

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

Krueger: "In the Name of the Father, the Son and the Holy Ghost, Amen. O Lord, bless this House to Thy service this day. Amen. It is written in the Book of Dueteronomy 9:12-13, 'What doth the Lord, Thy God, require of Thee but to fear the Lord, Thy God, to walk in all his ways, and to love Him, and to serve the Lord, Thy God, with all thy soul, to keep the commandments of the Lord, and his statutes, which I command thee this day for thy good.' Let us pray; Lord God Almighty, eternal Father and Creator, we do give Thee our prayer and praise this day in our lives as we serve Thee and our fellow mankind by our membership in this House of Representatives. Let Thy holy fear of Thee pervade our hearts and minds as we contemplate the issues that come before us for our consideration and action. May our decisions be tempered only by this loss of Thy most gracious will, that the people of this State of Illinois, so being served, may live in domestic harmony, peace and safety; through Jesus Christ our Lord. Amen."

Speaker Redmond: "Pledge of allegiance."

Members: "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: "Roll Call for attendance, your switch only. Good morning John. The Clerk will take the record. Reading of the Journal.."

Clerk O'Brien: "Journal for the 126th Legislative Day. The House met pursuant to adjournment. Speaker in the Chair. Prayer by Father William Krueger, Chaplain..."

Speaker Redmond: "Representative Kelly."

Kelly: "Mr. Speaker, I move that we dispense with the reading of



the Journal and that Journal #126 of May 8th, 1980 and #127 of May 9th, 1980 be approved as read."

Speaker Redmond: "You've heard the 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's approved as if read. Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 1510, Collins, a Bill for an Act to amend Sections of an Act in relation to township organizations. First Reading of the Bill. Senate Bill 1707, Grossi, a Bill for an Act to amend Sections of the Unified Code of Corrections. First Reading of the Bill."

Speaker Redmond: "On page 14, Senate Bills, Second Reading. Appears Senate Bill 1378, Representative Pullen on the floor? 1378, you want to move that to Third, Representative Pullen? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1378.. There's a request for a fiscal note and the note has not been filed."

Speaker Redmond: "Okay. 1484."

Clerk O'Brien: "Senate Bill 1484, a Bill for an Act to amend Sections of an Act making appropriations for certain state agencies. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1641."

Clerk O'Brien: "Senate Bill 1641, a Bill for an Act to amend Sections of an Act making appropriations for the ordinary and contingent expense of the Board of Vocational Rehabilitation. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1646."

Clerk O'Brien: "Senate Bill 1646, a Bill for an Act to amend



Sections of an Act making appropriations for the ordinary and contingent expense of the Guardianship and Advocacy Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1648."

Clerk O'Brien: "Senate Bill 1648, a Bill for an Act to amend Sections of an Act making appropriations for the ordinary and contingent expenses of the Commissioner of Banks and trust companies. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1649."

Clerk O'Brien: "Senate Bill 1649, a Bill for an Act to amend Sections of an Act making appropriations for the ordinary and contingent expenses for the emergency services and disaster agency. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1656."

Clerk O'Brien: "Senate Bill 1656, a Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of the Military and Naval Department. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1981. 1852 out of the record. 1981."

Clerk O'Brien: "Senate Bill 1981, a Bill for an Act to amend Sections of an Act making appropriations for the ordinary and contingent expense of the Health Finance Authority. Second Reading of the Bill. Amendment #1, was adopted in



Committee."

Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Redmond: "Third Reading. 1984."

Clerk O'Brien: "Senate Bill 1984, a Bill for an Act to amend Sections of an Act making appropriations for the ordinary and contingent expense of the Capital Development Board. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. Page 15, Constitutional Amendments, Third Reading, appears House Joint Resolution Constitutional Amendment #1, Mr. Clerk."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #1; Whereas the Ninety-Second Congress of the United States of America had its Second Session in both Houses by a Constitutional Majority, two-thirds thereof, adopted the following proposition to amend the Constitution of the United States of America; Joint Resolution; Resolved by the House of Representatives and the Senate of the United States of America in Congress assembled two-thirds of each House concurring therein, that the following Article is proposed as an Amendment to the Constitution of the United States which shall be valid to all intent and purposes as a part of the Constitution when ratified by the Legislatures of three-fourths of the several states within seven years from the date of its submission by the Congress. Article; Section I; equality of rights under law shall not be denied or abridged by the United States or any state on account of sex. Section II; The Congress shall have the power to enforce by appropriate legislation the provisions of this Article. Section III; This Amendment shall take



effect two years after the date of ratification and whereas the time limit of ratification of the proposed Amendment by the Legislatures of the requisite number of states has been extended to June 30th, 1982 by Joint Resolution of the Ninety-Fifth Congress of the United States of America; therefore be it resolved by the House of Representatives of the Eighty-First General Assembly of the State of Illinois, the Senate concurring herein, that such proposed Amendment to the Constitution of the United States of America be in the same, is hereby ratified. And be it further resolved that a certified copy of this Resolution be forwarded by the Secretary of the State of Illinois to the Administrator of General Services of the United States, to the President pro temp of the Senate and the Speaker of the House of Representatives in the Congress of the United States, and to each Senator and Representative from Illinois in the Congress of the United States. Third Reading of the Constitutional Amendment."

Speaker Redmond: "Out of the record. House Bills, Second Reading on page two. House Bill 1295. Representative Flinn on the floor? Will you read the Bill, Mr. Clerk?"

Clerk O'Brien: "House Bill 1295 ... "

Speaker Redmond: "Representative Flinn on the floor?"

Clerk O'Brien: "A Bill for an Act relating to litter reduction and material recycling...."

Speaker Redmond: "You want that out of the record, Mr. Flinn? Out of the record. 2220."

Clerk O'Brien: "House Bill 2220, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Redmond: "Representative Taylor here? Out of the record. 2705. Is there any Member that has a Bill on Third Reading that they're going to ask to bring it back



to Second for an Amendment? If there is, will you please give it to somebody up here? Why don't you give it to Tom here? Tom, will you take a record of the ones that are on Third that the Members want to bring back to Second? Okay. I'm on 2705. Do you want... Out of the record. Let's go back to 2220."

Clerk O'Brien: "House Bill 2220, this Bill has been read a Second time previously. Committee Amendments #1 and 2 were adopted in Committee."

Speaker Redmond: "Representative Taylor. Wait a minute. Are there any there any.. Is there a motion with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "The fiscal note has been filed. Is that correct?"

Clerk O'Brien: "Fiscal note is filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "Floor Amendment #3, Taylor, amends House Bill 2220 on page one, line one by deleting '11-4 and 12-4 point one one' and so forth."

Speaker Redmond: "Representative Taylor."

Taylor: "Thank you, Mr. Speaker. Mr. Speaker, I'd like to have leave to withdraw Amendment #3."

Speaker Redmond: "Representative Taylor?"

Taylor: "Mr. Speaker, I said, I'd like to have leave of the House to withdraw Amendment #3."

Speaker Redmond: "Amendment #3 is withdrawn. Did we take a vote on Amendment 2? Two was a Committee Amendment? Okay. And then three is withdrawn. And no motion was filed on Committee Amendments, I'm correct on that? Any further Amendments?"

Clerk O'Brien: "No further Amendment."

Speaker Redmond: "Third Reading. 2762. Are we ready on that? We've been taking that one out regularly, haven't we? Representative Yourell, is he here? Are you ready on 2762? Do you want that called? That's the Library



District Act. What did you say? Maybe it's a good...
 Out of the record. 2485, Representative Henry, are you
 here? 2845.(sic) Out of the record. 2846, same
 thing? Representative Henry. 2846, out of the record?
 I guess it's out of the record. How about 3173? Is
 Representative Stuffle on the floor? Out of the record.
 3196? Is that fiscal note... Has the fiscal note been
 filed, Mr. Clerk?"

Clerk O'Brien: "Fiscal note is not filed."

Speaker Redmond: "Out of the record. 3474? Will you read that
 one?"

Clerk O'Brien: "House Bill 3474, a Bill for an Act creating the
 Local Government Finance Study Commission. Second Reading
 of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Getty..."

Speaker Redmond: "Representative Daniels, are you aware of
 Amendment 1 on 3474?"

Daniels: "Yes, I think he's withdrawing Amendment #1."

Speaker Redmond: "Representative Getty? On Amendment 1? Let
 the record show that Representative Daniels has yielded
 to a question by Representative Getty. "

Daniels: "Well, I'm hopeful that we can move this Bill to
 Third, Mr. Speaker."

Speaker Redmond: "Any Member have a Bill on Third Reading that
 they want returned to the Order of Second Reading? If
 so, please give Tom Ohler the number of the Bill. We
 have four or five of them here and we're about ready to
 go to that order of business. On House Bills, Third
 Reading, House Bill... Wait a minute. What are you going
 to do with 3474? Representative Daniels and Getty. "

Daniels: "Mr. Getty has Amendment #2 which we've reviewed and
 I have no objections to that going on the Bill."

Speaker Redmond: "How about Amendment 1? Amendment #1 is
 withdrawn. Any further Amendments?"



Clerk O'Brien: "Floor Amendment #2, Getty, amends House Bill 3474 on page one by deleting lines five through 13 and so forth."

Getty: "Mr. Speaker, Members of the House, Amendment #2 creates the Local Government Finance Study Commission and provides for the Member of appointment of the Memb.. the manner of appointment of the Membership and makes other changes in the Bill. I believe this has the agreement of the Sponsor of the Bill and I would move for the adoption."

Speaker Redmond: "Any discussion? The question's on the Gentleman's motion for the adoption of Amendment 2. Those in favor say 'aye', 'aye'. Opposed 'no'. The 'ayes' have it. The motion carries. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading."



Speaker Redmond: "2962. Third Reading. It's on the Order of House Bills, Third Reading. Representative McPike? 2962, do you want that returned to the Order of Second Reading? Does he have leave to return it to the Order of Second Reading for the purpose of an Amendment? Hearing no objection, leave is granted. Any Amendments from the floor, Mr. Clerk? Representative Simms."

Simms: "Mr. Speaker, I would wonder if the Sponsor of the Bill would take this out of the record. We just received this Amendment. This is a controversial Amendment. There's been other Amendments that have been filed to this Bill that have not yet been distributed that do border on the area of controversy and I would appreciate any opportunity to look at the Amendment. I wonder if he would hold it for an hour to have our staff have the opportunity to review it."

Speaker Redmond: "Representative McPike?"

McPike: "Well, Mr. Speaker, the Sponsor agreed to bring this back to Second Reading. It's on Second Reading. This Amendment's distributed. I think we should go with this Amendment. It's really not our problem that the other Amendments are not distributed."

Speaker Redmond: "Any Amendments from the floor? Representative McPike indicates... Does the Gentleman have leave to return it to the Order of Second Reading? Hearing no objection, it's on Second Reading. Now are there any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, McPike, amends House Bill 2962 by deleting the title and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Representative McPike."

McPike: "Well, thank you, Mr. Speaker. Amendment #1 to House Bill 2962 is identical to House Bill 2705 which was discussed... which is on Second Reading at this time and was discussed in Committee. It establishes a competi-



tive workmen's compensation state entity to compete with the private market. The intent of this is to hopefully lower the cost of workmen's compensation to the employer, community by approximately 25% over a five year period. I'd be glad to answer any questions, but I move for the adoption of Amendment #1."

Speaker Redmond: "Representative Simms."

Simms: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, without having an opportunity to look at the Amendment in total, it appears that this Amendment basically is the same as House Bill 2705 which sets up a state workmen's compensation fund. There may be many solutions to the insurance companies woes over workmen's compensation insurance decreased profitability in underwriting policies which may be a better alternative than creating a new state bureaucracy to handle such. What we're doing here is we're setting up a new state bureaucracy to compete against private enterprise. The 1975 Amendments to the Workmen's Compensation Act are .. are responsible for 53.3% of the 88% increase in employer workmen's compensation insurance premium rates according to the Department of Insurance. The profit... The profitability is generally measured in terms of composite loss ratio. The composite loss ratio is determined by examining the ratio of the premiums earned and losses incurred during the calendar year. A composite loss ratio which is.. which exceeds 70% would indicate that the insurer can only make a marginal profit by offering this line of coverage. Rate increases of approximately 50% in '75 and 24% in '76 were approved by the Department of Insurance. During these years the increases have enabled underwriters to record moderate profits as reflected in the decline of the composite ratios. What we're doing also is establishing a situation where taxpayers' money is going to have to be



placed as up-front money to get this program started.

And what will happen is that...."

Speaker Redmond: "Representative Bowman, for what purpose do you arise?"

Bowman: "Mr. Speaker, I don't believe the Gentleman is addressing the Amendment and I wish he'd properly restrict his remarks..."

Speaker Redmond: "Confine your remarks to the Amendment, to Amendment #1."

Simms: "Mr. Speaker, this is the Amendment. This Amendment becomes the Bill. And that is exactly what it basically does. And it is the same as House Bill 2705. The Amendment that he is offering becomes the Bill. And that is what the Amendment does. What we're doing in capital form, we're creating another state bureaucracy by using taxpayers' funds. We're not offering to employers that employ employees and operate in more than one state the avenue to participate. We're starting a new state bureaucracy and frankly, any time that you have State Government or any government competing in private enterprise, you have a potential disaster on your hands, Only look at the Post Office operation and see what a mess that you have when government starts expanding in other areas. And on a philosophical basis as well as a practical basis, this is going to cost the taxpayers of Illinois money. There are... This Amendment is asking the taxpayers to gamble money to start a state funded workmen's compensation insurance program and competition against private enterprise. And private enterprise, Ladies and Gentlemen, can always do the job more efficiently, more expertise is involved and without the harassment of government. And I would urge that Amendment #1 to this Bill be defeated."

Speaker Redmond: "Representative Collins, for what purpose do you arise?"



Collins: " An inquiry, Mr. Speaker. How did we get this Bill back to Second Reading?"

Speaker Redmond: "We asked leave and there was no objection."

Collins: "Who asked leave?"

Speaker Redmond: " McPike."

Collins: "He's not the Chief Sponsor, Mr. Chairman..

Mr. Speaker. And he has no right to take it back.

Rule 35-B, Mr. Speaker."

Speaker Redmond: "Well, Representative McPike seconds the motion to bring it back to Second so..."

Collins: "Who made the motion? I understand Mr. McPike made it."

Speaker Redmond: "There was no objection. The question wasn't raised at the time."

Collins: "Well, Mr. Speaker, whether it was raised at the time or not it's in violation of Rule 35-B."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, while somebody's looking up the Rule 35-B, I'm a Co-Sponsor of the Amendment and I didn't recognize the explanation given by Representative Simms to my Amendment, so I'd like to ask Representative McPike a couple of questions as to what the Amendment really does. He says about a bureaucracy and I abhor bureaucracy...."

Speaker Redmond: "Wait a minute now. We're.. We're looking up the rules to see whether Representative Collins is correct. Representative Polk."

Polk: "Well, Mr. Speaker, while the Parliamentarian is coming we have a distinguished guest on the floor visiting us today. He happens also to be in the Minority of the House of Representatives although he pointed out to me that Minority that he is in happens to be Democratic instead of Republican..."

Speaker Redmond: "Shame. Shame..."

Polk: "State Representative from Indiana, a Democrat,



Ed Goble, standing back there next to Mr... back behind me now. Ed Goble."

Speaker Redmond: "Parliamentarian advises me that inasmuch as objections were not raised at the time objections were sought, it is now on Second Reading. Well.. Representative Getty. Representative Getty."

Getty: "Mr. Speaker, I think the record ought to reflect that Mr. Beatty, the Chief Sponsor, is present here and that he had agreed that it should be brought back to Second so that there's no doubt in the record that Mr. Beatty was here and agreeable to that."

Speaker Redmond: "Representative Collins."

Collins: "Well, Mr. Speaker, I think Mr. Beatty could speak for himself and if he wanted it on Second Reading he could have done it himself. Now, the mere fact that everyone was not alerted to the fact that it was being returned to Second Reading in 'controvention' of the rules I think reflects upon the Chair and I would enter objections at this time. And I would suggest to you that the Parliamentarian's ruling is utterly 'specious' and that this Bill is to be returned to Third where it was. "

Speaker Redmond: "Let Mr. Collins' objection be noted in the record. Representative Collins isn't finished."

Collins: "Well, and also, Mr. Speaker, I would like since you're.. you're going to persist in your violation of the rules, I would like to ask why this Amendment is being offered on another Member's Bill when the Gentleman has his own Bill which I.. I.. I am told is identical to this Amendment."

Speaker Redmond : "I don't think that that question is in order."

Collins: "Why isn't it?"

Speaker Redmond: "Well, he's.. he's..."

Collins: "It's on the Amendment."



Speaker Redmond: "It's back on Second Reading. Representative McPike has moved the adoption of Amendment #1. And for discussion on that question, Representative Collins."

Collins: "Well, then, I would speak on the motion and just to endorse everything Representative Simms said by reference. This Bill in its original form was horrible. To amend it to another Bill doesn't make it any better. It's a process which will do nothing towards solving our workmen's compensation problems in the State of Illinois. We'll probably increase costs of workmen's compensation claims in Illinois. We'll put the government, the State Government, in the business of competing with private insurance carriers which I would suggest is utterly undesirable, creating a new bureaucracy to.. to administer something that is better administered in the private sector. One only has to point to the State of Ohio to see how miserably this type of system has broken down and I would urge that since we are acting on this Amendment that is being offered in violation of the rules, let's take this abomination and defeat it."

Speaker Redmond: "Anything further? The question's on the Gentleman's motion for the adoption of Amendment #1. Representative Birkinbine."

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

Speaker Redmond: "He will."

Birkinbine: "Jim, I missed the original discussion. Why is this Amendment being introduced when indeed you do have your own Bill to do the same thing?"

McPike: "Well, I think everyone knows why I'm doing it because the Minority Spokesman on the House floor filed an Amendment to my Bill to effectively kill the Bill. He strikes everything after the enacting clause. It's his major workmen's compensation package for the Session. He knows that if it's adopted, I'll table the Bill. So



I don't want to call it. It's pointless now in calling 2705. Your Amendments filed to it, if it's adopted that means we can't even debate 2705 on Third Reading. At least I'd like a chance to debate the Bill."

Birkinbine: "Thank you. I was unaware of that Amendment."

Speaker Redmond : "Representative Hudson."

Hudson: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I happen to have been in Committee the day that the essence of this Bill which is now an Amendment was offered. The questions were asked as to whether or not this would provide unfair competition to the private business sector and the answer was an unequivocal yes. The competition would be unfair. There's no way for private companies to meet the competition of .. of government subsidized or government sponsored competition. There's no way that a private enterprise can meet this. It's a bad concept. If it's good in this area, I suggest that then the extensions will be unlimited. They will go on and on. They could apply to other areas of business. I would suggest, Ladies and Gentlemen, that if we don't want government entering the lists in the arena in competition with our private business which is a direct blow which strikes at the heart of our free enterprise system that we take a careful look at this Amendment which now in effect becomes the Bill or replaces the Bill. Take a careful look at this because this is exactly what we're doing. Representative Simms is eminently right in the remarks that he has made as is Representative Phil Collins. This should not pass lightly here. It should be given great consideration. I urge you colleagues to think of what we're doing when we make it possible, make it possible, for government to enter the arena, enter the list, facilitate this movement in the direction of subsidized competition against our free enterprise system. I urge you to vote



this Amendment down."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, I was cut off when you were looking up 35-B, but I'd like to ask Representative McPike a couple of questions because I find a listing of Representative Hudson and Simms those same arguments are appearing in letters from my insurance agents back home. Evidently we've struck a soft cord in the insurance industry with the introduction of this type Bill. I'd like to ask Representative McPike, are there any states that have had any success in this type of endeavor, Representative McPike?"

Speaker Redmond: "Representative McPike."

McPike: "We took testimony in the last six months from a number of states and I think it's anyone who was willing to look at the statistics would agree that it has been an outstanding success in other states. Oklahoma last year discounted insurance rates 22%, 22%. Colorado discounted rates 30% and then gave a 20% rebate in the end of the year. I'd like to refer to what the Representative Collins mentioned in Ohio. I have here a newsletter from the Ohio Manufacturers Association, Phil. It says, 'net alert. Be careful because they're trying to destroy our system of insuring in Ohio. The private market is trying to move in and they're going to raise our rates 30 to 50%.' The Manufacturers Association is in favor of this Bill. The Illinois Municipal League is in favor of this Bill. Hotel and restaurants are .. employers are in favor of this Bill. Those groups that have to insure with the private market that know the private market is making excess profits are in favor of the Bill. I don't know why you tend to imply that it's not working in other states. It's working in every state where it's been tried, in-



dustrial states like New York, New Jersey, California, and other states like Oklahoma and Colorado all have had outstanding success with this program."

Giorgi: "Mr. Speaker- thank you, Representative McPike- in studying the success of some Committees of this House I have made a study of the Insurance Committee and the strength of the insurance lobby. That Committee has the least success of any Committee of the House in passing any new legislation. So I'm not alarmed by the hysteria generated by the insurance industry. You want to turn the workmen's compensation picture around, well take a chance on this program. This will turn it around. And you'll have the insurance men doing cartwheels and the insurance industry. I made a record, the Insurance Committee has the worst record of any Committee in this House in enacting new legislation because of the huge power in the insurance industry. I make that charge on this floor and you can check the record. yourself. I have checked them already."

Speaker Redmond: "Representative Wikoff.."

