading of the Bill. House Bill 3132, Steczo-VonBoeckman, a Bill for an Act to amend Sections of the Illinois Vehicle Code, First Reading of the Bill. House Bill 3133, Schraeder, a Bill for an Act to amend Sections of the Fish Code, First Reading of the Bill. House Bill 3134, Schraeder, a Bill for an Act to amend Sections of the Revenue Act, First Reading of the Bill. House Bill 3135, Terzich, a Bill for an Act making appropriations to the Illinois Public Employees Pension Laws Commission, First Reading of the Bill. House Bill 3136, Yourell, a Bill for an Act to amend the Election Code, First Reading of the Bill. House Bill 3137, Leverenz-VonBoeckman, a Bill for an Act to amend the Illinois Vehicle Code, First Reading of the Bill. House Bill 3138, Walsh, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. House Bill 3139, Robbins-Watson, a Bill for an Act to eliminate certain occupation and use tax on



certain wood and coal burning stoves, First Reading of the Bill. House Bill 3140, Pierce-McPike-Mugalian, a Bill for an Act in relation to holding the funds collected pursuant to personal property tax replacement taxes, First Reading of the Bill. House Bill 3141, Ropp-Bower et al, a Bill for an Act to eliminate certain occupation of use taxes on soil conservation tillage equipment, First Reading of the Bill. House Bill 3142, Macdonald et al, a Bill for an Act to amend Sections of the Illinois Pension Code, First Reading of the Bill. House Bill 3143, Leverenz-Friedrich et al, a Bill for an Act to provide for the ordinary and contingent expenses of the office of Auditor General, First Reading of the Bill. House Bill 3144, Leverenz-Friedrich, a Bill for an Act to make appropriations for the ordinary and contingent expenses of the Legislative Audit Commission, First Reading of the Bill. House Bill 3145, McMaster, a Bill for an Act to amend Sections of an Act relating to the composition of the election of county boards in certain counties, First Reading of the Bill. House Bill 3146, John Dunn, a Bill for an Act to impose county, municipal, and regional transit authority use tax on items used in the operation of a manufacturing business, First Reading of the Bill. House Bill 3147, Terzich et al, a Bill for an Act in relation to the damage to streets and roads caused by public or private utilities amending certain Acts named herein, First Reading of the Bill. House Bill 3148, Breslin-VonBoeckman, a Bill for an Act to amend Sections of the Illinois Vehicle Code, First Reading of the Bill. House Bill 3149, Deuster-Macdonald, a Bill for an Act to amend Sections of the Workers' Compensation Act, First Reading of the Bill. House Bill 3150, Katz, a Bill for an Act to provide for the determination of death, First Reading of the Bill. House Bill 3151, Terzich, a Bill for an Act to amend Sections of the Illinois Pension Code, First Reading of the Bill. House Bill 3152,



Capparelli, a Bill for an Act to amend Sections of the Illinois Pension Code, First Reading of the Bill. House Bill 3153, Stuffle-Dunn et al, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. House Bill 3154, Stuffle-Woodyard, a Bill for an Act creating the Illinois Farmland Tax Study Commission and defining its powers and duties, First Reading of the Bill. House Bill 3155, Kornowicz et al, a Bill for an Act to add Sections to the Illinois Pension Code, First Reading of the Bill. House Bill 3156, Hallstrom-Chapman-Pullen-Hoffman et al, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. House Bill 3157, Woodyard-Campbell-Swanstrom, a Bill for an Act to provide for county court house to be under the care and custody of the county board, First Reading of the Bill. House Bill 3158, Woodyard-Campbell-Stuffle, a Bill for an Act authorizing the Vermilion County conservation district to convey certain real property in exchange for certain other real property and money, First Reading of the Bill. House Bill 3159, Woodyard, a Bill for an Act to amend Sections of an Act to protect workers of the general public from injury or death during construction or repair of bridges and highways within the State of Illinois, First Reading of the Bill. House Bill 3160, Gaines, a Bill for an Act in relation to the issuance of bonds and notes of the regional transit authority to establish and operate a working cash fund amending certain Acts herein, First Reading of the Bill. No further business, the House now stands adjourned."