Giorgi: "That's for the record."

Wikoff: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I view this with kind of mixed emotions. It's really interesting that we have gotten the attention of the insurance companies lately because it's the first time they have gotten excited about workmen's compensation insurance. And Representative McPike is perfectly right that this has worked with some favor in some of the other... other states. I've got some mixed emotions and can't support the Bill at this time for this reason. We, in Illinois, have an exceptionally abominable track record with their bureaucracies trying to do anything and that's what we are hitting into right now. Well there's about a five million dollar appropriation for this to start up money. You and I both know that



unless we can get some handle on the bureaucracies that we've got operating within the State of Illinois right now, that five million dollars won't even act as start up money. I think a perfectly good example of this is the present Unemployment Compensation Bureau that we have and there probably is nothing that is anymore fouled up than that and that if we are even halfway thinking of coming up with another bureaucracy in Illinois that's even going to run second fiddle to that, this has got to be a bad Bill and I oppose it until we've got our own House set in order."

Speaker Redmond: "Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, if Representative Giorgi who's already spoken three time on this Bill knows of any companies that are making excess profits on workmen's comp, I'll buy him a new hat. Most of the companies that I represent are very reluctant to take anything except through assigned risk and I can assure you they're not making a lot of money on it. But if you want to see money spent just put it in the hands of the bureaucracy. I know of almost nothing that can't be handled better by private enterprise than it can by government, including Illinois State Government."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, in speaking in opposition to this Amendment, to this idea, some reference has been made to the wonderful way it might be working in the State of Ohio. As it happens, in the State of Ohio, the fund is an exclusive fund in which private enterprise cannot compete. It's a state monopoly. It's socialism in the same form we see in the United States Post Office. If you want workmen's comp to be handled the way the mail is handled, why you should vote for this. Also the Ohio fund has been



criticized because they have not maintained an adequate loss reserve. Besides that, they loaned some of their money to Chrysler. So they're pretty smart people and they.. I think if you have any questions and concerns about the wisdom of investing public money in a corporation like Chrysler, you ought to think twice and that is another reason why we should not imitate or duplicate what they're doing in Ohio. I would urge a 'no' vote. Also you should bear in mind that the cost of this Amendment is five million and as Representative Friedrich pointed out this is just the beginning. And the last thing the people of Illinois would want is more bureaucracy, more government spending, and any of these state funds do involve state employees or public support, the taxpayers dollars being used to support a .. either an exclusive public monopoly or at least a partial monopoly that has an advantage over private enterprise. It's wrong. We ought to vote it down."

Speaker Redmond: "Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I wonder about all of the cries coming from the other side of the aisle. And they talk about how efficient private industry is and how inefficient the public is, why they're afraid of the competition. If the competition is going to be so good for the private industry, and the public is going to be so inefficient, the costs are going to be higher in the public sector. And I think you can't have it both ways. Why are you afraid of a little competition? I'd urge the adoption of this Amendment."

Speaker Redmond: "Representative Griesheimer."

Griesheimer: "Mr. Speaker, will the Sponsor yield for a couple of questions?"

Speaker Redmond: "He will."

Griesheimer: "Representative McPike, throughout your Amendment



which becomes the Bill, it refers to the fund. Where does the fund get the money?"

McPike: "There is an initial loan to the fund from the State of Illinois and I have a companion appropriation Bill on Third Reading at this time. We met with the Department of Insurance for two hours on this and discussed in detail what was necessary. We anticipate that the first year will have approximately 50 million dollars in premiums. The average payout is one-third the first year. So we will probably have 30 million dollars in reserve at the end of the first year. The Department of Insurance suggested that five million dollars was needed for surplus. It's highly unlikely that any of that money except possibly for two, three hundred thousand dollars for office costs, would ever be used out of that five million dollars. It's very similar to the 'Mines of Science Program' that we started a few years back which is operating very well in the State of Illinois, where the state initially loaned the money because the insurance companies did not want to get involved in mines and science insurance."

Griesheimer: "Well, after this initial loan is made to the companies, where does the fund get its money?"

McPike: "The funds operate non-profit and it generates its money from itself. No states fund... No state revenues will be used. No state offices will be used. Not one tax dollar other than a loan which is to be repaid... which is to be paid back, is used. As I said, it's operating very well in 13 other states, all very successful. No tax monies and all of them are operating at costs below that of the insurance industry. Specifically if you want me to give you an example of where it comes from, I'll give you a good example..."



Griesheimer: "Now just tell me who's going to pay the money? Who's going to maintain this fund? Where's the money going to come from to maintain the fund after it's created?"

McPike: "Well, it comes from premiums."

Griesheimer: "Comes from premiums. How do you establish premiums?"

McPike: "How do we establish premiums? We intend to use... Or the fund I would.. I would hope would presume to use NCCI, the same rating organization that's used by everyone in Illinois with the exception of one company in Illinois which sets their own rates. All of them use National Council Rates and those rates are discounted as I said in Oklahoma and Colorado. We believe those rates are set artificially high because NCCI is funded by the insurance companies. The rates are set artificially high. They're discounted in those states that have competitive funds. As I said, those National Council Rates are discounted 30% in Colorado, 20% in Oklahoma, 20% in California. The rates are set artificially high."

Griesheimer: "Well, as you stand here today, can you guarantee every citizen of the State of Illinois more particularly every businessman that workmen's compensation costs will decline because of this system you're suggesting?"

McPike: "You know, that's an interesting question because when the major workmen's compensation Amendments are offered and insurance companies are asked the same question, they always decline to answer. They say, 'Well, we aren't sure.' Yes, we are as positive as we can be from checking statistics that we can lower the cost approximately 25% within five years, 25% below what the private market is charging within a five year period. I'll give you an example of an individual who testified before the Committee, or before Terry Steczo's



Committee. This Gentleman is from Peoria and he owns his own construction company and he has about one thousand employees. And they got together with twelve other construction companies in central Illinois and decided to self-insure in 1977. And he said his costs went up in '77, '78 and '79. So that by '79 he was paying over a million dollars, a million dollars for his firm as a self-insurer. He said however, I have good news. Had I not self insured, my premiums would have been 2.8 bill... 2.8 million dollars. I've saved myself 1.8 million dollars in three years. I think that's a typical example. It's the same reason why the Illinois Municipal League is now deciding to form their own pool because they think they can save municipalities 30 to 40% from National Council Rates. "

Griesheimer: "Well, I guess thank you Mr. Mc .. Representative McPike. We got some rather long answers to some rather simple questions here, but I'm sure he is very intent on passing his Amendment. I would like to speak to the Amendment, Mr. Speaker. I think the point that's overlooked here is that there's never a pot of gold at the end of the rainbow. Sooner or later somebody's got to pay for the services and for the payments that are outstanding. And I think for so long certain interests within this Legislature have been building up and padding the return on a workmen's compensation claim that now they're facing the position where they have to find some sort of out to pay for these claims. The insurance companies find that without charging very, very high premiums, they can't begin to cover these multitudinous claims that are being made and some of the very high awards that must be paid under the program as established in the workmen's compensation in Industrial Commission Acts. So now what's happening is that these same interests groups are trying to pass something on the theory



that it's going to save the business man money, which is totally rubbish. If you compare the premiums that might be necessary under this Bill with the premiums he's same businessmen paid five, ten years ago, you're going to find out even under this masterful plan they're going to be paying higher premiums. I think our position today is to scratch these so-called 'wonderful little pots of gold at the end of the rainbow', and more directly attack the problem by reducing the workmen's compensation rate back to where they were so that they more realistically reflect what an injury or a disease is worth instead of paying exorbitant amounts of money. The insurance companies will maintain their independent status and they will do it at a profit. And if the Sponsor of this Bill or this Amendment honestly feels that in the long run this particular plan he's proposing isn't going to cost the taxpayers one heck of a lot of money, then I do believe he hasn't been down here long enough. All the prior speakers have referred to the bureaucracy. This will be a bureaucracy like every other element of government. Let's attack the problem. Let's reduce premiums by reducing the payments made for claims, particularly those claims that are way out of order."

Speaker Redmond: "Roll Call for attendance. This is Roll Call for attendance. Are all attendees in the.. Representative Karpel? Representative Karpel to... Turn the key, Representative Karpel. There we are. Representative Pullen, why didn't you take care of that problem? Everybody on here that should be? Take the record, Mr. Clerk. Mr. Ryan, are there any Republicans whose absence should be excused? Representative Madigan, any Republicans whose... Democrats whose absence should be excused?"

Madigan: "Mr. Speaker, would the record show that Representative Mugalian is excused because of illness and Repre-



sentative Laurino is excused because of illness?"

Speaker Redmond: "Any objections? Hearing none, the record will so show. Now, we go back to 2962, Representative McPike, to close."

McPike: "Well, thank you Mr. Speaker..."

Speaker Redmond: "Wait a minute. Wait a minute. Wait a minute. Representative Schuneman. Guess we're not quite ready for that."

Schuneman: "Yes, Mr. Speaker. Yield? Would the Sponsor yield, Mr. Speaker?"

Speaker Redmond: "Speaker won't until January."

Schuneman: "Has that been decided, Mr. Speaker?"

Speaker Redmond: "No."

Schuneman: "Okay. Representative McPike, is this Amendment... Does this Amendment contain all the provisions, the same provisions that were in your House Bill 2705?"

McPike: "Yes."

Schuneman: "This arrangement that you're proposing then still requires that the State of Illinois must insure their workmen's compensation exposure with this proposed state fund?"

McPike: "That is correct."

Schuneman: "Okay. And what is the provision as with respect to local units of government?"

McPike: "A local unit of government through their city council can vote not to participate in this plan."

Schuneman: "That differs then from the original 2705? Where as I understood it, local units of government were required to insure with the state fund unless private insurance could offer premiums at a lower cost. Is that true?"

McPike: "That is correct. The same Amendment is filed to House Bill 2705 and we worked that out with the Illinois Municipal League. As I said earlier, they are in the process of currently, at this time, forming their



25.
own mutual fund. They're very much in favor of this. They've indicated to me that they would encourage cities to join this instead of their plan. They simply ask that I give them the option of joining or not joining in this."

Schuneman: "Okay. So there's no requirement here then that local units of government participate."

McPike: "That's correct."

Schuneman: "Mr. Speaker, I'd like to speak to the Bill if I may? I happen to view this proposal as an attempt to divert attention from the real problem in workmen's compensation which is unusually high benefits in the State of Illinois and divert the attention from that problem to another area which is the charge that insurance companies are somehow ripping off employers in this state. Now the facts simply don't support that contention, but I believe that that is the real what is responsible for this Bill being offered. Mr. Speaker, I would have to admit that I have a conflict of interest in this entire matter because when I'm not working as a Legislator, I am involved in the general insurance business. I also happen to feel that I have something of a basis of knowledge from which I can speak. And I'm concerned if the State of Illinois decides to set up their own insurance company, I'm concerned about the kind of service that some employer in your town is going to get if he has a workmen's compensation claim. Whereas now he goes to his local agent or broker and they try to help him with that claim, I wonder what kind of service he's going to get from this state agency. Do you suppose it will be as good as he gets from Unemployment Compensation now? Do you suppose it'll be as good as he gets from Social Security? Or do you think it'll be as good as our Postal Service? I think these are questions that we all ought to be asking ourselves. There's another problem involved with this. I understand



that the accompanying Bill that would require a loan from the State of Illinois is only in the amount of five million dollars. Experts who appeared before our Committee testified that if the State of Illinois should write the same share of the market as the Oregon State fund is riding, that the state would have to fund that for the reserves that have to be put up to the tune of 43 million dollars. So I submit to you that the cost to the state or the allocation of resources of the state is not going to be anywhere near five million dollars. It's going to be much, much more than that, especially if the fund operates at all successfully. One of the problems in the government getting into the insurance business or any other business, is the simple fact that they don't operate it like a business. They operate it like government. And therein breaks down the service to the people back in our local communities and therein breaks down the.. the cost responsibility of the system. I think this is a bad idea. I think it's an idea that we should reject. And I simply call your attention to the fact that the biggest insurance program operated by the State of Illinois now is the Unemployment Compensation's System and Illinois is in debt to the tune of 970 million dollars in Unemployment Compensation. How much of that do you think this system would really pile up when the Legislators begin to fight political battles over this state controlled insurance fund? It's a bad idea. We should reject it."

Speaker Redmond: "Now, Representative Matula."

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

Speaker Redmond: "He will."

Matula: "Representative McPike, did you make the statement that a municipality has the right to either join or not join this insurance?"

McPike: "Yes, we've given municipalities the right to self



insure, the right to join a self insurance group or a right to participate in this if they choose."

Matula: "Representative McPike, does that give the same privilege to businesses?"

McPike: "Yes, the same privilege applies to business, but business may chose to insure with a private carrier as they are now doing or they may chose to insure with the state. We simply think that if we can offer them 25% discounts, they're going to decide to insure with this company."

Matula: "Thank you."

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

Robbins: "I have a question of the Sponsor. Mr. McPike, if this Bill is passed will the same Judges handle the workmen's compensation claims that handle the claims now?"

Speaker Lechowicz: "Mr. McPike."

McPike: "The claims are handled by the Industrial Commission and I suppose if they're appealed, they go to court, but this Bill has nothing to do with that."

Robbins: "Well..."

McPike: "No.. No effect upon it whatsoever."

Robbins: "They won't have any effect on it then?"

McPike: " Right."

Robbins: "In other words, the man that has his claim filed with the Industrial Commission that has been waiting four years for it to be heard won't... it won't have any effect? In other words this won't provide any better insurance or see that the people are settled with any better than they are being settled with today?"

McPike: "This Bill does not address that problem, but I would be glad to work with you on it."

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

Bullock: "Mr. Speaker, 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 Madison, Mr. McPike, to close on Amendment #1."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I was really hoping that this would not degenerate into a.. into a political issue and a partisan issue. We've made an effort to look at the area of workmen's compensation and ask ourselves a very simple question. How could we leave the benefits where they are and yet reduce the cost to the employer-community? In other words, can we do anything with the cost of workmen's compensation without getting involved in the substantive portion of the workmen's compensation law? We decided that this was a good answer. I attended a seminar in Wisconsin last summer and listened to a number of states that have tried this. Every state has been successful. We are not trying to compare our workmen's comp law with another state's workmen's comp law. We are simply saying if we can reduce the cost to the employer-community, isn't it a good idea? Well, the Manufacturers' Association thought it was a good idea. They've endorsed the Bill. Municipal League thought it was a good idea. They're trying to do the same thing. They've endorsed the Bill. Hotel and restaurants ... Hotel-Motel Association thought it was a good idea. Anyone really who's a small employer, 25, 50, 100 employees who cannot afford to self insure, thinks that this is a good idea. Because it's going to save them premium dollars. It's been proven in every state. If you had any idea how workmen's comp rates are set in Illinois you would visualize immediately where the savings can come from. If the insurance industry has one billion dollars in reserve, invest that at 15% this past year



and it makes one hundred and fifty million dollars profit, they do not have to account for that profit when asking for workmen's compensation rate increases. That's just one example of how you can knock 15% right off the top on the savings to the employers. Now I admit that we're not talking about reducing employee benefits. We are talking about one and only one thing and that is saving cost to the employers, to the manufacturing community in Illinois. I would ask for a favorable vote."

Speaker Lechowicz: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', 'aye'; opposed. The 'aye's have it. Amendment #1 is adopted. Any further Amendments? Oh, Roll Call. The question is, 'Shall Amendment #1 be adopted?' All in favor si.. vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Mr. Huskey, to explain his vote. Timer's on."

Huskey: "No, it's alright. If this.. If those numbers should change I would ask for a verification. But it's alright."

Speaker Lechowicz: "The numbers really should change. Have all voted who wish? Have all voted who wish? The Gentleman from Madison, Mr. McPike, to explain his vote. Timer's on."

McPike: "Well, I would only ... one final comment on this if it fails. I think what's so interesting is that the insurance industry in this state is so powerful. For five years now the insurance industry has been telling us that workmen's comp is not profitable and that they are leaving the state. They're not going to ride any more in our state. And the first time that we offer them some competition, what do they do? They put 80 red lights on that Board because they don't want any competition because they know that workmen's



comp is not only profitable, but they're making so much off of it that they can afford to lobby down here anytime they want on this issue and ..."

Speaker Lechowicz: "Make 89 copies of this Roll Call for the Democrats to use in the fall campaign. Oh, do we? Okay. The Gentleman from Kane, Mr. Schoeberlein, to explain his vote. Timer's on."

Schoeberlein: "Mr. Speaker and Ladies and Gentlemen of the House, there is no insurance man has contacted me to vote 'no' on this Bill and I'm getting darn sick and tired of hearing these accusations when things don't roll off the way a person wants them."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 78 'aye', 82 'no', two recorded as 'present'. The Gentleman from Madison, Mr. McPike, asks for a poll of the absentees."

Clerk O'Brien: "Poll of the absentees; Abramson. Casey. Daniels. John Dunn. Gaines. Johnson. Klosak. Laurino. Mugalian. Richmond. Schlickman. Stearney. Terzich. Totten. And, Walsh."

Speaker Lechowicz: "Mr. Grossi, for what purpose do you seek recognition? Kindly record Mr. Grossi from 'aye' to 'no'. Anyone else seeking recognition? Mr. McPike, we have proceeded to poll the absentees."

McPike: "I'd like to verify the negative."

Speaker Lechowicz: "The Gentleman asks.... The Gentleman from Cook, Mr. Sandquist, for what purpose do you seek recognition?"

Sandquist: "Leave to be verified."

Speaker Lechowicz: "Sandquist asks leave to be verified. Mr. Vinson asks leave to be verified. Mr. Huskey, same request?"

Huskey: "Same request, Mr. Speaker. Leave."

Speaker Lechowicz: "Leave to be verified."



Huskey: "No, I requested, Mr. Speaker, should the.. should the vote total change then to the.. I would want a verification of the affirmative."

Speaker Lechowicz: "Be so. Mr. Wikoff, leave to be verified? And Mr. Ralph Dunn? Leave to be verified. Any objections? Hearing none, those Gentleman will be given leave. Peters as well. Proceed to verify the Negative vote."

Clerk O'Brien: "Ackerman. Anderson. Barnes. Bell. Bianco. Birkinbine. Bluthardt. Borchers. Boucek. Bower. Bradley. Burnidge. Campbell. Capuzi. Collins. Conti. Davis. Deuster. Ralph Dunn. Dyer. Ebbesen. Epton. Ewing. Flinn. Virginia Frederick. Dwight Friedrich. Griesheimer. Grossi..."

Speaker Lechowicz: "Excuse me. The Gentleman from Champaign, Mr. Johnson, for what purpose do you seek recognition?"

Johnson: "How am I recorded on this?"

Speaker Lechowicz: "How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as not voting."

Johnson: "Vote me 'no'."

Speaker Lechowicz: "Kindly record him as 'no'. Proceed."

Clerk O'Brien: "Hallstrom. Hoffman. Hoxsey. Hudson. Huskey. Johnson. Dave Jones. Karpiel. Kent. Kucharski. Leinenweber. Leverenz. Macdonald. Mahar. Margulas. Matula. Mautino. McAuliffe. McBroom. McCourt. McMaster. Meyer. Mulcahey. Neff. Oblinger. Peters. Piel. Polk. Pullen. Reed. Reilly...."

Speaker Lechowicz: "Excuse me. Would you kindly record Mr. Daniels as 'no'? And Mr. Walsh as 'no'? Proceed, Jack."

Clerk O'Brien: "Rigney. Robbins. Ropp. Ryan. Sandquist. Schoeberlein. Schraeder. Schuneman. Simms. Skinner. Stanley. E.G. Steele. C.M. Stiehl. Stuffle. Sumner. Swanstrom. Telcser. Tuerk. Vinson. Walsh. Watson. Wikoff. Williams. Winchester. J.J. Wolf. And, Woodyard."

Speaker Lechowicz: "Mr. McPike, you're starting with 86 'no's, and 77 'aye's. Mr. McPike, do you have any questions of



the Negative Vote?"

McPike: "Mr. Bianco?"

Speaker Lechowicz: "Mr. Bianco is here."

McPike: "Mr. Conti."

Speaker Lechowicz: "Mr. Conti? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Remove him."

McPike: "Representative Dyer."

Speaker Lechowicz: "Mrs. Dyer? How is the Lady recorded?"

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

Speaker Lechowicz: "Remove her."

McPike: "Mr. Hoffman."

Speaker Lechowicz: "Mr. Hoffman? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Remove him."

McPike: "Mr. Hudson?"

Speaker Lechowicz: "Put Mrs. Dyer back on please. Mr. Hudson? Bill off. He's here."

McPike: "Representative Karpziel."

Speaker Lechowicz: "She's here."

McPike: "Mr. Leinenweber."

Speaker Lechowicz: "He's here."

McPike: "Mr. Leverenz."

Speaker Lechowicz: "Mr. Leverenz? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Remove him. Put Mr. Conti back on."

McPike: "Mr. Matula?"

Speaker Lechowicz: "Matula? He's here."

McPike: "Mr. Mulcahey?"

Speaker Lechowicz: "Mr. Mulcahey's here."

McPike: "Mr. Stuffle?"

Speaker Lechowicz: "He's here."

McPike: "Mr. Telcser?"



Speaker Lechowicz: "Telcser is here."

McPike: "Mr. Tuerk."

Speaker Lechowicz: "Mr. Tuerk? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Remove him."

McPike: "And, Mr. Williams."

Speaker Lechowicz: "Mr. Williams is here."

McPike: "Mr. Campbell."

Speaker Lechowicz: "Campbell? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Remove him."

McPike: "Mr. Davis?"

Speaker Lechowicz: "Mr. Davis? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Remove him. And Mr. Stanley asks leave
to be verified. Leave is granted."

McPike: "Mr. Ebbesen?"

Speaker Lechowicz: "Ebbesen is here."

McPike: "Margulas?"

Speaker Lechowicz: "Excuse me. Put Mr. Campbell back.
Margulas is here."

McPike: "Mr. Peters."

Speaker Lechowicz: "Mr. Peters had leave."

McPike: "Mr. Ryan."

Speaker Lechowicz: "Mr. Ryan? He's in the Speaker's Office."

McPike: "No more questions."

Speaker Lechowicz: "What's the count? On this question there
are 77 'aye's, and 82 'no's, and the Amendment fails.
Any further Amendments?"

Clerk O'Brien: "Amendment #2, Ryan-Simms..."

Speaker Lechowicz: "Put Leverenz back on... What was that?
Amendment #2 is be who?"

Clerk O'Brien: "Ryan-Simms."

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



Simms: "Mr. Speaker..."

Speaker Lechowicz: "The Gentleman from Cook..."

Simms: "Yes..."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Beatty, for what purpose do you seek recognition?"

Beatty: "I don't seem to have a copy of that Amendment, Sir."

Speaker Lechowicz: "Amendment #2? Has it been distributed? It has been filed. It has not been printed. And it will take the Bill out of the record."

Beatty: "Mr. Speaker?"

Speaker Lechowicz: "Yes, Sir."

Beatty: "I don't see why we should do that. I'd like to move to Third. I'm the Sponsor of the Bill."

Speaker Lechowicz: "When was the Amendment filed, Jack? About a half hour ago. Just go... the Clerk. The Gentleman from Winnebago, Mr. Simms, for what purpose do you seek recognition?"

Simms: "Mr. Speaker, my staff person filed that Amendment at 10:30 this morning with the Clerk in anticipation of what might happen today. It was filed at 10:30. It's my understanding that they chose not to send it upstairs until about a half hour ago."

Speaker Lechowicz: "I can't argue that. Third Reading."



Speaker Lechowicz: "House Bill 2845. 2845. On.. 2846. "

Clerk O'Brien: "House Bill 2846, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill..."

Speaker Lechowicz: "Mr. Henry? Any Amendments? The Gentleman from Cook, Mr. Henry. The Gentleman from Winnebago, Mr. Simms, for what purpose do you arise?"

Simms: "Mr. Speaker, you do not have the authorization to move that Bill on to Third Reading while there is an Amendment that's been filed to that particular Bill. Also a fiscal note has been filed for that piece of legislation and for that reason that Bill should be held on Second Reading until the Amendment has been printed and distributed as well as the compliance of fiscal note has been fulfilled."

Speaker Lechowicz: "2846, Mr. Henry."

Henry: "Mr. Speaker..."

Clerk O'Brien: "House Bill 2846, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Lechowicz: "Third Reading. We're going to go on to Priority of Call, Third Reading. Appears House Bill 3476."

Clerk O'Brien: "House Bill 3476, a Bill for an Act to amend the Probate Act. Third Reading of the Bill. "

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

Getty: "Mr. Speaker, Members of the House, House Bill 3476 is a Bill that in conjunction with the Act that we passed out of this House last year, providing for independent administration, goes one more step consistent with that and provides that the responsibility for mailing or publishing various notices is transferred from the Clerk of the Court to the parties themselves or their



attorneys. I believe this Bill passed out of the Judiciary I Committee unanimously. I know of no opposition to the Bill and I would ask for your support."

Speaker Lechowicz: "Is there any discussion? The Gentleman from McLean, Mr. Ropp. The question is, 'Shall House Bill 3476 pass?' All in favor vote 'aye'; all opposed vote 'nay'. Dawson give me an 'aye'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 142 'ayes', five 'nays', none recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3505. Mr. Ropp."

Clerk O'Brien: "House Bill 3505, a Bill for an Act to amend the Inheritance and Transfer Tax Law. Third Reading of the Bill."

Speaker Lechowicz: "Mr. Ropp. Mr. Ropp. Mr. Ropp. Are you going to call your Bill, Sir?"

Ropp: "Yes, Sir."

Speaker Lechowicz: "Mr. Ropp. I will get to you at the appropriate time, Mr. Collins. Mr. Ropp."

Ropp: "Mr..."

Speaker Lechowicz: "Mr. Ropp."

Ropp: "Mr. Speaker and Members of the House, House Bill 3505 is a Bill that attempts to correct a situation that I feel is not fair. What it has to do with- Currently when you pay your inheritance, not your inheritance tax, but when inheritance taxes are paid, if by chance you are one day late, which now you have ten months to pay, if you're one day late, you now have to pay interest starting back from the date of death. The intent of this Bill is to say that the interest will begin after the tenth month as does the Federal Government and that the interest which was formerly seven percent for three months until they full year would incur, then it would go up to ten percent. I'm stating in this Bill, House Bill



3505, that it would be increased to ten percent would be the penalty, but the penalty would begin one day after the tenth month. There is an Amendment on here and if Representative Getty offered that Amendment would ... we would wish to speak to that, I would welcome that. Otherwise, I urge your favorable support."

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

Ryan: "Mr. Speaker, I don't want to discuss anything on this Bill. I'd like to talk about 2962 and I would be glad to wait for the appropriate time for you to recognize for me to do so, if you want to proceed with this."

Speaker Lechowicz: "Thank you. Is there any discussion on 3505? The Gentleman from Whiteside, Mr. Schuneman."

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

Speaker Lechowicz: "Indicates he'll yield. "

Schuneman: "Representative Ropp, was this Bill amended?"

Ropp: "Yes, it was. That what I mentioned that Representative Getty offered the Amendment..."

Schuneman: "Okay. What does that Amendment do?"

Ropp: "I'd yield to Representative Getty to explain it in detail."

Speaker Lechowicz: "Mr. Getty please."

Getty: "Amendment #1 takes care of a problem that we have in Cook County due to the manner of appointment of the public Guardians Office and provides that the funding for the public Guardians Office will be tied to the inheritance tax percentage."

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

Speaker Lechowicz : "Please procede, Sir."

Schuneman: "Ladies and Gentlemen of the House, I think we should take a careful look at this Bill and although the initial Bill might have some merit, apparently this Amendment that was attached provides for a \$450 thousand windfall for the city of Chicago and the County of Cook



at the expense of the rest of the state, that is, the rest of the counties in the state do not receive that windfall and under those circumstances I think we should take a very careful look at this Bill and perhaps the Sponsor would be able to take it back to Second Reading to try to get that Amendment off of there before the Bill is passed. It seems to me that under the circumstances we should not approve the Bill in its present form."

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

Leinenweber: "Well, Mr. Speaker, I rise to echo the comments of the last speaker. This Bill has been radically changed by the Amendment. I have been asked to speak on the Amendment when it was presented. Apparently I was off the floor or missed it or something, but this Amendment, as the Gentleman points out, now turns the state inheritance tax into a financing mechanism for the Cook County Public Guardians Office. Now what possible connection the Cook County Public Guardians would have with the estates of decedents is totally beyond me, other than, they apparently found a way, some loose money they think may be floating around. So I would certainly hope that all Members of the House would withhold their support of the Bill which its original intent I think was probably a good idea for the taxpayers. But, this Amendment on here is totally at variance with the intent of the Bill itself and I personally intend to vote 'no' on the Bill with the hope that the Gentleman would be forced to put it on Postponed Consideration and take it back, remove this odious Amendment and then return it to Third Reading so that we could pass the Bill in proper form."

Speaker Lechowicz: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, I wonder if the Sponsor of the Amendment could tell me if the Public Guardian is a local office?"



Speaker Lechowicz: "Mr. Getty."

Getty: "I'm sorry. I didn't hear the question."

Skinner: "Is the Public Guardian an office of local government?"

Getty: "Well, that gives me an opportunity to explain the rationale here."

Skinner: "Yes, or no would do."

Getty: "I can't do that because it's two different things depending on where you are in the state. Historically the Public Guardian was an office appointed by the Governor. In the Constitution of 1970 we provided that there could not be appointments to fee offices. After a series of scandals involving the Public Guardians Office a Committee of the Illinois House came up with a correction to that Act which initially provided for appointment by the Circuit Judges and payment out of county funds for the office of Guardian with the view that it should be a state funded institution. Subsequently downstaters opposed the appointment by the County Judge rather than the appointment by the Governor. As a result of that a compromise was reached last year over the objections of some Members on your side of the aisle, I'll note, and we compromised and had it apply to Cook County with the view that it should be funded by the State of Illinois because it is a state function. Now, that Bill applies only to Cook County. It is the only place currently where the County Judge provides... or makes the appointment and at the same time there is an office. It is not an appointment to a fee office. Therefore, public funding is needed for the office. I would join with the rest of you who suggested that there ought to be an appropriate amount for downstate. The additional funding, if it went downstate, would see fit to have appointment on the same basis by the County Judge and change it from a fee office, which it Constitutionally cannot be, into a non-fee office."



Skinner: "Then the answer to my question is yes?"

Getty: "Downstate it is an appointed office, to a fee office.."

Skinner: "It's appointed by the Governor.."

Getty: "In Cook County it is an appointment by the Judges to an office that is in fact an office where the person is paid a salary."

Skinner: "All right. In Cook County, which is what this Amendment has to do..."

Getty: "That's correct.."

Skinner: "It's a local.. It's an appointment of local government? That is correct?"

Getty: "That's correct."

Skinner: "All right. Then I would refer the General Assembly to Article VII, Section 9 in the State Constitution, Salaries and Fees. It reads, 'compensation of officers, employees, and the office expenses of units of local government shall not be paid from fees collected.' Skipping one sentence, it concludes by saying, 'fees shall not be based upon funds dispersed or collected nor upon the levy or extension of taxes.' It appears to me that if one is cutting a percentage of the inheritance tax off the top, that one is in violation of this Section of the Constitution. For that reason, it seems to me that the Bill should be defeated."

Speaker Lechowicz: "The Lady from Cook, Mrs. Hallstrom?"

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

Speaker Lechowicz: "Indicates he will."

Hallstrom: "Representative Getty, I want to make sure that I understand this correctly. I thought that in Cook County that the Guardian in Cook County, they took care of the cases over 15 thousand, that the Office of Guardianship and Advocacy then had the cases under 15 thousand. Is this true?"

Getty: "That's the way it's supposed to be. I don't know that



the Office of Guardianship and Advocacy is fully functional however and I would also point out to you that the anticipated cost of the operation of the Public Guardians Office is in excess of half a million dollars. This would provide approximately according to I think the figures which both staffs had, approximately 450."

Hallstrom: "As the Guardianship and Advocacy Commission then becomes fully functional, will that not be true, that the Cook County Guardian will handle the cases over 15 thousand and the state guardian will..under?"

Getty: "Yes. That was the intention of the statute as it was drawn."

Hallstrom: "Isn't there something already going on as far as transferring cases from the Cook County Guardian to the Guardianship and Advocacy Commission?"

Getty: "It was my understanding that they were going to begin the transfer or at least to take new cases under 15 thousand."

Hallstrom: "Yes. Right. They have started and it is my hope that the Guardianship and Advocacy Commission will be in almost full operation this year. I just wanted to make sure that I understood that, that nothing has changed, that they will take the cases under 15 thousand and the county guardian will only handle the cases over 15 thousand."

Getty: "That's right. This wouldn't change this. All this seeks to do is provide an earmarked fund that could be used for no other purpose than to fund at least a portion of the expenses of the Public Guardians Office, something that we, in the Legislature, mandated Cook County to do and only Cook County to do and that we should pay at least a portion of it. But in no way would it cut into the Guardian and Advocacy Commission. It's not intended to do that in any way."



Hallstrom: "Thank you very much."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Hudson."

Hudson: "Thank you, Mr. Speaker. 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. Mr. Ropp to close."

Ropp: "Mr. Speaker and Members of the House, there's been a lot of debate. My original intent was to solve a problem that I think could be resolved without any major problem. There is an Amendment on it. I urge your favorable support."

Speaker Lechowicz: "The question is, 'Shall House Bill 3505 pass?' All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? The Gentleman from Cook, Mr. Beatty, to explain his vote. Timer's on."

Beatty: "Mr. Speaker, Members of the House, I think we should support this Bill. It makes more sense. Many times people don't know exactly when they're supposed to have filed it and if they run late, they end up getting penalized unnecessarily. If the tax isn't due till the time it's filed, there would be less embarrassment to people and I don't think it would really substantially make much difference with the state."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Collins, to explain his vote. Oh. Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Mr. Getty, to explain his vote. Timer's on."

Getty: "Mr. Speaker, Members of the House, I just wanted to make perfectly clear that Representative Ropp's original Bill was a very laudatory Bill. It's a Bill that is fair. It provides that the tax would not begin to run until a fair time. There would be no unnecessary penalties and the Amendment that was put on this Bill is again, an Amendment based upon fairness. We, the



Legislature, mandated Cook County to do something that no other county is required to do, although, in my opinion, all of our downstate circuits should be required to change to such a system. This would pay a part of that cost that we, in the Legislature, mandated. It ties the fund up so that Cook County can't use it for any other purpose other than for the administration ..."

Speaker Lechowicz: "The Gentleman from Will, Mr. Leinenweber, to explain his vote. Timer's on."

Leinenweber: "Mr. Speaker, not to explain my vote. I'm not entitled to do that, but I would ask for a verification if this does get 89 votes."

Speaker Lechowicz: "That's in order. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 91 'ayes', 37 'nos', 23 recorded as 'present'. Verification has been requested. The Gentleman from 'Taylor', (sic) what purpose do you seek recognition?"

Taylor: "Mr. Speaker, I rise for the purpose of an announcement. We have with us visiting Springfield today the eighth-grade class from the 'Martha Garbin School' in the 28th District in Chicago represented by Representatives Jones, Keane and Representative Ted Meyers. Welcome to Springfield."

Speaker Lechowicz: "Welcome to Springfield. Clerk will poll the absentees. Mr. Kelly, for what purpose do you seek recognition? Kelly?"

Kelly: "Yes, Mr. Speaker. Can I have leave to be recorded as verified as a 'yes' vote?"

Speaker Lechowicz: "The Gentleman have leave, Mr. Leinenweber? Leave is granted. Poll the absentees."

Clerk O'Brien: "Poll of the absentees; Abramson. Brummer. Casey. Ralph Dunn. Ewell. Gaines. Griesheimer. Grossi. Hoffman. Klosak. Laurino. McAuliffe. McMaster.



Mugalian. O'Brien. Robbins. Schlickman. Telcser.
Terzich. Totten. Tuerk. Van Duyne. Walsh. White..."

Speaker Lechowicz: "Kindly record Mr. Walsh as 'no'. And
Mr. Winchester as 'no'. Please procede. Correct."

Clerk O'Brien: "Continuing the poll of the absentees; Woodyard.
And, Younge."

Speaker Lechowicz: "Woodyard as 'no'. I'm sorry. Not Woodyard.
Watson as 'no'. Change him from 'aye' to 'no'. And
Mr. Bell from 'aye' to 'no'. What's our count now?
On this question there are 88 'ayes'. Kindly record
Mrs. Catania as 'aye'. 89 'ayes'. Hanahan's here.
Right in his chair. Proceed to verify the affirmative
vote."

Clerk O'Brien: "Alexander. Balanoff. Beatty. Birchler.
Boucek. Bowman. Bradley. Braun. Breslin. Bullock.
Capparelli. Capuzi. Catania. Chapman. Christensen.
Cullerton. Currie. Dawson. DiPrima. Domico. Donovan.
Doyle. John Dunn. Farley. Flinn. Virginia Frederick.
Garmisa. Getty. Giorgi. Goodwin. Greiman. Hallock.
Hanahan. Hannig. Harris. Henry. Huff. Jaffe.
Dave Jones. Emil Jones..."

Speaker Lechowicz: "Excuse me. The Gentleman from Sangamon,
Mr. Jones, for what purpose do you seek recognition?
Change Mr. Jones from 'aye' to 'present'. Mr. Ralph Dunn
for what purpose do you seek recognition? 'No'. Kindly
record Ralph Dunn as 'no'. Emil Jones wants to have
leave to be verified. Leave is granted. Procede."

Clerk O'Brien: "Kane. Katz. Keane. Kelly. Kornowicz.
Kosinski. Krska. Kucharski. Kulas. Lechowicz.
Leon. Leverenz. Madigan. Marovitz. Matijeich.
McClain. McPike. Molloy. Mulcahey. Murphy. Oblinger.
Patrick. Pechous. Peters..."

Speaker Lechowicz: "Kindly record Mr. Stearney as 'aye'. Mrs.
Frederick, for what purpose... Kindly change Mrs.
Frederick from 'aye' to 'no'. "



Clerk O'Brien: "Pierce. Pouncey. Preston. Rea. Richmond. Ronan. Ropp. Sandquist. Satterthwaite. Schisler. Schneider. Sharp. Slape. Stearney. Steczo. E.G. Steele. Stuffle. Taylor. Vinson. Vitek. Willer. Williams. Williamson. Sam Wolf. Yourell. Mr. Speaker."

Speaker Lechowicz: "What's our count, Jack? What are we starting with? 89 solid 'ayes' and 42 'nos'. Mr. Leinenweber, do you have any questions of 89 solid 'ayes'?" Mr. Leinenweber? No further questions?"

Leinenweber: "How about Representative Birchler, is he back there? I couldn't.."

Speaker Lechowicz: "Vince Birchler, always in his chair."

Leinenweber: "How about Representative Boucek? He's one of your solid 89 'ayes'."

Speaker Lechowicz: "Boucek? Boucek? Mr. Boucek? Kindly record Mr. Grossi as 'aye'. And Mr. Boucek? Is Mr. Boucek in the chamber? Boucek? How's Mr. Boucek recorded?"

Clerk O'Brien: "Mr. Boucek, Representative Boucek is recorded as voting 'aye'."

Speaker Lechowicz: "Is that Emil Boucek?"

Leinenweber: "Shame on you people. How about Representative Christensen?"

Speaker Lechowicz: "Wait a minute. Is Mr. Boucek in the chamber? Remove him."

Leinenweber: "Christensen."

Speaker Lechowicz: "He's here."

Leinenweber: "How about Representative Cullerton?"

Speaker Lechowicz: "Wait a minute. How is Mr. Christensen recorded?"

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

Speaker Lechowicz: "That's right. He's here. Who was that?"

Leinenweber: "How about Representative DiPrima?"

Speaker Lechowicz: "The Commander is always at his post."

Leinenweber: "Representative Doyle."



Speaker Lechowicz: "He's also always at his post."

Leinenweber: "I thought they had left after last week's festivities. Is Representative Farley here?"

Speaker Lechowicz: "Excuse me. Kindly record Mr. Bianco as 'aye' Mr. Huskey as 'aye'."

Leinenweber: "Representative Farley."

Speaker Lechowicz: "Farley is here."

Leinenweber: "How about Representative Garmisa?"

Speaker Lechowicz: "Garmisa? I just saw him. Mr. Garmisa? How is Mr. Garmisa recorded?"

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

Speaker Lechowicz: "That's the right vote. Mr. Garmisa in the chamber?"

Leinenweber: "He doesn't appear to be, my people tell me."

Speaker Lechowicz: "Well.. Mr. Garmisa, remove Mr. Garmisa."

Leinenweber: "How about Representative Dawson?"

Speaker Lechowicz: "Dawson? Mr. Dawson, how is the Gentleman recorded?"

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

Speaker Lechowicz: "That's right. He's in his chair."

Leinenweber: "Well, remove him then."

Speaker Lechowicz: "You try."

Leinenweber: "Representative Greiman."

Speaker Lechowicz: "Mr. Greiman is here."

Leinenweber: "Representative Hanahan."

Speaker Lechowicz: "Hanahan? He's right here."

Leinenweber: "Where?"

Speaker Lechowicz: "Right here."

Leinenweber: "Representative Hannig?"

Speaker Lechowicz: "Hannig? He's in his chair."

Leinenweber: "Representative Kucharski."

Speaker Lechowicz: "Mr. Kucharski? The 12th Ward, how is the Gentleman recorded?"

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

Speaker Lechowicz: "Ed Kucharski. Remove him."



Leinenweber: "Thank you. Mr. . . Representative Kulas."

Speaker Lechowicz: "The Gentleman is here. The Gentleman from
Macon, Mr. Dunn, for what purpose do you seek recognition? Mr. Dunn? Oh.."

Leinenweber: "How about Representative Marovitz?"

Speaker Lechowicz: "I've just seen him."

Leinenweber: "Has he gone to the Senate yet?"

Speaker Lechowicz: "Mr. Marovitz is here."

Leinenweber: "Representative Molloy."

Speaker Lechowicz: "Mr. Molloy? He's always here."

Leinenweber: "Representative Peters."

Speaker Lechowicz: "How is Mr. Molloy recorded?"

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

Speaker Lechowicz: "Remove him. Oh, I'm sorry, Vince, he's
there."

Leinenweber: "How about Representative Peters? Maybe we'll
do better with him."

Speaker Lechowicz: "Peters? I thought he had leave to be
verified."