## LEGISLATIVE INFORMATION SYSTEM

DAILY TRANSCRIPT INDEX  
MARCH 26, 1980

PAGE

HB-0247	3RD READING	PAGE	8
HB-0549	3RD READING	PAGE	9
HB-0554	3RD READING	PAGE	10
HB-0905	MOTIONS	PAGE	65
HB-0945	3RD READING	PAGE	15
HB-1009	3RD READING	PAGE	17
HB-1182	3RD READING	PAGE	18
HB-1305	3RD READING	PAGE	19
HB-1325	CONFERENCE	PAGE	50
HB-1517	2ND READING	PAGE	6
HB-1711	3RD READING	PAGE	27
HB-1737	3RD READING	PAGE	32
HB-1747	3RD READING	PAGE	36
HB-2010	3RD READING	PAGE	40
HB-2011	3RD READING	PAGE	40
HB-2075	3RD READING	PAGE	37
HB-2136	3RD READING	PAGE	43
HB-2184	CONFERENCE	PAGE	59
HB-2351	2ND READING	PAGE	6
HB-2720	3RD READING	PAGE	45
HB-2723	3RD READING	PAGE	46
HB-2738	MOTIONS	PAGE	48
HB-3087	1ST READING	PAGE	1
HB-3088	1ST READING	PAGE	2
HB-3089	1ST READING	PAGE	2
HB-3090	1ST READING	PAGE	2
HB-3091	1ST READING	PAGE	2
HB-3092	1ST READING	PAGE	2
HB-3093	1ST READING	PAGE	2
HB-3094	1ST READING	PAGE	2
HB-3095	1ST READING	PAGE	2
HB-3096	1ST READING	PAGE	3
HB-3097	1ST READING	PAGE	3
HB-3098	1ST READING	PAGE	3
HB-3099	1ST READING	PAGE	3
HB-3100	1ST READING	PAGE	3
HB-3101	1ST READING	PAGE	3
HB-3102	1ST READING	PAGE	3
HB-3103	1ST READING	PAGE	3
HB-3104	1ST READING	PAGE	3
HB-3105	1ST READING	PAGE	3
HB-3106	1ST READING	PAGE	3
HB-3107	1ST READING	PAGE	3

## LEGISLATIVE INFORMATION SYSTEM

DAILY TRANSCRIPT INDEX  
MARCH 26, 1980

PAGE

HB-3108	1ST READING	PAGE	4
HB-3109	1ST READING	PAGE	4
HB-3110	1ST READING	PAGE	4
HB-3111	1ST READING	PAGE	4
HB-3112	1ST READING	PAGE	4
HB-3113	1ST READING	PAGE	4
HB-3114	1ST READING	PAGE	4
HB-3115	1ST READING	PAGE	4
HB-3116	1ST READING	PAGE	4
HB-3117	1ST READING	PAGE	4
HB-3118	1ST READING	PAGE	4
HB-3119	1ST READING	PAGE	69
HB-3120	1ST READING	PAGE	69
HB-3121	1ST READING	PAGE	69
HB-3122	1ST READING	PAGE	69
HB-3123	1ST READING	PAGE	69
HB-3124	1ST READING	PAGE	69
HB-3125	1ST READING	PAGE	70
HB-3126	1ST READING	PAGE	70
HB-3127	1ST READING	PAGE	70
HB-3128	1ST READING	PAGE	70
HB-3129	1ST READING	PAGE	70
HB-3130	1ST READING	PAGE	70
HB-3131	1ST READING	PAGE	70
HB-3132	1ST READING	PAGE	70
HB-3133	1ST READING	PAGE	70
HB-3134	1ST READING	PAGE	70
HB-3135	1ST READING	PAGE	70
HB-3136	1ST READING	PAGE	70
HB-3137	1ST READING	PAGE	70
HB-3138	1ST READING	PAGE	70
HB-3139	1ST READING	PAGE	70
HB-3140	1ST READING	PAGE	71
HB-3141	1ST READING	PAGE	71
HB-3142	1ST READING	PAGE	71
HB-3143	1ST READING	PAGE	71
HB-3144	1ST READING	PAGE	71
HB-3145	1ST READING	PAGE	71
HB-3146	1ST READING	PAGE	71
HB-3147	1ST READING	PAGE	71
HB-3148	1ST READING	PAGE	71
HB-3149	1ST READING	PAGE	71
HB-3150	1ST READING	PAGE	71

## LEGISLATIVE INFORMATION SYSTEM

DAILY TRANSCRIPT INDEX  
MARCH 26, 1980

PAGE

HB-3151	1ST READING	PAGE	71
HB-3152	1ST READING	PAGE	71
HB-3153	1ST READING	PAGE	72
HB-3154	1ST READING	PAGE	72
HB-3155	1ST READING	PAGE	72
HB-3156	1ST READING	PAGE	72
HB-3157	1ST READING	PAGE	72
HB-3158	1ST READING	PAGE	72
HB-3159	1ST READING	PAGE	72
HB-3160	1ST READING	PAGE	72
HR-0646	3RD READING	PAGE	67
HR-0661	3RD READING	PAGE	68
HR-0662	3RD READING	PAGE	67

LEGISLATIVE INFORMATION SYSTEM

DAILY TRANSCRIPT INDEX  
MARCH 26, 1980

PAGE 4

SUBJECT MATTER

SPEAKER REDMOND - HOUSE TO ORDER	PAGE	1
CLERK JACK O'BRIEN - PRAYER	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
REVEREND KRUEGER - PRAYER	PAGE	1
EXCUSED ABSENCES	PAGE	4
AGREED RESOLUTIONS	PAGE	66
ADJOURNMENT	PAGE	72