Leinenweber: "No."

Speaker Lechowicz: "Oh. Mr. Peters? The Gentleman from Bond,
Mr. Slape, for what purpose do you seek recognition?"

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

Speaker Lechowicz: "How is the Gentleman recorded? Slape."

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

Slape: "Could I have leave to be verified please?"

Speaker Lechowicz: "Leave is granted. And put Mr. Garmisa
back on the Roll Call. And, I'm sorry. Harry. Who'd
you ask for?"

Leinenweber: "Peters, did you remove him?"

Speaker Lechowicz: "No, I didn't. Mr. Peters in the chamber?
Kindly remove Mr. Peters."

Leinenweber: "How about Representative Ronan? I see his seat's
empty."

Speaker Lechowicz: "Who?"



Leinenweber: "Ronan."

Speaker Lechowicz: "Al Ronan."

Leinenweber: "His seat's empty."

Speaker Lechowicz: "He's right here."

Leinenweber: "Representative Schisler."

Speaker Lechowicz: "Mr. Schisler? The Gentleman from Lake,
Mr. Griesheimer, for what purpose do you seek recognition?"

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

Speaker Lechowicz: "How is the Gentleman recorded, Jack?"

Clerk O'Brien: "The Gentleman's recorded as not voting."

Griesheimer: "Please vote me 'aye'."

Speaker Lechowicz: "Kindly record Mr. Griesheimer as 'aye'.

And, Mr. Schisler? Mr. VonBoeckman, for what purpose
do you seek recognition?"

VonBoeckman: "I would like to have my vote changed from 'no'
to 'aye'."

Speaker Lechowicz: "Kindly record Mr. VonBoeckman as 'aye'.

Is Mr. Schisler in the chamber? Remove Mr. Schisler."

Leinenweber: "Representative..."

Speaker Lechowicz: "Would you kindly also verify Mr. Schneider?"

Leinenweber: "He's verified."

Speaker Lechowicz: "Leave is granted."

Leinenweber: "Representative Sharp."

Speaker Lechowicz: "Sharp? He's here."

Leinenweber: "Representative Stearney, his seat's empty."

Speaker Lechowicz: "Stearney is right here."

Leinenweber: "Representative Steczo."

Speaker Lechowicz: "Steczko is here."

Leinenweber: "How about Representative E.G. Steele?"

Speaker Lechowicz: "I thought we removed him. Mr. E.G. Steele?

How is the Gentleman recorded? Mr. E.G. Steele."

Leinenweber: "The Gentleman is recorded as voting 'aye'."

Speaker Lechowicz: "Kindly remove him."

Leinenweber: "How about Representative Stuffle now?"

Speaker Lechowicz: "Stuffle? How is Mr. Stuffle recorded?"



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

Speaker Lechowicz: "Mr. Stuffle in the chamber? Remove him."

Leinenweber: "How about Representative Yourell?"

Speaker Lechowicz: "He's right here."

Leinenweber: "How about Emil Jones? Representative Jones."

Speaker Lechowicz: "Emil Jones had leave to be verified. The Gentleman from Winnebago, Mr. Hallock, for what purpose do you seek recognition?"

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

Speaker Lechowicz: "How is the Gentleman recorded? Hallock."

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

Hallock: "Please change that to 'no'."

Leinenweber: "I have one more, Representative Oblinger."

Speaker Lechowicz: "Did you record Mr. Mrs. Oblinger is here. Who? Garmisa's back on the Roll Call. Any further questions?"

Leinenweber: "Just a second. We're conferring here quickly. I think that's all we have."

Speaker Lechowicz: "Okay. And what... How many... Mr. Christensen was never removed. The Gentleman from Cook, Mr. Leverenz, for what purpose do you seek recognition?"

Leverenz: "Thank you, Mr. Speaker. How am I recorded?"

Speaker Lechowicz: "How is the Gentleman recorded?"

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

Leverenz: "Thank you."

Speaker Lechowicz: "Have all voted who wish? What's the count, Mr. Clerk? On this question there's 87 'ayes'.. The Gentleman from McLean, Mr. Ropp, for what purpose do you seek recognition?"

Ropp: "Mr. Speaker, I'd like to place this, House Bill 3505, on Postponed Consideration."

Speaker Lechowicz: "Let me announce the Roll Call. 87 'ayes'.. What? Put Mr. Stuffle back on. That's 88. Yeah, Mr. Stuffle was removed. And the Gentleman from Cook, Mr. Epton, what... 'Aye'. What's the count now? Epton and



Stuffle. 89 'ayes', how many 'nos'? On this question there are 89 'ayes', 40 'nos'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Mr. Getty, for what purpose do you seek recognition?"

Getty: "Mr. Speaker, having voting on the prevailing side, I now move that the vote by which House Bill 3505 was declared passed be reconsidered."

Speaker Lechowicz: "The Gentleman from Winnebago, Mr. Giorgi."
"Giorgi."

Giorgi: "I move that motion lie on the table."

Speaker Lechowicz: "All in favor signify by saying 'aye', 'aye' Opposed. 'Ayes' have it. House Bill 3510."

Clerk O'Brien: "House Bill 3510, a Bill for an Act to amend Sections..."

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

Ryan: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Earlier I said when you finished the last Bill I would like to have been recognized. I want to talk for a minute, Mr. Speaker, on House Bill 2962."

Speaker Lechowicz: "Please proceed, Sir."

Ryan: "It's been a blatant violation of the House rules, Mr. Speaker, by you, as I understand it. House Rule 32-E concerning fiscal notes has been totally disregarded and I wonder if you could tell me if there's been a request for a fiscal note filed on 2962."

Speaker Lechowicz: "Mr. Clerk, has there been a request for a fiscal note on 2962?"

Clerk O'Brien: "Yes, there is a request for a fiscal note by Representative Simms."

Speaker Lechowicz: "Has the fiscal note been filed?"

Clerk O'Brien: "Yes, I have a fiscal note filed."

Ryan: "Mr. Speaker, that fiscal note was filed timely, at the time when the Bill was on Second Reading and the Bill should remain on Second Reading until that note has



been filed."

Speaker Lechowicz: "The note has been filed, Sir."

Ryan: "Well, that was not filed at the time that you moved the Bill to Third Reading, Mr. Speaker, and I don't know who filed a fiscal note. I'd like to see it if I may before we..."

Speaker Lechowicz: "You may, Sir."

Ryan: "I'd like to know who filed it."

Speaker Lechowicz: "I don't know."

Ryan: "Could you ask the Clerk who filed..."

Speaker Lechowicz: "Who filed... Clerk, who filed the fiscal note?"

Clerk O'Brien: "May 19th, 1980 minute, Mr. Clerk, there is no fiscal impact due to House Bill 2962, signed John Beatty."

Ryan: "Well, that's not a fiscal note, Mr. Speaker, according to the statutes, Chapter 63, paragraph 42 if you'll call your Parliamentarian in, I believe he'll explain that for you. That is absolutely in violation of not only the rules, but the statutes. And I would ask that you take the Bill back to Second Reading until proper fiscal note has been filed."

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

Collins: "Well, Mr. Speaker, Representative Ryan just stated what I wanted to state also, that that statement by Representative Beatty does not constitute a fiscal note which must be prepared by the agency involved. Now at this point, Mr. Speaker, we're not speaking of a violation of the rules with this so-called fiscal note. This is a direct violation of the statutes, Mr. Speaker, and I think.. I think that you should return that Bill to Second Reading where it properly belongs for the preparation of the requested fiscal note."

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

Ryan: "Well, Mr. Speaker, I think that there's more at stake



here than the fiscal note filing and what's going on. I think the integrity of the Chair is really at stake here. A total blatant violation of the rules has existed. You failed to recognize Representative Simms for his Amendment that was filed early enough to be printed. Maybe an investigation into the Clerk's Office would be proper. I understand that that Amendment was held and wasn't printed, so it couldn't be distributed and if we're going to operate according to the rules, and I think we ought to do that. And I would ask, Mr. Speaker, that you take that Bill back to Second Reading and read the statute because it also says in paragraph 42.34 that a worksheet of the computations must be filed as to how they arrived at the fiscal note that was used and I would suggest, Mr. Speaker, in all fairness and in all legality that you remove.. that you move that Bill back to Second Reading, get that Amendment printed and give Mr. Simms a shot at his Amendment like you have everybody else. I don't mind getting beat, Mr. Speaker, when you've got the.. when you're within the rules, you've got the votes to do it. But when you haven't got the votes and you totally prostitute the rules and violate the Members' rights in this chamber, there's no reason that we should have to put up with that. And I would ask that you do that now, Mr. Speaker."

Speaker Lechowicz: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, Representative Getty placed a fiscal note with the Clerk and at that time because he said that there was no fiscal impact, at that time the motion should have been put, with the Majority of the House voting in the affirmative, to deny that fiscal note. This is not timely by the Minority Leader. You are in your proper position on this rule."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Pierce. Oh. The Gentleman from Cook, Mr. Beatty, the Sponsor of the Bill."



Beatty: "Mr. Speaker, the Minority party, at this time, is really not acting in good faith. They're asking for a fiscal note where obviously none is required. It's purely dilatory. This Bill provides that arbitrators stay at the same salary that they're at at present. It has nothing to do with an increase. Obviously what they're trying to do is delay the Bill and when they complain about prostitution on the side of the Democratic party, I think they should keep... have their own hands clean before they start."

Speaker Lechowicz: "Let me just point out to the Membership that I'm sure your memory is as good as mine. House Bill 2965 (sic) was in the process of having Amendment #1 offered by Mr. McPike. I was in the chamber. I was in my seat and I was asked to come up to the Chair when the process was in its nearest conclusion and then the... and a request for a verification was made. I sat through and went through the verification and I ruled that the Amendment lost. I asked the Clerk if there were any further Amendments. He told me there were none. Now, wait a minute. Then, Mr. Simms seeked recognition. All right? And he says, he filed an Amendment and I asked the Clerk when did he file the Amendment. He said about half an hour ago. Mr. Beatty sought recognition. I recognized Mr. Beatty and he said he would like to have the Bill. He's the Sponsor of the Bill; he wanted it moved to Third Reading. I called it as I saw it at the time. A fiscal note whether it's.. I don't know who prepared it. It was filed. The Bill is on Third Reading. The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Well, Mr. Speaker, I object to your ruling. I want to remind you that when I came on the floor one of my leaders was trying to get your attention. You totally ignored him as you have done in the past, not only you, but other people who have sat in that Chair. He was trying to



point out to you where you were wrong. Now, the statute clearly states what has to be done in the filing of a fiscal note and if you don't know, and can't interpret it yourself then get somebody in that Chair who can. Or call up the Parliamentarian. It is totally illegal and totally out of line. And Cullerton, go sit down on your own side of the aisle."

Speaker Lechowicz: "We'll get back..."

Ryan: "Mr. Speaker, I implore you to take this Bill back to Second Reading and to be fair about this, everything was done timely. The Clerk held this Bill. You ignored our Members on this side. And I was in the Speaker's Office trying to work out a problem that he has, a mutual problem, and that's why I wasn't on the floor at the time. And I walked right by the desk when Representative Collins was trying to get your attention and you totally ignored him. Now, Mr. Speaker, fair is fair and that sure hasn't got any part in this game with you in the Chair acting the way you are. Now the only fair way to handle this is to put it back on... I don't know what you're afraid of. Are you afraid of Simms' Amendment? I don't understand it, Mr. Speaker. Why can't you file a legitimate fiscal note according to the statutes? "

Speaker Lechowicz: "House Bill 3510."

Clerk O'Brien: "House Bill 3510, a Bill for an Act to amend Sections of the Illinois Health Facilities Planning Act. Third Reading of the Bill."

Speaker Lechowicz: "The Lady from Adams, Mrs. Kent."

Kent: "Thank you, Mr. Speaker. House Bill 3510 exempts the Department of Veterans Affairs from the Health Facilities Planning Act. The reason that I am asking that the Veterans Department be removed from this Act is that they already are covered by the Veterans Administration. They are already told what the needs are and so the act of going through the Health Planning Board is a little



extra that is just an act of futility really because it's going to happen, but they have to take the time. For instance, it has been several months that we have been needing some health safety corrections at the Veterans Home, but they had to go through all of the Board meetings and it still has not been acted upon. Representative McClain, my colleague in the 48th District also agrees with me and is a Cosponsor of this Bill. I urge you to know that this will help get the facilities for the Illinois Veterans Home in compliance with the Health Safety Act and make it done much more quickly. I urge your support."

Speaker Lechowicz: "Any discussion? The Lady from Cook, Mrs. Chapman." Check the other mic. Mrs. Chapman? Would you try Mr. McPike's mic please?"

Chapman: "Mr. Speaker and Members of the House, I'm sorry to rise to oppose Mrs. Kent's Bill. The fact is that hospitals, private hospitals, and private nursing homes all over the state would love to be exempted from compliance with our Illinois Health Facilities Planning Act. There is absolutely no more reason to exempt government, to give government a special posture, competitive advantage, over the private sector that I can think of. The purpose of the Illinois Health Facilities Planning Act is to provide the services we need where and when we need them and to avoid duplication by exempting any unit of government or any unit in the private sector from compliance merely has the potential down the road effect of increasing health costs for all of us. If there is any issue where all citizens stand shoulder to shoulder it is on this issue of escalating health costs. To approve this kind of Bill, has the effect of encouraging the escalation of health costs. Now the fact is that the kind of request that to date the Department has made has been requests that could be substantiated. I under-



stand that every, single request they've made has been approved. So there is no need at this point to exempt this agency. I'd ask you to vote 'no' on this Bill to protect your citizens, your constituents, from rising health costs in this state which opening the door for these kinds of exemptions can provide."

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

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

Speaker Lechowicz: "The Gentleman has moved the previous question. All in favor say 'aye'. Opposed? The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Thank you. Would the Sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Leverenz: "Has the Bill been amended?"

Speaker Lechowicz: "Indicates she will. I'm sorry. Mrs. Kent."

Kent: "No, it has not."

Leverenz: "Well, could you briefly explain three or four reasons why you would want the Veterans facilities not to come under the Illinois Health Facilities Planning Act? Why would you want to exempt those facilities?"

Kent: "Because, first of all, they are under the Veterans Administration and must comply with their recommendations. Second, this facility takes residents from all over the State of Illinois to veterans that come into our community from all over. And therefore, when the Health Facilities Planning Board begins to set up the quotas and how many nursing homes and how many hospitals we can have, these figures are added into it. And therefore, our community cannot grow. The Veterans Home is not saving money by doing this. The costs have gone up terrifically since we first made our application and so it is not saving money by staying in the Health Planning Board. It will save money to get out of it. They are not going to be adding rooms or facilities just by their own needs. They are doing it because the Veterans Administration requires



that to be a part of the veterans facility."

Leverenz: "Well, that leads then to another question. Would you then be eliminating these beds from the counts in any given service area as the hospital service areas are so broken out now? Would you actually eliminate those beds from their listings on the computer?"

Kent: "Well, no. They would still be listed there. But they would also not be counted in in the ones that are needed for the people of our area. The Michigan... The State of Michigan did this and they have found that it has saved lots of money and there has not been a reason to increase their beds at all."

Leverenz: "And, really, what you're trying to do is circumvent the Illinois Health Facilities Planning Board in a part in any area of the state in terms of the bed count to allow private nursing homes to expand their facilities? Is that correct?"

Kent: "In our area, yes, as far as ..."

Leverenz: "Whose area is this? Would it be state-wide or just your area?"

Kent: "Well, if there was a facility that .. there just doesn't happen to be at this point, but if there was a facility in another section of Illinois that covered all of the veterans in Illinois, they would be exempt. But, in this case, there's just this one and their figures are added on to the area that represents us."

Leverenz: "But don't you think that perhaps because of the numerous rules and conditions that this would actually lessen health care for veterans?"

Kent: "Absolutely not. Because the Veterans Administration is the one that puts out the regulations of how they can be served and they are served in a very, very excellent way. And they will be continued to do. This is what we're trying to do, is help them. We're not trying to hurt them."



Leverenz: "Well, may I ask how this Bill was brought to your attention; how the problem was brought to your attention? Was it by the private nursing homes?"

Kent: "No, it was not. I served for six years on the Hospital... on the Health Care Facilities Board of my area and I saw that this need was not necessary for the Veterans Home to be there. Because.. And I also gave a testimony in their behalf at the Health Facilities Planning Board hearing for the health care of the Veterans Home. And it took... It has taken all this time and yet they are required to have these health, safety things corrected and yet, it has taken all this time to get the job done. There is no need to have them covered under this. They're not going to be doing anything that the Veterans Administration does not require them to do. And also, I do not intend to take this any further. This is a different kind of thing. It will not go into any other Illinois facility. All it is is because they are already controlled by the Veterans Administration."

Leverenz: "Are the house care standards identical between the federal and state?"

Kent: "Absolutely not."

Leverenz: "Well, would you explain that then?"

Kent, "Well, I don't know that it applies here at all because.."

Leverenz: "Well, you just said that they comply with the federal."

Kent: "The Veterans Administration, who has.."

Leverenz: "No question. Now, you say also that they are different than the state. Would you expand and state specifically what is different?"

Kent: "Well, they require that they follow the Veterans Administration requirements. They say that they have to follow the state requirements. They are willing to do all of it, but the fact is, that when they have to have something done that, the Veterans require, they have to



go through months of hearings and all that really detains them and makes it cost more."

Leverenz: "Have they ever been denied?"

Kent: "No. That sort of shows that they're not asking for anything they don't need."

Leverenz: "Well, then perhaps they should not be exempted. Are there any other exemptions?"

Kent: "It is the length of time that I'm after. It isn't... It isn't what they get when the final decision is made. They get that. That has nothing to do with it. But when you wait a year to have the cost estimates, they change in that length of time and that is what's happened to them now."

Leverenz: "Well..."

Kent: "I want to save them state money."

Leverenz: "Are there any other exemptions to the Illinois Health Facilities Planning Act as you're proposing here?"

Kent: "Not that I know of and I do not intend to have any others exempted."

Leverenz: "And you still cannot explain the difference between state standards and the federal standards?"

Speaker Lechowicz: "The Gentleman from Cook, Mr. J.J. Wolf."

Wolf: "Mr. Speaker, I was just wondering how long this dialog is going to continue? Well to that, apparently the Sponsor cannot explain the difference between the federal requirements that the facility is under and the state requirements as outlined by the Illinois Health Facilities Planning Act and why we have it. Then I don't understand why we should grant an exemption and it would be the first exemption. Thank you."

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

Huskey: "Mr. Speaker, may I ask a couple of questions?"

Speaker Lechowicz: "The Lady indicates she'll yield."

Huskey: "Well, Representative Kent, is there anything in this Bill that has anything to do with private institutions



whatsoever?"

Kent: "None."

Huskey: "In other words, we're confusing the situation with some of the 'diet trite' that took forth?"

Kent: "Exactly and it seemed done for a purpose."

Huskey: "It's strictly a... This is strictly a veterans hospital that this Bill affects, strictly a veterans administration hospital?"

Kent: "We have one Illinois Veterans' Home in Illinois and this is it. And therefore, it only, at this time, applies to them and I would hope the people would realize that and vote for it."

Speaker Lechowicz: "The Lady from Cook, Mrs. Chapman, for what purpose do you seek recognition? On Mr. McPike's mic."

Chapman: "Point of personal privilege, Mr. Speaker."

Speaker Lechowicz: "Point of personal privilege?"

Chapman: "This is simply that point that I was making because the speaker was, obviously, referring to me. The point I was making is that it only refers to government and so it puts government in a special preferential position that private nursing homes do not have. So it does relate to private nursing homes. It does relate to hospitals..."

Speaker Lechowicz: "Mrs. Chapman?"

Chapman: "Because they have to comply and..."

Speaker Lechowicz: "Mrs. Chapman please."

Chapman: "And we're saying that the state..."

Speaker Lechowicz: "Would you kindly state your point of..."

Chapman: "Government does not have to comply, comply..."

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

Huskey: "Mr. Speaker, this Lady spoke once to the Bill. How many times are we allowed to speak to the Bill?"

Speaker Lechowicz: "Please proceed, Sir. You can.. Are you completed?"

Huskey: "No, you... I was asking questions and I was rudely..."



Speaker Lechowicz: "The Lady got up on a point of personal privilege. I don't know what her point was. But then, she had to explain it. The Lady from Champaign, Mrs. Satterthwaite."

Satterthwaite: "Will the Sponsor yield for a question please?"

Kent: "Yes."

Speaker Lechowicz: "Indicates she will."

Satterthwaite: "Representative, in the process that would now be required in order to go through with this plan would not the Veterans Administration have to document where they were anticipating that the residents would come from in order to go into this facility?"

Kent: "No. Because they already... It is an Illinois State Veterans Home and that's what it is required to serve and they will in no way change that at all. This has nothing to do with that. This is just...."

Satterthwaite: "Would they not have to document some evidence that they were going to have need for the space that they were proposing to add?"

Kent: "Exactly and not only that, but the Veterans Home must come to the state for an appropriation to pay for it, so therefore you're all going to get to say 'yeah' or 'nay' at that time."

Satterthwaite: "My concern, however, is that the planning process, as I understand it, not only relates to the need for the particular added facility, but some indication as to what impact that would have on neighboring regions or the state as a whole. And my concern is that if we exempt the Veterans Home from this process, then some other region of the state from whom knows... from which those veterans would be coming to your areas to be in the state facility, would not have documentation of that movement. And so, within that region of the state they would have inaccurate information about the needs for their region."

Kent: "I think you're stretching it, Representative. For the



simple reason that what do you think it does to the area where they come? It takes away from the needs of the people that live there and that's what this is all about, is to help both. It wouldn't hurt your area at all."

Satterthwaite: "If the Veterans Administration has documentation for the need, do you feel that they would not be given clearance to go ahead with the project?"

Kent: "I have no doubt of that at all. I am trying to save money. When the cost of doing it raises and the time that it takes the Health Facilities Board to act, when it raises so high that the state will not then allow them to do it because of the money, this is wrong. And we have a responsibility to those veterans and that is what I'm trying to do."

Satterthwaite: "Well, Mr. Speaker and Members of the House, I realize..."

Speaker Lechowicz: "You want to address yourself to the Bill now, Ma'am?"

Satterthwaite: "Yes, please."

Speaker Lechowicz: "Please proceed."

Satterthwaite: "I realize that we have a responsibility to the veterans. I would like to see that we are able to fulfill that responsibility. But, having served on one of the Health Systems Agency Boards, I can see that it is also necessary for us to have documentation state-wide if a new facility is to go up or a facility is to be substantially expanded, then there has to be, as a part of the state-wide plan, a recognition of where those people are coming from so that the other regions of the state can plan adequately for their needs. I think we might also end up in a position where we would find ourselves in noncompliance with the federal requirements and we might find that it actually would cost the state more in the long run to make this kind of an exemption. I regret the fact that some delay in processing the requests might mean an addi-



tional financial cost. But, I think that is something we're going to have to assume as a result of having an integrated plan and I oppose the Bill."

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

Simms: "Mr. Speaker, 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 Lady from Adams, Mrs. Kent, to close."

Kent: "I feel by this repeal that I am helping the state; I am helping the veterans; I am helping the people in my area. It will in no way affect anyone else. This is so that The people of the Veterans Home are not those that are in a hospital. They have a hospital. They are not all in a bed. They are domiciliary in many ways. This Home serves them in all different kinds of conditions. So I urge you to please help us to get the Veterans Home in compliance with the Veterans Administration and cut the costs to the State of Illinois."

Speaker Lechowicz: "The question is, 'Shall House Bill 3510 pass?' All in favor vote 'aye'; all opposed vote 'no'. The Gentleman from Adams, Mr. McClain, to explain his vote. Timer's on."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, with all due respect to Mrs. Chapman, in the House Human Resources Committee there's basically only one opponent from the nursing home industry there. The discussion in the Human Resources Committee was approximately 20 minutes. The nursing homes in the western Illinois region did not come and testify against it. Frankly, Ladies and Gentlemen, this is a basic program. The Illinois Veterans Home, be it now at Quincy or at some day, also in Mantino, is something that offers special kind of treatment to veterans in veterans and their families or spouses. And I'd ask you to vote 'aye'. It's a good program. It's an exemption



that I think we can live with. And I believe very strongly that there's no significant state-wide opposition to it. Otherwise, everybody would be lobbying you. So I'd ask you to vote 'aye'."

Speaker Lechowicz: "The Lady from Cook, Mrs. Willer."

Willer: "Well, yes, Mr. Speaker, thank you. It looks like the Bill has carried. However, I would say in looking at the testimony of Human Resources, Representative McClain is correct. I sympathize with what the Sponsor is trying to do. I understand the problem. It seems to me we are addressing ourselves to the wrong part of the problem. The delay hurts everybody and the granting authority taking so long, it seems that's where we should go for redress. Now we have taken one entity, a unit of government, and treated it favorably and saying, 'Well, we don't want you to wait so long because of the increased costs, so we're going to exempt you.' Where does this lead us? There will be other exemptions asked for for the same basis unless we get at the root of the problem, which is trying to speed up these decisions."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 126 'ayes', 26 'nos', three recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3514."

Clerk Leone: "House Bill 3514, a Bill for an Act creating an Advisory Board for the Industrial Commission. Third Reading of the Bill."

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

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3514 was introduced by Speaker Redmond and it is an attempt to establish an Advisory Board to the Industrial Commission, made up of nine Members, three from management, three from labor, and three public members. The Members would be appointed



by the Governor with the consent of the Senate. It is an attempt to establish and work on an agreed Bill in the workmen's compensation area. We feel that it was successful in the Unemployment Insurance Act and it is an attempt, at this point, to establish this Advisory Commission to work on the Workmen's Compensation Act. And I would move for its approval."

Speaker Lechowicz: "Any discussion? The Gentleman from White-side, Mr. Schuneman."

Schuneman: "Yes, question of the Sponsor, Mr. Speaker."

Speaker Lechowicz: "Indicates he'll yield."

Schuneman: "Representative, does this... Does this Bill propose the set up in a Commission of only legislators?"

Farley: "No, not Legislators, individuals from labor, individuals from management and public members representing neither management nor labor."

Schuneman: "To be appointed by whom?"

Farley: "The Governor."

Schuneman: "Mr. Speaker, could I speak to the Bill please?"

Speaker Lechowicz: "Please proceed, Sir."

Schuneman: "Ladies and Gentlemen of the House, I would call your attention to this Bill which has been introduced by the Speaker which may or may not have merit. Frankly, there was no hearing on this Bill before the House Labor and Commerce Committee. No debate was permitted by the Chairman in that Committee and I think that at this time that we should resist this Bill strictly on the strength of the fact that there was no hearing given this matter before a Committee. This may very well be a good idea, but I think the way the Bill was handled and the way the Bill has been processed through the House makes a mockery of what we're trying to do here in the legislative process and I certainly think that we ought to at best vote 'present' on this Bill until the Bill goes through the regular procedure that is required of all



Bills in the House."

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

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition against this legislation. As Representative Schuneman said, it did not have a hearing. But all this Bill is is very basically Speaker Redmond's attempt of the Democratic party to smoke screen what the Democratic party has done to business and industry in the State of Illinois by the 1975 Act that they imposed under the Workmen's Compensation Act. What you've done is drove business, industry out. You're putting up a smoke screen by the Advisory Commission... er.. Committee that has no statutory obligation to put any type of meaningful changes. Instead, you try to get around of voting on meaningful Amendments to the Workmen's Compensation Act that will establish standards that will put some real meaningful changes in that will reduce the benefit structure and the costs to the business industry of the State of Illinois, that will help industry come into Illinois instead of continuing to make Illinois an economic desert. And I say that the Speaker of the House of Representatives and those of the Democratic party that have put forth this Bill are really nothing more than political chicanery and trying to hoodwink the general public into thinking that this is seriously honestly trying to do something about Workmen's Comp and all they're doing is dragging their heels and running up the costs of workmen's compensation insurance in the State of Illinois. And I would urge a 'no' or a 'present' vote on this issue."

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

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I can't find too much fault with the Bill. The thing that I want you all to remember is the Bill number, House Bill 3514. There already exists two Commissions



now studying this and they can perform the same function as House Bill 3514 is trying to do. Now, if they're really sincere about this being a vehicle for this purpose, there is no appropriation Bill to follow this Bill up. So how can this Commission function? What I'm mainly concerned about and I want every Member in this House to remember that number, House Bill 3514, this is going to be another locomotive Bill."

Speaker Lechowicz: "All aboard. The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, I must take umbrage with my colleague from Winnebago County who, as usual, is aping the arguments for the Chamber of Commerce and the Allied Association of Manufacturers, who have maligned their own members. Reading the Tribune I read where the retailers of Illinois the last five years have broken retail records. The Illinois Manufacturers Distributor said last year in Illinois one thousand new manufacturing companies came into Illinois. There are only five hundred left. Our income tax per... our income per capita has broken all kinds of records. We are unprecedented among the 50 states in the income left after we pay our state, federal and local taxes. The insurance industry has been ripping off the employers who have had to buy workmen's compensation insurance. We tried about a half an hour ago to do something about that and you saw the strength of the insurance lobby. They caused some of the Members to have diarrhea over the issue. But I tell you, don't listen to these doom-sayers like Simms and the rest of the Members of the cast of Members of the Association of Manufacturers, the Chamber of Commerce. They're spewing nothing but lies, trying to create a fear in the market place and it's not true. It's a good Bill and we ought to support it."

Speaker Lechowicz: "It's going to be a long week. Let's abide



by the rules of the House. How'd you like that, George? Any further discussion? The Gentleman from Cook, Mr. Farley."

Farley: "Thank you, Mr. Speaker. Two Members on the other side of the aisle said that this Bill was not in fact heard in Committee. They are absolutely mistaken. This Bill was posted for our final hearing in Labor and Commerce. Amendment #1 was adopted to the Bill in Committee. Amendment #2 was adopted here on the floor last week on Second Reading. So, they are mistaken in their comments. And I would suggest to all of us here on the floor that this is a legitimate attempt to resolve some of the problems in workmen's compensation. I don't think we should turn this into a partisan issue. I don't think we should turn this into a political issue. I think that if you look at the merits of the Bill and the intent of the Speaker and hopefully the Majority of the Members voting on this issue that we are attempting to legitimately solve some of the problems that we have in the workmen's compensation area. I think that this Bill should stand on its merits. I think that it should be passed, become law and proceed with the business of trying to accomplish something in changes as far as workmen's compensation. I would urge an 'aye' vote."

Speaker Lechowicz: "The question is, 'Shall House Bill .. I don't know; what's the number? 3514 pass?' All in favor vote 'aye'; all opposed vote 'no'. Kindly... Don't look too good. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Mr. Farley, to explain his vote. The Clerk will take the record. On this question there are 83 'ayes', ... The Gentleman from Cook, Mr. Farley...."

Farley: "Poll the absentees, Sir?"

Speaker Lechowicz: "The Gentleman asks for a poll of the absentees. Mr. Ewell? "



Clerk Leone: "Poll of the absentees; Abramson. Bullock.
Casey. Flinn..."

Speaker Lechowicz: "Flinn, 'aye'. Jimmie?"

Clerk Leone: "Gaines..."

Speaker Lechowicz: "Kindly record Bullock as 'aye'."

Clerk Leone: "Emil Jones. Kent. Klosak. Laurino. Meyer.
Molloy. Mugalian. Schlickman. Schoeberlein. Stearney.
Terzich. Totten. And, Walsh."

Speaker Lechowicz: "Kindly record Mr. Walsh as 'no'. The Lady
from Adams, Mrs. Kent. 'No'? Kindly record the Lady as
'no'. Anyone else want to be recorded? What's the count
Mr. Clerk? 85 'ayes', 65 'nos'. The Gentleman from
Cook; Mr. Farley?"

Farley: "Could I ask for Postponed Consideration, Mr. Speaker?"

Speaker Lechowicz: "The Bill's on Postponed Consideration.
House Bill 3527."

Clerk Leone: "House Bill.."

Speaker Lechowicz: "I'm sorry. What? All right. 3527, Tony."

Clerk Leone: "House Bill 3527, a Bill for an Act to amend
the Revenue Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Conti, for what
purpose do you seek recognition? The Gentleman from Lake
Mr. Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House,
Representative Virginia Frederick, Ron Griesheimer and
myself introduced House Bill 3527 as a reaction by
various taxing bodies in Lake County and principally
the city of Zion and Zion area taxpayers who are damaged
very devastatingly by a law enacted last year which was
enacted as a -quote, 'housecleaning measure',-unquote.
Public Act 81-947 assess pollution control facilities
according to net earnings rather than economic produc-
tivity. By House Bill 3527 we are asking you, Ladies
and Gentlemen of the House, to return the past practices
of assessing pollution control facilities. In the com-



munity of Zion because we have the Common Wealth Edison nuclear plant there, the Zion city alone would lose 800 and some thousand dollars in revenue and Zion area taxpayers because we do have other taxing bodies in Zion would lose 1.2 million dollars. It is actually devastating to those taxpayers and in fact, a taxpayer in the Zion area would have to pay an additional 190 dollars to make up that tax loss. This is urgently needed. The Zion Park District who has taken Common Wealth Edison to court and in fact, the law that was enacted, is the reverse of the court findings in the Circuit Court of Cook County. And so Mr. Speaker and Ladies and Gentlemen of the House, I would urge all of you in the name of the taxpayers in our area to overwhelmingly support House Bill 3527."

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

Conti: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise to oppose this Bill and I would certainly like to call the attention of the people who had all the coal mining Bills in the State of Illinois to pay careful attention to this Bill. Using the economic productivity approach, the Department of Revenue would assess the utility pollution control facilities at approximately 33 1/3 % of the current market value. I want to point out that non-utility pollution control facilities are assessed at one-half of one percent the current market value. The adoption of House Bill 3527 would encourage the use of large amounts of out of state coal by penalizing those utilities which have installed pollution control equipment designed to permit the use of Illinois coal. The result is contrary to the objective of the United Mine Workers, the Illinois Coal Operators and the utilities. The assessment of utility owned pollution control facilities are at 33 and 1/3% of the current market value while other privately owned



pollution controls are assessed at only one-half of one percent, approximately 67 times the assessment level for non-utilities. It is clearly discriminatory against the utilities, the share-holders and its customers. And I'm not too concerned with the share-holders as I am with the customers. The higher the taxes placed on the utility owned pollution control and equipment would be passed on to the utility customers. Again, we're trying to help the poor people back home and what we're really doing is socking it to them. Customers who would be most adversely affected are those customers being served by the utilities struggling to burn our Illinois coal. These coal... The coal companies, we've passed and worked hard diligently to try to burn Illinois coal and with one Bill we're going to sweep a good portion of the Illinois coal that could be burnt. I urge the defeat of this Bill."

Speaker Lechowicz: "The Gentleman from DeWitt, Mr. Vinson."

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

Speaker Lechowicz: "Indicates he will."

Vinson: "Representative, you indicated that the situation at Zion had brought this to your attention and I assume, isn't that a nuclear power plant?"

Matijeich: "That's right."

Vinson: "Could you just give me a brief idea of what kind of pollution control equipment is affected by this tax at the nuclear power plant?"

Matijeich: "I don't know the specifics of these pollution control facilities, but they do have eight pollution control facilities there which they have spent considerable amounts of money installing. I did make Dan Pierce Chairman of the Revenue Committee and part of the Energy Resources Commission did have a trip and I did view the facility. As to the specifics, I don't know about it, but I might say in regards to it and sort of as a response to



Representative Conti that the inclusion of the pollution control facility in the public utilities companies is part of the rate base, the costs of that facility. So what you would be doing if we allowed this law to stand, you would be giving them a double shot, shall you say. Because they are already taking advantage within the rate base scheme the pollution control facility. And I don't believe it's fair to the consumers, the customers which in this case also are the taxpayers, to sock them twice."

Vinson: "Representative, do you have any idea what the cost... what the value of the assets that we're talking about is in the case of Zion?"

Matijevich: "Very considerable if you're talking about the pollution control .."

Vinson: "I am.."

Matijevich: "Facilities. Very considerable in Zion because we're talking about a, I believe, 70 million dollars in valuation and about 30 million in assessed valuation. So you're talking about a considerable value."

Vinson: "Well, under the Bill that you have and the underlying Act it amends, is a lake which a power company builds to cool a nuclear power plant, is that lake and the value of that lake regarded as a pollution control?"

Matijevich: "I couldn't hear that last statement..."

Vinson: "Is the value... Let's say a nuclear power plant company.. power company with a nuclear power plant builds a lake that controls..."

Speaker Lechowicz: "Excuse me, Mr. Vinson. Mr. Hanahan? Mr. Matijevich is trying to listen to the question. Please proceed, Sir."

Matijevich: "Whether the lake is part of that, I do not know, Sam."

Vinson: "Thank you."

Speaker Lechowicz: "The Gentleman from Will, Mr. Davis?"



Davis: "Well, thank you, Mr. Speaker. I, too, rise to oppose the Bill and I sympathize with the plight of the community that the Representative from north Chicago is trying to help out. However, Representative Conti was absolutely right in his opposition to this Bill. It's an anti-coal Bill, an anti-Illinois coal burning Bill, for those utilities who have put scrubbers in to build Illinois coal and regardless of the Sponsor's comments to the contrary, if the assessment level of the scrubbers goes up to one-third as he would have it done under this Bill, then those costs to the regulatory function of the Commerce Commission, those costs would be passed on to the consumer. So it's also an anti-consumer Bill. And if for no other reason than those two, if you don't like coal, you've got to like consumers, and if you don't like consumers, you probably like coal, or may be both. I urge you to vote against the Bill."

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

Birkinbine: "Thank you, Mr. Speaker. I, too, rise in opposition to this Bill. I would ask that all of the Members of the House not be diverted to looking at this as a Bill involving power companies as opposed to other companies. Now, utilities are one of those industries that we'd all love to hate, like a number of other capital intensive industries, whether you're big oil or banking or insurance or power, you're capital intensive and you're dealing with great sums of money. Well, people now-a-days don't like to look at return on investment. They just like to look at the mass of dollars involved and when you see those masses you think, that's got to be bad. Well, if you vote in favor of this Bill you're really not hurting those guys you love to hate. What we're talking about here is pollution control equipment and how that's going to.. the taxation of that is going to be handled. And you're going to hitting one industry power in a way



that you don't hit another such as steel making. It is one-sided and it is ill-advised. And I recommend a vote against it. Thank you."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijevich, to close."

Matijevich: "Well, Mr. Speaker, I'd like Virginia Frederick to close, but quickly in response I want to say that this law was not acted... enacted in any way as one to stimulate the use of coal. And if it was specifically so I would be supporting it which as I have in the past. I want to emphasize the fact that the pollution control facilities, that's already in the rate making base. Remember that. That's at the crux of all of this. That's already in the rate making base. So, they are already taking care of and the reason that it is in the rate making base is to encourage the pollution control facilities in the establishment of such. All you're doing if you allow this law which was really enacted as a housekeeping measure is to give Common Wealth Edison and power companies like it a really... I hate to say it, is a rip-off. Because they would be gaining and they already gain by the rate making scheme. So I would urge and now, Mr. Speaker, I'd like to turn it over to Virginia Frederick. All I can say in quick comment, I know Elmer Conti is a Mayor of a municipality. He'd be screaming up here if they took almost a million dollars from his municipality. So he ought to have some compassion for the city of Zion and other communities like it. Virginia Frederick, Mr. Speaker."

Speaker Lechowicz: "The Lady from Lake, Mrs. Frederick. "

Frederick: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. There's very little I can add to the discussion that you've already hear. Excepting to say that a problem we attempted to correct last year has now impacted very seriously a small city in my district. This is a city



without a lot of financial resource. So this Bill is terribly important to them and I'm urging that you vote 'yes' on 3527."

Speaker Lechowicz: "The question is, 'Shall House Bill 3527 pass?' All in favor vote 'aye'; all opposed vote 'no'. The Gentleman from McHenry, Mr. Skinner, to explain his vote. Timer's on."

Skinner: "Mr. Speaker, the Bill that passed last year was not just a housekeeper Bill. It was one of the biggest rip-offs of the entire Session. There's a difference between pollution control devices for utilities and pollution control devices for steel companies. Steel companies don't make any money on the pollution control devices, but pollution control devices for utilities yield substantial revenue for utilities because the pollution control devices are in the rate base. Now that means that they .. that we pay money to the utilities for the investment the utilities made. This Bill will affect adversely a number of towns around the state. And I don't mean just a little bit adversely, but I mean extremely adversely. And it seems to me that this is a Bill that should be passed for that reason."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 103 'ayes', 35 'nos'. The Gentleman from Perry, Mr. Ralph Dunn. "

Dunn: "Thank you, Mr. Speaker. I'd like a verification of the Roll Call inasmuch as this is a Bill that will really hurt our coal industry from what I can understand. Verification please."

Speaker Lechowicz: "Verification has been requested. The Gentleman from Bond, Mr. Slape. For what purpose do you seek recognition? Poll the absentees first."

Clerk Leone: "Poll of the absentees; Alexander."

Speaker Lechowicz: "Alexander, 'aye'."



Clerk Leone: "Borchers. Braun. Breslin. Burndige..."

Speaker Lechowicz: "Kindly record Mrs. Braun as 'aye'. Right here."

Clerk Leone: "Burnidge. Casey. DiPrima. Flinn..."

Speaker Lechowicz: "Excuse me. Kindly re... Change Mr. Wikoff from 'aye' to 'no'. Please proceed, Sir."

Clerk Leone: "Dwight Friedrich. Gaines. Hoffman..."

Speaker Lechowicz: "Kindly Hoffman as 'no'."

Clerk Leone: "Klosak. Laurino. Leverenz..."

Speaker Lechowicz: "Kindly record Mr. Birchler from 'aye' to 'no'. Mrs. Sumner?"

Sumner: "Please change it to 'no'."

Speaker Lechowicz: "Change Mrs. Sumner from 'aye' to 'no'." Mrs. Pullen?"

Pullen: "Same request, Mr. Speaker. 'Aye' to 'no' please."

Speaker Lechowicz: "Change the Lady from 'aye' to 'no'. Mr. Neff."

Neff: "'Aye' to 'no'."

Speaker Lechowicz: "'Aye' to 'no' for Mr. Neff please. Mr. Robbins, change from 'aye' to 'no'. Did we complete the poll of the absentees, Tony? Please proceed." Robbins changed from 'aye' to 'no'."

Clerk Leone: "Continuing with the poll of the absentees; Mugalian. Peters. Polk. Richmond. Rigney..."

Speaker Lechowicz: "Rigney, 'no'."

Clerk Leone: "Satterthwaite. Schlickman. Slape. Stearney. E.G. Steele. Swanstrom..."

Speaker Lechowicz: "Swanstrom as 'aye'. Piel, for what purpose do you seek recognition?"

Piel: "Would you change me from 'aye' to 'no' please?"

Speaker Lechowicz: "Change Mr. Piel from 'aye' to 'no'."

Clerk Leone: "Continuing with the poll of the absentees; Terzich. Totten. Tuerk. Watson. Williams. Williamson..."

Speaker Lechowicz: "Williamson is 'aye'."

Clerk Leone: "Winchester. And, Mr. Speaker."

Speaker Lechowicz: "That concluded poll of the absentees. And kindly record Mr. Tuerk as 'aye'. What's our count? And



Mr. Burnidge as 'aye'. Mr. Ropp, for what purpose do you seek recognition?"

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

Speaker Lechowicz: "How is Mr. Ropp recorded?"

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

Ropp: "Change that to 'present' please."

Speaker Lechowicz: "Change him to 'present'. Capparelli from 'aye' to 'present'. Kosinski from 'aye' to 'present'. What's the count? Mr. Ralph Dunn, we're starting off with 99 'ayes', 44 'nos'. Do you persist in the request for a verification? Mr. Dunn please."

Dunn: "I doubt very seriously if the votes are here. But since there are that many I'll not take the time of the House. Thank you."

Speaker Lechowicz: "The Gentleman withdraws his request. On this question, on House Bill 3527, there are 99 'ayes', 44 'nos', This Bill, having recieved the Constitutional Majority, is hereby declared passed. House Bill 3539."

Clerk Leone: "House Bill 3539, a Bill for an Act to amend Sections of the Illinois Housing Development Act. Third Reading of the Bill."

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

Piel: "Thank you, Mr. Speaker. With leave of the House, I'd like to bring this back to Second Reading for the purpose of an Amendment please."

Speaker Lechowicz: "Any objections? Objections have been raised. Objections have been raised, Sir. "

Piel: "Okay. Then I'll...."

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

Huff: "Mr. Speaker, I thought it was a House rule that a Sponsor could direct his own Bill."

Speaker Lechowicz: "There was a request to bring the Bill back from Third to Second for the purpose of an Amendment. Objections have been raised. The Gentleman has another recourse he can move, which will require 89 votes. Mr.



Piel."

Huff: "Well, I wish he would so.."

Piel: "I'm sorry. I didn't hear what Mr. Huff said. I'm sorry."

Speaker Lechowicz: "Mr. Huff?"

Piel: "Will he repeat what he said?"

Huff: "I was wishing that you would move to have the Bill brought back to Second, Mr. Piel."

Piel: "I agreed when I brought it to Third Reading to bring it back to Second Reading. I will agree..."

Speaker Lechowicz: "The Gentleman moves that the House bring the Bill back from Third to Second for the purpose of an Amendment. All in favor of the Gentleman's motion vote 'aye'; all opposed vote 'no'. Now, this is a request to bring the Bill back from Third to Second for the purpose of an Amendment. Objections were raised. Now the Gentleman has moved that the House give him the permission to move from Third to Second. Takes 89 votes. Have all voted who wish? Have all voted who wish? The Clerk will take the record. The Gentleman from Winnebago, Mr. Simms."

Simms: "I'd ask for a verification of the Roll Call."

Speaker Lechowicz: "The Gentleman requests a verification of the Roll Call. Mr. Grossi, you're not recorded, I don't believe. Are you recorded? Leave to be verified for Mr. Grossi? Leave is granted. Mr. Deuster, for what purpose do you seek recognition?"

Deuster: "Please change me from 'yes' to 'no'."

Speaker Lechowicz: "Change Mr. Deuster from 'yes' to 'no'."

Kindly record Mr. Stanley from 'yes' to 'no'. Mr. Meyer, for what purpose do you seek recognition, Sir?"

Meyer: "May I have leave to be verified, please?"

Speaker Lechowicz: "Leave? Permission for Meyer to be verified? Leave is granted. The Lady.... The Gentleman from Cook, Mr. Matula."

Matula: "Mr. Speaker, change me from 'yes' to 'no'. "



Speaker Lechowicz: "Change Mr. Matula from 'yes' to 'no'. The Gentleman from Macon, Mr. Dunn. Kindly record Mr. Dunn as 'aye'. Kindly record Mr. Schneider as 'aye'. Mr. Jones, Emil Jones, as 'aye'. What's the count, Tony? Mr. E.G. Steel, change him from 'aye' to 'no'. Mr. Griesheimer, for what purpose do you seek recognition?"

Griesheimer: "Mr. Speaker, change me from 'aye' to 'no'."

Speaker Lechowicz: "Change Mr. Griesheimer from 'aye' to 'no'. Anyone else? What's the count, Tony? On this question there are 89 'ayes', and 51 'nos'. Mr. Molloy, for what purpose do you seek recognition?"

Molloy: "How am I recorded?"

Speaker Lechowicz: "How is Mr. Molloy recorded?"

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

Molloy: "Please change me to 'present'."

Speaker Lechowicz: "Kindly record Mr. Molloy as 'present'. Mr. Bianco, for what purpose do you seek recognition? Change him from 'aye' to 'no'. Kindly record Mr. Mulcahey as 'aye'. Mr. Anderson as a 'no'. Mrs. Hoxsey."

Hoxsey: "Change me to 'present' please."

Speaker Lechowicz: "Change Mrs. Hoxsey to 'present'. Anyone else? Okay. What's the count? Kindly record Mr. Donovan as 'aye'. Mr. Bullock, for what purpose do you seek recognition?"

Bullock: "Yes, Mr. Speaker. In light of the enormity of changes, wouldn't it be simpler to just dump this Roll Call and let people vote their switches?"

Speaker Lechowicz: "Well, we're right at the end, Sir. Mrs. Dyer, for what purpose do you seek recognition?"

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

Speaker Lechowicz: "How is the Lady recorded?"

Clerk Leone: "The Lady is not recorded as voting."

Dyer: "Please record me as 'no'."

Speaker Lechowicz: "Kindly record Mrs. Dyer as 'no'. What's the count, Tony? On this question there are 89 'ayes',



53 'no', and Mr. Simms requests a verification. Poll the Affirmative vote. Dr. Capuzi? Leave to be verified. Leave is granted. Capuzi, you voted 'no' anyway. He still wants to be verified. Kindly verify Mr. Garmisa. Leave? Mr. Jones, Mr. Dave Jones? Mr. Simms."

Simms: "Pardon?"

Speaker Lechowicz: "Ready for your verification, Sir?"

Simms: "Yes."

Speaker Lechowicz: "Mrs. Dyer, for what purpose do you seek recognition?"

Dyer: "Mr. Speaker, I'd like to change my 'no' vote to 'yes'."

Speaker Lechowicz: "Kindly record Mrs. Dyer as 'aye'. Proceed to.... Yes. Mr. Simms, for what purpose... Excuse me. The Gentleman from Sangamon, Mr. Dave Jones, wants to be recorded as 'no'. Mr. Simms, what else?"

Simms: "What count do we start out with?"

Speaker Lechowicz: "I think 90. At 90, Mr. Simms. 9-0."

Simms: "Well, there's couple I can tell you right now that you..."

Speaker Lechowicz: "No.. No."

Simms: "Could remove..."

Speaker Lechowicz: "We have to proceed to verify the Affirmative Vote."

Simms: "All right. That's fine. We can knock more than that off."

Speaker Lechowicz: "Please proceed to verify the Affirmative Vote. On the motion."

Clerk Leone: "Poll of the Affirmative..."

Speaker Lechowicz: "Put Mr. Greiman as 'aye'. It's 91. All right. Proceed to verify the Affirmative Vote."

Clerk Leone: "Alexander. Balanoff..."

Speaker Lechowicz: "Put Mr. Von Boeckman as 'aye'. And leave to be recorded as 'aye'. VonBoeckman. Leave is granted. Proceed to verify the Affirmative Vote."

Clerk Leone: "Alexander. Balanoff. Beatty. Birchler. Bradley. Braun. Breslin. Brummer. Bullock. Capparelli. Catania.



Chapman. Christensen. Cullerton. Currie. Darrow.
 Dawson. DiPrima. Domico. Donovan. John Dunn. Dyer.
 Farley. Garmisa. Getty. Giorgi. Goodwin. Greiman.
 Grossi. Hallstrom. Hanahan. Hannig. Harris. Henry.
 Huff. Jaffe. Johnson. Emil Jones. Kane. Katz.
 Keane. Kelly. Kornowicz. Kosinski. Krska. Kulas.
 Lechowicz. Leon. Leverenz. Madigan. Marovitz.
 Matijeovich. Mautino. McClain. McGrew..."

Speaker Lechowicz: "Sam McGrew's in his chair. Please continue."

Clerk Leone: "McPike. Meyer. Mulcahey. Murphy. O'Brien.
 Patrick..."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Getty, for what
 purpose do you seek recognition?"

Getty: "May I have leave to be verified please?"

Speaker Lechowicz: "Leave to be verified? Leave is granted.
 Please continue, Sir."

Clerk Leone: "Pechous. Peters. Piel. Pierce. Polk. Pouncey.
 Preston. Rea. Richmond. Ronan. Sandquist. Satterthwaite.
 Schisler. Schneider. Schraeder. Sharp. Slape. Steczo.
 Stuffle. Taylor. Van Duyne. Vitek. VonBoeckman.
 White. Williams. Williamson. Sam Wolf. Younge. Yourell.
 And, Mr. Speaker."

Speaker Lechowicz: "The Lady from Cook, Mrs. Willer, for what
 purpose do you seek recognition? Willer. Mrs. Willer."

Willer: "I wish to vote 'yes' on this."

Speaker Lechowicz: "Leave to be recorded as 'aye'? Record the
 Lady as 'aye'. Mrs. Hallstrom?"

Hallstrom: "Thank you, Mr. Speaker. I'd like to change that 'yes'
 vote to 'no' please."

Speaker Lechowicz: "Kindly record the Lady as 'no'. Kindly
 record Mr. Doyle as 'aye'. Mr. Ewell as 'aye'. What's
 the count now, Tony? We're starting out with 93 'ayes',
 and 54 'nos', Mr. Simms. Do you have any questions
 of the Affirmative Vote?"

Simms: "Yes, Mr. Speaker. Representative Balanoff?"



Speaker Lechowicz: "Mrs. Balanoff is in her chair."

Simms: "Beatty."

Speaker Lechowicz: "Beatty is in his chair."

Simms: "Bradley?"

Speaker Lechowicz: "Bradley is in his chair."

Simms: "Mrs. Braun?"

Speaker Lechowicz: "Mrs. Braun was over here. Mrs. Braun?

How is the Lady recorded?"

Clerk Leone: "The Lady is recored as voting 'aye'."

Speaker Lechowicz: "Remove her."

Simms: "Okay. Representative..."

Speaker Lechowicz: "Kindly record Mr. Jake Wolf as 'aye'. Please proceed, Sir."

Simms: "Representative Dawson?"

Speaker Lechowicz: "Dawson? He's in his chair."

Simms: "Representative DiPrima?"

Speaker Lechowicz: "DiPrima? Mr. DiPrima. He's right here."

Simms: "Hi, Larry. Okay, Representative Donovan."

Speaker Lechowicz: "The Gentleman from Perry, Mr. Ralph Dunn, for what purpose do you seek recognition?"

Dunn: "I'd like to change my 'no' to an 'aye' please."

Speaker Lechowicz: "To an 'aye'? Kindly record Mr. Dunn as 'aye'. Mr. Bianco, for what purpose do you seek recognition?"

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

Speaker Lechowicz: "How is Mr. Bianco recorded?"

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

Bianco: "Bianco is recorded as voting 'no'? Good. Keep it that way."

Simms: "Representative Farley."

Speaker Lechowicz: "Farley? Mr. Farley in the chamber? How is Mr. Farley recorded?"

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

Speaker Lechowicz: "Remove him."

Simms: "Representative Giorgi."



Speaker Lechowicz: "Giorgi? How is Mr. Giorgi recorded?"

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

Speaker Lechowicz: "He's here."

Simms: "Oh, I just saw him sitt... Okay. Representative Hannig."

Speaker Lechowicz: "Hannig? How is Mr. Hannig recorded?"

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

Speaker Lechowicz: "Remove him."

Simms: "Harris."

Speaker Lechowicz: "Harris. How is Mr. Harris recorded?"

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

Speaker Lechowicz: "Remove him."

Simms: "Representative Tim Johnson."

Speaker Lechowicz: "Tim Johnson? How is Mr. Johnson recorded?"

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

Speaker Lechowicz: "Remove him."

Simms: "Representative Keane."

Speaker Lechowicz: "Mr. Keane is in his chair."

Simms: "Representative Mulcahey."

Speaker Lechowicz: "Mulcahey's in his chair."

Simms: "Representative O'Brien."

Speaker Lechowicz: "O'Brien, how is he recorded?"

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

Speaker Lechowicz: "Remove him."

Simms: "Representative Polk?"

Speaker Lechowicz: "Ben Polk?"

Simms: "Yes."

Speaker Lechowicz: "How is Mr. Polk recorded?"

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

Speaker Lechowicz: "Remove him."

Simms: "Representative Sandquist?"

Speaker Lechowicz: "Mr. Sandquist? How is he recorded?"

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

Speaker Lechowicz: "Remove him."

Simms: "Representative Schneider."

Speaker Lechowicz: "Schneider's in the chamber."



Simms: "Steczo?"

Speaker Lechowicz: "Steczo? He's here."

Simms: "Representative Van Duyne? "

Speaker Lechowicz: "Leroy Van Duyne. How is Mr. Van Duyne recorded?"

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

Speaker Lechowicz: "Remove him."

Simms: "Representative Sam Wolf?"

Speaker Lechowicz: "Sam Wolf is here."

Simms: "Representative J.J. Wolf?"

Speaker Lechowicz: "J.J. Wolf? He just got on the Roll Call. Mr. Wolf? J.J. Wolf? How is he recorded?. He's recorded as 'aye'. Remove him."

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

Simms: "Representative... Representative Pechous."

Speaker Lechowicz: "Collins got to Wolf."

Simms: "Representative Pechous?"

Speaker Lechowicz: "Mr. Pechous, how is he recorded?"

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

Speaker Lechowicz: "Remove him."

Simms: "Do you remove Representative Wolf from the Roll Call?"

Speaker Lechowicz: "I removed Wolf, J.J. Wolf?"

Simms: "Both Wolf's."

Speaker Lechowicz: "No, Sam Wolf was here."

Simms: "Oh, Sam's here? Okay. J.J. was removed?"

Speaker Lechowicz: "I already removed him."

Simms: "Okay. Thank..."

Speaker Lechowicz: "Put Hannig back on the Roll Call. Who'd you ask for, Tim?"

Simms: "That's all I have."

Speaker Lechowicz: "Okay. Is Mr. Donovan on the Roll Call? He wants to be recorded as 'aye'. All right. Fine. On this question there's 85 'ayes' and 53 'nos'. And the Gentleman's motion fails. Now the Bill is... still remains on Third Reading. Mr. Piel, what do you want to do



on House Bill 3539? "

Piel: "I'll go with it."

Speaker Lechowicz: "You've read the Bill already, is that correct, Mr. Clerk? The Gentleman from Cook, Mr. Piel, on House Bill 3539."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. With leave of the House, I'd like to take 3539 and 3540 on one Roll Call cause they're companion Bills."

Speaker Lechowicz: "Objections have been raised."

Piel: "By whom?"

Speaker Lechowicz: "Doesn't make a difference. 3539 alone."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Basically what House Bill 3539 does is we've got a severe crisis right now in the housing industry in the State of Illinois. What this will do, this will instruct IDA. It's a new Act. It will instruct IDA to when the housing market drops below a specific level, to institute a housing market in crisis in the State of Illinois. By this, what they would be doing, they will be buying the low interest mortgages as long as they do not fall below the bond rate of IDA from the financial institutions in the State of Illinois. In turn, the financial institutions of the State of Illinois will lend this money out at two points over the bond rate, which in today's market it would be approximately ten percent mortgages to low and moderate income families in the State of Illinois. This way it will definitely help the people who are trying to get mortgages in the State of Illinois today and give them a lower payment as far as their mortgage goes. At the present time how this will help the mortgage... er, the home builders in the State of Illinois, 1978, the home starts in the State of Illinois were approximately 52,200. The projected figure of starts in the State of Illinois for 1980 are 15,200.



Quite a substantial drop, a drop of 71% starts in the home building market in the State of Illinois, which is a decline in the State of Illinois of approximately 32,000 jobs, which is just in the home building area. If you lose 32,000 jobs in the home building area, this is not taking into effect (sic) of how it will hurt the 'Ma and Pa' grocery store on the corner because people cannot buy as many groceries, or how it will affect the furniture stores and all other small independent retailers. What it would cost the State of Illinois projected figure for 1980, it will cost the state four million... 428 million dollars in wages. It will be a decline in income tax for the State of Illinois of ten point seven million dollars and a thirty-seven million dollar decline in real estate taxes. So it's not a situation to where the drop in the housing starts is just affecting one specific area. It's affecting the entire economy of the state and this is to insure that we are going to have mortgage available to the people who cannot afford the high mortgages of today. And I'd ask for your favorable vote. Call on 3539."

Speaker Lechowicz: "Any discussion? The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Will the Gentleman yield?"

Speaker Lechowicz: "Indicates he will."

Hanahan: "Representative Piel, could you explain to the Members of the General Assembly the difference between this concept and the concept used on the Chrysler bail out Bill?"

Piel: "As far as a concept, there is no liability to the state, first of all, Tom. None, whatsoever to the state." That's good for starters. I think that's enough to cover it right there."

Hanahan: "You mean the... When a bankruptcy takes place in an IDA project, there is no liability of the good faith



in the credit of the State of Illinois?"

Piel: "Okay, what it is basically, Tom, IDA's going to issue bonds. They've got right now million... one hundred and fifty million dollars in unencumbered funds. This will be covering sixty-seven percent of those unencumbered funds. These are funds that are sitting in IDA and IDA's not doing anything with them... These are offering mortgages to the low and moderate income people throughout the state. "

Hanahan: "Yes. Well, the question I get back to though is, is IDA when they allow their bonds to be sold, doesn't IDA have a commitment of the full faith and credit of the State of Illinois to guarantee their bonds? That's the first question. "

Piel: "At the present time, yes."

Hanahan: "Okay. Then, if a residential mortgage is issued or residential are built through the IDA program and it bankrupts, their contractor bankrupts on the building of the IDA project, wouldn't the people of the State of Illinois be responsible of picking up that bankruptcy under this Bill?"

Piel: "Not really, Tom. No. Because they've got the bonds to cover it. This is their issuing bonds. They're issuing bonds. They're issuing bonds at the present rate. And these are unencumbered funds right now. "

Hanahan: "Well, Mr. Speaker, Members of the House, I'm going to vote for this Bill, but I just want to make sure that some people in this House recognize that it all depends whose ox is being gored. I've heard before when we've talked about the Chrysler bail out that all of a sudden that everything should be allowed in the free market - place to either fall or pass on its own merits. I heard some speakers make that statement. I heard that in the free economy that businesses should be allowed to fail or not to fail, all on their own and without govern-



ment intervention. And I'm going to support this Bill. I want everyone to know I'm supporting it based on the philosophy that someplace government has a role to play in the economy of this state and I think it's perfectly reasonable for government to play this role. But at no time do I want the hypocrisy to take over that somehow only certain things should government intervene with in the free economy. This certainly is an example of government working in the private sector, helping an industry out which needs help, desperately needs help. But at no time do I want people to beat their chests and say that it's right here and was wrong at the Chrysler time."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Huff. Huff please."

Huff: "Thank you, Mr. Speaker. I can think of no greater crisis, Ladies and Gentlemen, than in areas where there have been no housing at all. Although I have no real objections to Mr. Piel's Bill, because it makes IDA do something that IDA has never done before and that is, to take in commitments. If you understand how IDA works IDA has never provided any commitments on any projects that it's committed. It is simply taking Section 8 and build that as an incommitment which in fact the Federal Government bails IDA out. IDA's only commitment to any future... or any projects up to date has been to provide interim financing or construction money. The Federal Government through the Section 8 program, Ladies and Gentlemen; is the one who provides the in-commitment. So that is why I'm not opposed to Mr. Piel's Bill except that he didn't allow me to put my Amendment on which was simply directing IDA to build Section 8 housing in areas where they've never been built before."

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

Kane: "Would the Gentleman yield?"



Speaker Lechowicz: "Indicates he will."

Kane: "In your opening remarks, you suggested that this Bill would provide mortgages to low and moderate income people. Would you show us where in the language that it limits this program to low and moderate income people?"

Speaker Lechowicz: "Mr. Piel."

Piel: "Basically what they're going to be doing, Representative, they have to lend them back out in their own specific area. And when they're lending it back out their own specific area, it has to be to low and moderate income cause this is the way it's set up."

Kane: "Where is it set up like that in the statute? Could you point to me the language in your Bill which limits..."

Piel: "... The very first clause of your legislation."

Kane: "But the Section that you are amending says nothing at all about low and moderate incomes. All it does is limit it to the purchase of secondary mortgages by IDA. Is that not correct?"

Piel: "The enabling legislation in IDA states low and moderate income housing. IDA's enabling legislation."

Kane: "That's true, but this..."

Piel: " IDA's purpose, Doug. IDA's purpose."

Kane: "But this is a separate program that you're giving IDA which is in addition to its other purposes. And this program is not limited to low and moderate income persons. Is that not correct?"

Piel: "No. No. IDA's enabling legislation.. Please listen to what I'm saying. IDA's enabling legislation, IDA is not for the purpose of high income mortgages or high income bonds. IDA is for low and moderate income people, their enabling legislation. This is directing IDA. IDA has to lend it out in low and moderate income housing."

Kane: "You're amending Sections 7.23 and there's no language in that Section that sets up this purchase, secondary



mortgages, there's no limit to requiring that those mortgages that are put out by Savings and Loan or other financial institutions, that those mortgages be limited to low and moderate income individuals. Is that not correct?"

Piel: "You're asking, you know... As far as what the Act states, the Act does not have to state what they're buying back or what they are lending out. IDA's enabling Act states that it has to be for low and moderate income people."

Kane: "On page seven, line 35, it says that these institutions.. or IDA funds will be given to lending institutions allocated on the basis of geographical need. What do you mean by geographical need? and what standards are in your Bill which would define those needs?"

Piel: "Pass that by me one more time, Doug."

Kane: "The last line of page seven.."

Piel: "And your question is what now?"

Kane: "It says, 'Basis of geographical need', what is a geographical need and where is that defined and how do we know what that means?"

Speaker Lechowicz: "Everything south of Route 22."

Piel: "Okay, basically what we're talking about, when you're talking about geographical need, you're talking about the need for low and moderate income housing for that specific geographic area. "

Kane: "Where does it say that?"

Piel: "All right. Geographical need, it states that right in the Amendment. Low and moderate income housing, as I'll refer back one more time, is in your enabling Act of IDA."

Kane: "And what does geographical need mean?"

Piel: "All right. Basically, what you're talking about, you're talking about not setting in to an area where you do not have the heavy mortgage activity going on. What you're



talking about, going into an area that needs mortgage money, an area that needs home building, an area that needs low and moderate income housing."

Kane: "Is there any specification of when an area meets the standard of geographical need?"

Piel: "I'm sorry. I didn't hear.."

Kane: "How do we know when an area meets the standard of geographical need?"

Piel: "That'll be decided by IDA."

Speaker Lechowicz: "Want to proceed on the Bill, Mr. Kane?"

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Bill for a number of reasons. Partly, for the indefiniteness of the Bill and the amount of authority that it gives IDA and in the way that it changes the purpose of IDA. It kicks in this new program when a housing emergency period begins. And the housing emergency period is defined as any quarter in which housing starts go below ..."

Speaker Lechowicz: "Excuse me, Mr. Kane. Please proceed."

Kane: "Which housing starts go below the average of three quarters between 1977 and 1980. It's a very indefinite crisis. And it's the kind of thing that can kick in without much forethought. What it also does is require the housing authority to allocate 67% of its unencumbered bonding authority, not its funds, but it's bonding authority to purchasing mortgages on the secondary market. Could be at a period of time in which IDA would not be able to sell its bonds. There's no feeling for what will happen to the other IDA programs. And it's the kind of thing which will suck money out of the low and moderate income programs that IDA is supposed to be pushing and into a secondary mortgage market., under a program in which there are no income requirements and so forth. IDA already has a program in which 50 million dollars worth of bonds and money are set aside for first.. for



purchase of first mortgages by people buying homes for the first time. We passed that program several years ago. I think that that is something that can help. But what we have here is a program that kicks in when housing starts dip below a particular average. There's no requirement that this mortgage money go to finance the construction of new homes. There is no requirement that it would go to finance people, individuals, with low and moderate incomes. There is no requirement that it finances people buying homes for the first time. What this will do essentially is put IDA bonds and the bonding authority of the state behind just the ordinary mortgage market. I think that that is not something that we should enter into lightly. It's a program that would require a considerable amount of additional money, more than what IDA has at the present time. And I think that we ought to go slowly with this and allow IDA to function with its existing programs rather than go off into this new area which will push mortgage money into areas that can get conventional financing. And I'd urge the defeat of this Bill."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I will be quite brief. Will the Sponsor yield to one additional question? "

Speaker Lechowicz: "Indicates he will."

Bullock: "Representative Piel, is it your impression that the Federal Home Loan Bank Board would in fact recognize what you are proposing here for the refinancing and the secondary market? Do you think that would be acceptable?"

Piel: "As far as the Federal Home Loan Bank Board, this is a state operation, it's not a federal operation. As far as whether I think they would go along with it, we have asked them for any negative comments. They have not given any negative comments. This is basically the



reason, Representative Bullock, that we crossed... we tabled 41 because it dealt with federal law and not state law."

Bullock: "This Bill also, Representative Piel, has as one of its purposes the secondary market of which the Federal Home Loan Bank Board and I'm sure, as a banker you know that would have some interest if not jurisdiction. My second question, Representative Piel, it is my understanding that the Legislature has enacted legislation and is now law, PA81-1162, which gave to IDA certain authority and gave to it additional funds for mortgages. To your knowledge, has IDA consistent with its Preamble and its enabling legislation, has IDA met that requirement under that statute?"

Piel: "Glad you asked the question. No, they have not, Larry. And this is one of the reasons we are establishing this new Act. This isn't... is a directive to them. They are sitting on a lot of encumbered funds. They are not lending them out. They do not want to go into areas where there's a low income or in certain areas where there's a moderate income and this is a directive to them."

Bullock: "Mr. Speaker, I'd like to address the Bill."

Speaker Lechowicz: "Please proceed, Sir."

Bullock : "Mr. Speaker and Ladies and Gentlemen of the House, the Amendment #1 to House Bill 3539 in fact becomes the Bill. And this Amendment, in my estimation, attempts in a 'tacit' sort of way to give a directive to Illinois Housing Development Authority which has historically shown a total disdain for the Legislature, if not certainly an aversion, not to carry out the wishes of the Legislature. But I think that the Sponsor, while he may be well intended, has perhaps misstated on several occasions the ultimate effect of this legislation. I submit to you this legislation will not, and I repeat, it will not



benefit low and moderate income housing in the State of Illinois. The Sponsor has previously indicated that the Illinois Housing Development Authority has continued to disregard the directives of the State Legislature. I further submit to you that this legislation grants to IDA powers that IDA should not have at this point. And so I am in opposition to House Bill 3539 and I certainly would ask all of the Members of this Legislature to at least pay close attention to the Amendment and certainly I hope that once you've read the Amendment that you would concur with Representative Kane who has spoken before me who indicated on a similar basis that this legislation is not needed at this time. As a matter of fact, it would be both onerous and dangerous if we were to pass it at this time because it is my opinion that it probably would cause severe Constitutional problems."

Speaker Lechowicz: "The Lady from Champaign, Mrs. Satterthwaite."

Satterthwaite: "Will the Sponsor yield for a question please?"

Speaker Lechowicz: "Indicates he will."

Satterthwaite: "Representative Piel, at the top of page nine in the Amendment, it refers to residential mortgages, but I've been looking through the new language to see if in any place it is restricted to single family homes or in any way it's restricted to owner operated residential mortgage property. Can you tell me whether it has such restriction?"

Piel: "Hold on for one second will you? It does, Representative, but the exact point, if you'd wait for just a second I can clear that up in my final... Why don't you go on to your next question. I'll find that for you in the meantime."

Speaker Lechowicz: "The Lady from St. Clair, Mrs. Younge."

Younge: "Thank you, Mr. Speaker. I'd like to... Will the Sponsor yield please?"

Speaker Lechowicz: "Indicates he will."



Younge: "How long has the bond issue been in effect that you are attempting to influence by this legislation?"

Piel: "Couldn't tell you the length of time, Representative."

Younge: "Where has the part of the bond issue that has been committed or...."

Piel: "Mrs. Speaker, I can't hear. I'm sorry. I cannot hear."

Speaker Lechowicz: "Would you repeat the question, Mrs. Younge?"

Younge: "My first question was, how long has the bond issue been in effect; that is, the subject matter of this legislation? "

Piel: "And I answered that. I said I don't know the answer to that."

Younge: "Where has the part of the bond issue which is not a subject of this legislation been spent? Or where have the houses been built?"

Piel: "This is the problem. This is the problem that we're trying to in one area of this, to rectify. You ask where it has been spent. It has not been spent. IDA is sitting here on, right at the present time, about 150 thousand dollars in unencumbered funds and they're not spending them. They are ear-marked funds... They are not ear-marked funds and they were... well, they should be putting them into the housing market where they're not and this is why this Bill is a new Act directing them to do such."

Younge: "You mentioned a moment ago that IDA did not want to go into low and moderate income areas. Would you amplify that please or expand on that?"

Piel: "No. I said that they have not been going into that area as much as they should have and this would direct them to do such."

Younge: "With that statement, I don't quite understand why you did not support an Amendment that would set specific standards directing them into those areas by requiring them to build in areas where they have not built single family houses, by requiring them to use portions of this



money in houses in areas that were qualified for Section 8 housing and by requiring them to use their permanent mortgage financing in the low and moderate income housing areas. Now why, if what you say is true, why didn't you support these Amendments and give us an opportunity...."

Piel: "Did I, at any time, say I would not support the Amendments?" First of all, Representative Younge, I'd like to clarify one remark that you stated, that I would not support your Amendment. At any time did you approach me with your Amendment? No, you did not. I talked in great length with Representative Bullock, Representative Henry, and Representative Huff in reference to the Amendments. But you, on your own cognizance, went ahead and offered your Amendment. You didn't want to talk about it. So you're telling me that I do not support your Amendment, well you didn't even approach me on your Amendment."

Younge: "Well, when you didn't ask for a poll of the absentees that speaks to the Body. I'd like to speak to the Bill."

Speaker Lechowicz: " Please address your remarks to the Bill, Ma'am. "

Younge: "The big problem with the Illinois Housing Development Authority is just the problem that the Sponsor of this Amendment in this Bill has talked about. IDA refuses to build in low and moderate income neighborhoods. The effort on Representative Huff's part and my part was to write into by Amendment standards that would make it necessary for them to do the things necessary to build in those areas and to illuminate the problem that has caused this Bill that's over 150 million dollars worth of bonding capacity. And I'll ask you to vote against this Bill in order to give an opportunity for this matter to go on Postponed Consideration so that there can be a negotiation. Although their enabling legislation requires



them and the reason and the purpose for them being set up was to help low and moderate income housing developments. They have not done it. And then to turn them loose this \$50 million dollars without that type of specificity I think further commits them to evade the intent of this General Assembly..."

Speaker Lechowicz: "Excuse me.."

Younger: "And I ask you for those purposes to vote 'no' on this."

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

Leinenweber: "I move the previous question."

Speaker Lechowicz: "The Gentleman has moved the previous question. All in favor say 'aye', 'aye'. Opposed? The previous question's been moved. The Gentleman from Cook, Mr. Piel, to close. Oh. The Lady from Champaign, Mrs. Satterthwaite, what's your point of order?"

Satterthwaite: "Mr. Speaker, I asked a question earlier and was waiting for the staff to have that answer for me."

Speaker Lechowicz: "Your point is well taken. You have an answer for the Lady, Mr. Piel?"

Piel: "Yes. I'll cover it in my closing remarks, Representative. Thank you."

Speaker Lechowicz: "Well, wait. She may have some additional questions."

Piel: "Yes, okay."

Satterthwaite: "I really wanted an opportunity to respond if I felt that the answers were not adequate..."

Speaker Lechowicz: "Please respond to the Lady's question."

Piel: "Okay, Representative. First of all, IDA has in their initial... when IDA was set up for single family housing in low and moderate income area, this basically reiterates that without coming out and saying 'single family housing', it says, 'residential mortgages', that would be covered under this specific area."

Satterthwaite: "Well, Mr. Speaker and Members of the House,



that was my concern that it only refers..."

Speaker Lechowicz: "Please proceed, Ma'am."

Satterthwaite: "It only refers to residential mortgages. It does indicate that those have to be single family homes. It does not indicate that they have to be owner occupied. It seems to me with the looseness of this language, what we would allow IDA to do is to really be in a program where they would be financing not necessarily low income housing, not necessarily owner occupied housing, not even any guarantee that it would be in an area that needed low income housing. We have a number of IDA facilities in Champaign, Urbana and yet, very close to those facilities there is very high income family housing. And presumably those high income people would also qualify for these residential mortgages. I appreciate the Sponsor's intention of trying to get some idle money out into the mortgage market and I really resent the fact that IDA has not implemented the program of the other fifty million dollar bonding authority that they have. But unfortunately, I think this Bill is not written specifically enough to address the real need and for that reason I will oppose it."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Piel, to close."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to cover a couple of things that have been mentioned previously in debate. First of all, the one question would be as far as, you know, the money would cost the state; there's no appropriation because these are revenue bonds. You do not need that. You do not need the appropriation because you've got the revenue bonds. The problem right now, I've heard many people mention this 150 dollars is going to be going to waste. This 150 dollars is not going to waste. First of all, it states that 67 % of the unencumbered fund; they've



got 150 million dollars sitting there right now. So, if they're not using it, you tell me, is this going to waste? At the present time, it is. You put it back into the housing market and you stimulate housing in the State of Illinois. You're stimulating mortgages with the low income families and you're telling me that this isn't going to stimulate housing? You'd better believe it is going to stimulate housing. The problem is right now IDA is not functioning the way they were set up to. They were set up to function as an asset to the housing market and they're not doing it. They're sitting on these funds because they do not want to put them in low and moderate income areas. They want to put them into a lot of affluent areas, some moderate income areas, but they do not want to go into low and moderate income areas basically. Now, the one question was, are we allowing them to function? This to me is a court question. It's not a question as far as legislating the situation. Right now with this legislation I heard many people, the people who were supporting of the low and moderate income people in the State of Illinois, state that they do not feel that this is a concept in the right direction. Well, I'll tell you, if you don't pass this and you leave it the way it is right now, you're not going to have anything, nothing at all. You answer the question before you vote 'no' on this thing, is IDA doing their job now? No, they're not. This is a new Act to stimulate mortgage growth and stimulate the housing industry in the State of Illinois. If we don't stimulate the housing industry in the State of Illinois you're going to see it go right now and then everybody's going to be walking up and saying, 'holy mackerel', IDA isn't throwing any money into the low and moderate income areas. I heard one speaker that spoke earlier... told me today, he says, a bird in the hand is worth two in the bush. This is a



step in the right direction. It's not going to cure all the ills, but it's going to tell IDA, hey get off that center and let's get some mortgage money out in the market. I'd ask for a favorable Roll Call. Thank you."

Speaker Lechowicz: "The question is, 'Shall House Bill 3539 pass?' All in favor vote 'aye'; all opposed vote 'no'. The Gentleman from Cook, Mr. Taylor, to explain his vote. Timer's on."

Taylor: "Thank you, Mr. Speaker and Members of the House. I would hope that this Bill would not pass out at this moment. IDA has never did what they were supposed to do in the inter city, and most of you know that I have continually opposed them. I would hope that the Sponsor would bring this Bill back to Second Reading and give those persons who have an Amendment to have an opportunity to try to draft corrective legislation that would help the needs of my community."

Speaker Lechowicz: "The Gentleman from Bureau, Mr. Mautino, to explain his vote. Timer's on."

Mautino: "Thank you, Mr. Speaker. I did have my light on to ask a question in debate. And I think maybe if the Sponsor would like to respond and explain his vote, he might be able to answer a few of the concerns that I have. Specifically, I'd like to know, Representative Piel, who has security, first or second, when we go into the second mortgage money market? For example, where do we put the State of Illinois as it appears now under your provision for security on those same residences? Is it secondary for the Savings and Loans or the banks? Or is it primary to it? If it's primary to it, you've got yourself a good position. If it's secondary, then we're in the banking business to mortgage bankers and, as I see it, therefore, I'd have to vote 'present'. So, if you might try to explain that."



Speaker Lechowicz: "Have all voted who wish? The Gentleman from Cook, Mr. Huff, to explain his vote. Timer's on."

Huff: "Thank you, Mr. Speaker. I agree with Mr. Piel in one area, that IDA hasn't done what it was supposed to do. But I disagree with him in the area that this Bill will provide housing for low and moderate income people when it does not designate the standard for low income people. That's what my Amendment would have done. And I wish that he would bring that Bill back to Second so we could correct his very good, otherwise, good Bill."

Speaker Lechowicz: "The Lady from St. Clair, Mrs. Younge, to explain her vote. Timer's on. Spoke in debate. I'm sorry. The Gentleman from Cook, Mr. Piel, to explain his vote. Timer's on."

Piel: "Thank you, Mr. Speaker. Basically what you're talking about, you're not talking about the liabilities to the state, mainly for the reasons that.. is that IDA is issuing bonds, IDA is buying mortgages that would equal to that the mortgages or your collateral on anything because of the broad spectrum of the bonds."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 52 'ayes' and 49 'nays', 31 recorded as 'present'. The Gentleman from Cook, Mr. Piel."

Piel: "Thank you, Mr. Speaker. Poll the absentees please."

Speaker Lechowicz: "Poll the absentees."

Clerk O'Brien: "Poll of the absentees; Ackerman..."

Speaker Lechowicz: "Ackerman, 'aye'."

Clerk O'Brien: "Bianco. Borchers. Brummer. Capparelli.

Capuzi. Casey. Conti...."

Speaker Lechowicz: "Conti, 'aye'."

Clerk O'Brien; "Davis. DiPrima. Donovan. Ebbesen. Epton..."

Speaker Lechowicz: "Epton, 'aye'."

Clerk O'Brien: "Flinn. Gaines. Garmisa. Hanahan. Hoffman.



Keane. Klosak. Kulas. Laurino. Marovitz..."

Speaker Lechowicz: "Mr. Marovitz? 'No'. "

Clerk O'Brien: "McBroom. Mugalian. O'Brien."

Speaker Lechowicz: "Kindly record Mr. Mugalian as 'present'.

Welcome back, Dick."

Clerk O'Brien: "O'Brien. Peters. Richmond. Ryan. Schisler.

Schlickman. Schraeder. Skinner. Slape. Stanley.

Telcser. Terzich. Totten. VonBoeckman. Wikoff.

Williams. Winchester. Sam Wolf. Yourell! And, Mr.

Speaker."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Piel." Piel please."

Piel: "Thank you Mr. Speaker, leave to take this out of the record."

Speaker Lechowicz: "What's the count? 55 'ayes' and how many?"

50 'nos'. The Gentleman... Record me. He needs 70

to put it on Postponed. Change me from 'pre'... 'no'

to 'aye'. Kindly record Mr. Vitek as 'aye'. Mr. Williams

as 'aye'. Mr. Kelly as 'aye'. Mr. Taylor..."

Taylor: "Mr. Speaker, I don't agree with the way you are running

the House at this moment. The man has already lost a

Bill and you're calling for people to get on. I don't

like that, Mr. Speaker."

Speaker Lechowicz: "No, Sir. The Gentleman called. He asked

for leave to take the Bill out of the record. There

were objections raised. And the Gentleman did not re-

ceive leave to take it out of the record. Now, there's

only one other recourse and either he gets 70 votes or

the Bill is dead. And we're in the process... Mr.

Mahar? Mr. Mahar wants to be recorded as 'aye'. Mr.

Schuneman as 'aye'. Mr. Dave Jones as 'aye'. Mr. Taylor?"

Taylor : "Vote me 'aye'."

Speaker Lechowicz: "As 'aye'. Mr. Bullock as 'aye'. Mr.

Dawson as 'aye'. Mr. Beatty as 'aye'. Mr. Henry as

'aye'. Mr. .. Wait. All right. Just wait a minute.

Then we'll have a couple get off. Mr. Capparelli as 'aye'.



Mr. Krska as 'aye'. Mr... That's all right. Mr. Schisler as 'aye'. And Mr. Vinson... for what purpose do you seek recognition? That's enough."

Vinson: "To request a verification if we get to 89."

Speaker Lechowicz: "Yes. We won't get 89. Schisler, did I put you on as 'aye'. All right. What's the count? That's enough. Mr. Brummer wants to be recorded as 'aye'. Mr. Huff as 'aye' and Mr. Patrick as 'aye'. Mr. Winchester as 'aye'. That's enough. Mr. Hoffman as 'aye' and Kornowicz as 'aye'. Be careful. Leverenz... What's the count? Goodwin as 'aye'. On this question there are 78 'ayes', 50 'nos'. The Gentleman asks leave to put it on Postponed Consideration. Leave is granted. House Bill 3539 is on Postponed Consideration. How about 3540? Same Roll Call? Take it out of the record. Okay. House Bill 3544."

Clerk O'Brien: "House Bill 3544, a Bill for an Act to amend Sections of an Act to revise the law in relation to clerks of court. Third Reading of the Bill."

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

Getty: "Mr. Speaker and Members of the House, House Bill 3544 is a Bill which would provide for increased fees in Probate Court. There have been no increased fees in the Cook County Probate Court since 1969. The rate of increase would be approximately from \$75 to \$100 for probate of estate. For claims, there would be imposed a fee of either 25 or 40 dollars depending on the nature of the claim and the Bill would update and bring into line a reasonable fee structure. At present, the Probate Court is losing in Cook County close to a million dollars a year. This is much needed piece of legislation. We would ask for your support. I believe this passed out of the Judiciary Committee without any objections. I don't know of no opposition to it."

Speaker Lechowicz: "Any discussion? The question is, 'Shall



House Bill 3544 pass?) 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's 137 'ayes', no 'nays', four recorded as: 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3549. "

Clerk O'Brien: "House Bill 3549, a Bill for an Act to amend Sections of the Illinois Library System Act. Third Reading of the Bill."

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

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. What House Bill 3549 does it provides that in the state grants to libraries throughout the state, the per capita grant that the population of 1970 can be used or the population of 1980. But I'd like to point out, you can only use the 1980 census if, if the state has appropriated enough money so that those districts in which we have had a gain in population, would get their maximum and that the districts which have lost would also get theirs. At the present time the statute allows you can come up to a dollar per capita. As you know, we have not appropriated that. Last year, it was only 35¢ per capita. The Bill this year that's been proposed would be up to 50¢. So, my Bill is only providing that in the future if the state increase the amount of money involved, those districts, and I might point out that while Chicago will probably be one of them, it is not the only library district in the state which will have lost after the 1980 census is completed. I think it's something that's fair, that helps all libraries throughout the state and as I say, it does depend on the fact that we have to appropriate enough money. Under the present plan this probably wouldn't be at least till 1983 or 1984, but this would be the enabling legislation.



And I'd ask for an 'aye' vote."

Speaker Lechowicz: "Any discussion? The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Yes, will the Gentleman yield for questions?"

Speaker Lechowicz: "Indicates he will."

Leinenweber: "Representative Sandquist, is it the position of your Bill that all districts would use the 1970 census unless the state appropriates enough money whereby they could use the 1980 census?"

Sandquist: "That is correct."

Leinenweber: "Why wouldn't the .. Why shouldn't the law be that we use the 1980 census and pro-rate if we don't fund enough? Why shouldn't we use the 1980 census if that's where the people are?"

Sandquist: "Well, it's to provide that the districts that lost would not be hurt for the grants to those districts. They're not..."

Leinenweber: "....."

Sandquist: "The per capita grant is so much per person and we would have to appropriate enough money so that the districts that gained would get their full share before the districts who lost. "

Leinenweber: "Well, the districts who would have gained population such as many of them in Will County would be hurt, it would seem to me, under this Bill because they're forced to use the 1970 census rather than the 1980 and many of these districts have probably doubled, tripled in population. That sounds like an unfair.. Bill."

Sandquist: "There's no way that they can get hurt. Because there's a... Unless we change the per capita limit of one dollar. But as long as that's there, there would have to be an appropriation for a dollar for everyone in your districts with the new population before that... and so therefore, there's no way they can get hurt."

Leinenweber: "Well, you say that they lose ... use the 1980



census? I thought you said they use the 1970 or did I misunderstand?"

Sandquist: "They would use the 1980 and they would get their... They have to get their full amount of per capita grant under their 1980 census. If the money's appropriated for that, then the districts who have lost population can use the 1970 census to get their full per capita grant."

Leinenweber: "Why should we pass this Bill when, as you pointed out, there's no hope that in the next year or two that we would ever fund so that this Bill could take into effect? Why should we pass this Bill? What is the need for this emergency treatment of this subject now when we don't have the money to do it?"

Sandquist: "To have the enabling legislation on the books, to show that we do care about libraries, that we want to keep libraries going."

Leinenweber: "All right. Mr. Speaker, Members of the House, briefly on the Bill, this is.."

Speaker Lechowicz: "Please proceed."

Leinenweber: "What we're doing here is setting up what library people are going to say is a promise and a commitment to do something for them, these few districts that have lost population and then if we don't appropriate the money, they're going to say, look at you people. Have done it to us again. You've raised our hopes and you've refused to heed our voices and you have turned us down. You've made a promise and failed to keep it. I think this is a bad idea. This year of the Legislature was supposed to be for emergency measures and appropriation measures. By the very comments of the Sponsor of the Bill, it is imminently not an emergency measure because it can't even go into effect. What they're trying to do here and it's pretty obvious, is get the foot in the door, the nose under the tent, or some people refer and set up a pattern



whereby when there is plenty of money in the state, when they're on the rise and money flows for us for libraries, that those library districts which have lost population will be able to get an inordinate amount of money compared to your districts and your library districts and your legislative districts that have gained population. It will be... if this day arrives we will be in effect funding empty library shelves, empty library tables. I think it's a bad policy and I'd urge a 'no' vote."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Well, Mr. Speaker, Mr. Leinenweber has said most of the things I meant to say. Obviously the city of Chicago gets more money for their library than anyone else. The city of Chicago is the one which most likely would have a declining population in the 1980 census. So this is a hold harmless Bill for the city of Chicago. Now, if there's only so many dollars for libraries and you happen to be in a growing district, you're the one that's going to get the short end of the stick and I think that's obvious. Now if that's what you want to do, it's all right. But let's not misrepresent anything here as to what we're doing. This is a Bill so Chicago will continue to get the dollars whether they have the population or not. If you have an increasing population, if there's only so many dollars, you're not going to get your proportionate share."

Speaker Lechowicz: "Any further discussion? The Gentleman from Cook, Mr. Sandquist, to close."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I'd just like to point out that what Mr. Leinenweber and Mr. Friedrich has said is not true. You cannot lose any money in your district if you've gained population. You will get the full amount on your 1980 census if we appropriate it. So it's not a question of



taking from one and giving to the other. But it does protect those districts and I will admit that Chicago probably will be one, but there are other ones throughout the state, that are going to lose population. And I think it's a fair thing. It's only enabling and then, in the future, if we do have the money, we can appropriate it. But nobody can lose by this, only certain ones can gain. I think it's a good thing and we ask an 'aye' vote."

Speaker Lechowicz: "The question is, 'Shall House Bill 3549 pass?' All in favor vote 'aye'; all opposed vote 'no'. The Gentleman from McHenry, Mr. Skinner, to explain his vote. Timer's on."

Skinner: "Well, Mr. Speaker, Paul Revere of Chicago is coming to the General Assembly shouting, 'The census is coming. The census is coming.' And the reason that Paul Revere is shouting that is because the census is going to show that the city of Chicago has lost substantial population in the last decade. I do not understand the argument that no one loses here, just some get more. That strikes me, as a former budget examiner for the United States Bureau of the Budget, as one of the more preposterous things I've heard on this House floor. There is so much money in the pot and either we can spread it equitably based on the most recent population figures which will be contained in the 1980 census, or else we can give some districts more than those districts should have. I think what's this Bill does and I think we should vote against it. "

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. No, this is the fifth one. On this question there are 89 'ayes', 57 'nays', two recorded as 'present'. The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "I'd request a verification."



Speaker Lechowicz: "And Mr. Sandquist requests a poll of the absentees. Poll the absentees. Mrs. Braun, for what purpose do you seek recognition? Leave to be verified? Leave is granted."

Clerk O'Brien: "Poll of the absentees; Bianco. Borchers. Burnidge. Casey. Daniels. Davis. Donovan. Ewing. Flinn. Gaines. Hoffman. Kane. Klosak. Laurino. McGrew. Molloy. Piel. Richmond. Slape. Stearney. C.M. Stiehl. Terzich. Totten. Watson. Wikoff. Williams. J.J. Wolf..."

Speaker Lechowicz: "Kindly record Mr. Molloy as 'aye'. Please continue, Sir. Kindly recall... record Mr. Sam Wolf as 'aye'."

Clerk O'Brien: "Continuing the poll of the absentees; J.J. Wolf. And, Woodyard."

Speaker Lechowicz: "What are we starting with, Jack? Kindly record Mr. Stearney as 'aye'. We're starting off with 92 'ayes'. Larry? Kindly record Mr. Stuffle as 'aye'. Mrs. Willer? Oh. Thought you were seeking recognition. What are we starting off with, Mr. Clerk? 93 'ayes'. Proceed to verify the affirmative vote."

Clerk O'Brien: "Alexander. Anderson. Balanoff. Barnes. Beatty. Birchler. Bowman. Bradley. Braun. Brummer. ..."

Speaker Lechowicz: "Kindly record Mr. Piel as 'no'. Continue with the affirmative verification."

Clerk O'Brien: "Bullock. Capparelli. Catania. Chapman. Cullerton. Currie. Darrow. Dawson. DiPrima. Domico. Donovan...."

Speaker Lechowicz: "Mr. Bianco, for what purpose do you seek recognition? Bianco as 'aye'. Mr. Margulas as 'aye'. Mr. Huskey as 'aye'. Please continue. Mr. Mulcahey, for what purpose do you seek recognition?"

Mulcahey: "Leave to be verified now, Mr. Speaker?"

Speaker Lechowicz: "Leave to be verified? Leave is granted."



Mr. Sam Wolf? As.... I'm sorry. Mr. McGrew as 'aye'. Kindly record Mr. McGrew as 'aye'. Kindly record Mr. Piel as 'aye'. And Mr. Wikoff as 'aye'. Mr. Ropp as 'aye'. Mrs. Reed... I'm sorry. Mrs. Stiehl as 'aye'. Mr. Leinenweber."

Leinenweber: "So as not to force these people to get on this rather bad Bill to bone it up, I'll withdraw the request."

Speaker Lechowicz: "The Gentleman withdraws his request."

What's the count, Mr. Clerk? On this question there are 100 'ayes', 54 'nos'. House Bill 3549, having received the Constitutional Majority, is hereby declared passed. House Bill 3558."

Clerk O'Brien: "House Bill 3558, a Bill for an Act to amend Sections of the Capital Development Bond Act. Third Reading of the Bill."

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

Madigan: "Mr. Speaker, I request leave to consider House Bill 3558 together with 3559."

Speaker Lechowicz: "Any objection? Objections have been raised. The Gentleman from Cook, Mr. Collins, for what purpose do you seek recognition?"

Collins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, in open and blatant violation of Rule 35-B, I would ask leave to take House Bill 3558 back to the order of Second Reading for the purpose of an Amendment."

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

Madigan: "I'm not familiar with the rule, but..."

Speaker Lechowicz: "I see nothing open and blatant, period."

Madigan: "As the Sponsor of the Bill I would object."

Speaker Lechowicz: "He objects."

Collins: "Well, Mr. Speaker..."

Speaker Lechowicz: "Please proceed on House Bill 3558, Third Reading. Mr. Madigan, the Bill has been read. Do you want to explain the Bill?"



Madigan: "Yes, Mr. Speaker. I had asked permission to consider this Bill together with the next Bill, 3559. The two Bills should be taken together because together they would provide for a new program of library construction state-wide and there would be a program of state support for this library construction. The Bills would provide that the state matching grants would provide up to 25% of the cost of new library construction. In addition there's a provision for not more than 50% of the annual appropriation to be used for the construction of a new Chicago public library which would be a research and reference center for use by all library systems in the state. The Bills together would be administered by the state librarian and the construction money would be developed through bond sales by the Capital Development Board. I would request a favorable Roll Call."

Speaker Lechowicz: "Is there any discussion? The question is, 'Shall House Bill 3558...' What are you yelling for? Your light wasn't on. The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker, Members of the House, I arise to oppose House Bill 3558 which would establish an entirely new program in the State of Illinois resulting in the state funding to the tune of eight million dollars local capital improvements. Now, Mr. Speaker, and Members of the House, it's been the tradition in Illinois that library local improvements first be submitted to the voters for approval by referendum. And then, Mr. Speaker and Members of the House assuming approval at a referendum by the voters, that particular Library District will issue its own general obligation bonds, subject to restrictions that were contained in the ballot proposition. Mr. Speaker, Members of the House, we have done well in Illinois this way. We've provided for local accountability, local responsibility, and the efficient and effective use



of taxpayers dollars. Mr. Speaker, Members of the House, there is not an unlimited source of state funding, particularly when it comes by the issuance of bonds. Mr. Speaker, Members of the House, if we continue to alleviate every interest in this group of fiscal financial responsibility by assuming it at the state level, we are going to be in the same situation this state was well over 100 years ago when we were near bankruptcy. Mr. Speaker, Members of the House, I suggest to you that this unprecedented: this unprecedented program which runs in the face of the tradition of this state that library improvements be first submitted to voters for approval at a referendum and that the financing of the improvement be done by ~~ge~~ bonds issued by that unit of local government, the Library District, is a tradition that we should sustain. It's a tradition we should uphold and we do that by a rounding defeat of House Bill 3558."

Speaker Lechowicz: "The Gentleman from Perry, Mr. Ralph Dunn."

Dunn: "Thank you, Mr. Speaker, Members of the House. House Bill 3558 is a Bill that would allow for matching funds for libraries of eight thous... eight million dollar authorization of bonds to be used as matching grants. Half of it is for downstate and the other half, I must sadly admit, is for Chicago. But I don't think this is all bad. Downstate libraries need the money just as Chicago does and this is a grant and of course, they would have to have matching funds from downstate libraries and so it would require approval by the Library Boards in the district. But libraries traditionally have always been short of funds and always need money and this is a way that they can have matching funds. I see nothing wrong with the Board and with the Bill and with authorizing some matching grants for libraries throughout the state. I would urge an 'aye' vote on House Bill 3558."

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



Epton: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is a situation where I find myself in complete agreement with all of the speakers. Unfortunately, however, a situation has changed from a prior procedure. Today we know that referendums just do not pass. And we also know that libraries are in dire need of funds, particularly in Chicago and in smaller communities. We have men and women, not boys and girls, and children, but men and women who cannot read, who do not have library facilities. This is a new method. I certainly agree that it is a new ... a deviation from our previous formula. But I suggest that it's one that should be adopted. Certainly the state has an obligation to help those in need and our citizens who are unable to obtain votes, who cannot afford to purchase votes should have libraries available and I hope you will support this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Madigan, to close." The Gentleman from Cook, Mr. Sandquist, to close. Oh, a question. I'm sorry.."

Sandquist: "I'd like to speak on the Bill."

Speaker Lechowicz: "Please proceed, Sir."

Sandquist: "Yes, I'd like to speak in favor of this Bill also. As ... and it is true that most.. half of this money will be going to Chicago public libraries, but the Chicago public library is serving... serves the entire state because it is a cultural center and people from all over the state use it. And as you know, the Chicago public library down at Randolph and Michigan has become a cultural center. It has a lot of other functions that are being performed. But we need a new library down there. What has happened, the library that used to be there has moved into my district in the old 'Mandole Warehouse' and it's not accessible by people. We really need a new library which will help all of the people. This is matching funds from the local district."



It will also help downstate as Representative Dunn has said and I urge an 'aye' vote.

Speaker Lechowicz: "The Gentleman from Cook, Mr. Madigan, to close."

Madigan: "Mr. Speaker, for the reasons enunciated by all of the previous speakers I think this Bill deserves an affirmative Roll Call. Thank you."

Speaker Lechowicz: "The question is, 'Shall House Bill 3558 pass?' All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? Kindly record Mrs. Dyer as 'aye'. Have all voted who wish? The Clerk will take the record. On this question there are 104 'ayes', 50 'nos', eight recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3559?"

Clerk O'Brien: "House Bill 3559, a Bill for an Act to amend Sections of the Illinois Library Systems Act. Third Reading of the Bill."

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

Madigan: "Mr. Speaker, as previously stated, this is a companion Bill to the previous Bill. I would ask leave for the same Roll Call. "

Speaker Lechowicz: "Leave? Hearing no objections, the same Roll Call will be used. On this question there's 104 'ayes', 50 'nos', eight recorded as 'present'. House Bill 3559, receiving the Constitutional Majority, is hereby declared passed. House Bill 3565."

Clerk O'Brien: "House Bill 3565, a Bill for an Act relating to the filling of vacancies in certain state offices. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, the purpose of House Bill 3565 is to assure that the Constitutional officials who are elected pursuant to the Constitution that if any vacancy occurs in those offices more than 28 months before the term of



office expires, that that vacancy will be filled in the succeeding general election. The Governor will have the point of power as he does under the Constitution until the office is filled at the next general election. An example... An example would be, had an elected official resigned or become deceased last December, and his term was up in January 3, the election of the primary would have been in March and the election this November for the balance of the three year term, but the Governor in December could have filled that position by appointment until the November election. Under present law he would have filled it until January '83, a period of three years. So the people of the State of Illinois in the Constitution requested and asked that the elected officials, that the Constitutional officials, the Attorney General, the Comptroller, the Secretary of State, the Treasurer, be elected officials and this Bill provides that if a vacancy occurs in their term within the..28 months to go, within the first 20 months of their term, it will be filled at the succeeding election. If a vacancy occurs too late for the primaries, the State Central Committees of each party will nominate candidates as is the case now where candidates resign after the primary election. It will not be necessary to have a special primary. That's Amendment #1. We have an Amendment #3 that was put on by Representative Totten that makes sure that any elected official who leaves office because he is convicted of a felony and then wins on appeal, that he is restored to office with not only his pay, but also the office upon the reversal of the conviction. With that, I think you all understand the Bill. The Governor will still have the appointment power over these officers, but instead of appointing for a period of three, three and a half, or two and a half years, they're only appointed till the next general election if there's more than 28



months to go on the term and the voters will fill that elected office for the balance of the two year term at that general election. I urge your support of House Bill 3565."

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

Conti: "I'm not going to discuss the merits of the Bill or not because I know this has been a zoo this afternoon in this House, but I want to know the Chair to know that if this Bill receives 89 votes that I'm going to ask for a verification so please have them push just their own buttons so we can pass a few more Bills today.."

Speaker Lechowicz: "Point is well taken, but I disagree with your statement as far as the decorum of the House. I believe the Membership has been working rather diligently and I want to commend the Membership and we'll try to, continue to work on the Bills on their merits. Is there any further discussion on House Bill 3565? The Gentleman from Lake, Mr. Pierce, to close."

Pierce: "Mr. Speaker, I think we all understand the issues. This Bill gives the people the opportunity to fill these last two years of a Constitutional officers for office, term of office, when the vacancy occurs in the first 20 months of the four year term. The Governor would still have his appointment power until that election took place. There would no additional cost and I urge passage of House Bill 3565."

Speaker Lechowicz: "The question is, 'Shall House Bill 3565 pass?' All in favor vote 'aye'; all opposed vote 'no'. Is this the one that's endorsed by the Sun-Times? Objections to the Sun-Times? Oh, the Tribune, that's... I'm sorry. I don't know. Objections have been raised. Strike that from the record. Kindly record Mr. Slape as 'aye'. Have all voted who wish? Have all voted who wish? The Clerk will take the record."



Mrs. Hallstrom, for what purpose do you seek recognition?"

Hallstrom: "Question, Mr. Speaker. I thought Representative Mugalian was ill?"

Speaker Lechowicz: "No, Ma'am. He is here thank God."

Hallstrom: "All right. I'm sorry. Thank you."

Speaker Lechowicz: "You're welcome once again. On this question there are 76 'ayes', and 76 'nos'. The Gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, could we have a poll of the absentees?"

Speaker Lechowicz: "Why surely. Poll the absentees please."

Clerk O'Brien: "Poll of the absentees; Abramson. Borchers. S.."

Speaker Lechowicz: "Abramson, 'no'. He doesn't want to be .. ."

Clerk O'Brien: "Casey. Donovan. Flinn. Gaines. Klosak. Laurino. O'Brien. Pechous. .."

Speaker Lechowicz: "A.B. Pechous, nah? "

Clerk O'Brien: "Pechous 'no'?"

Speaker Lechowicz: "No. No. Just keep on going. anyway."

Clerk O'Brien: "Totten. VonBoeckman. Williams. And, J.J. Wolf."

Speaker Lechowicz: "What's the count, Mr. Clerk? On this question there are 76 'ayes', 78 'nos'. Mr. Pierce?"

Pierce: "Mr. Speaker, I ask for Postponed Consideration."

Speaker Lechowicz: "Postponed Consideration. The Bill is on Postponed Consideration. House Bill 3569."

Clerk O'Brien: "House Bill 3569, a Bill for an Act to amend Sections of the Probate Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3569 amends the Probate Act by providing that records applying to guardians of disabled persons would be confidential and impounded by court order. There's a second provision of this legislation which was put in by Amendment from Representative Dunn that provides that in an



uncontested proceeding for the appointment of a guardian as prepared by the court required by this Act, they will only be required to testify at court upon court order.

This is the language in the Bill. I know of no opposition to the Bill and I ask you for your favorable support."

Speaker Lechowicz: "Is there any discussion? The question is, 'Shall House Bill 35...' The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Brummer: "Are you indicating that all the records would be impounded if confidential?"

Daniels: "That would be correct if that's what the motion of the party in the court order or on the court's own motion. It's exactly the same language as contained in the Adoption Act."

Brummer: "Well, how do.. If I'm searching a real estate title and run into.. encounter a deed from a ward, how do I determine if that ward or guardian was properly appointed?"

Daniels: "If you wanted to seek the review of the court and if the order of the court was to impound the file, you would have to get court permission."

Brummer: "Has Chicago Title and Trust looked at this?"

Daniels: "I don't know."

Brummer: "Have you had any contact with them about that? It seems to me that there would be a serious question or problem potentially greater with regard to real estate titles."

Daniels: "I don't see where they would be a problem. Furthermore, this was requested by a Judge because of the confidentiality problems relating to confidential information contained within medical reports on disabled persons."

Brummer: "Well, that's why I asked. Does it apply only to the medical reports or does it apply to the order appointing the guardian as well for example?"



Daniels: "Upon motion of a party the court may order that the file be impounded. It does not mean that each and every file is automatically impounded. It can be open for examination by court order. So if there were a problem, if somebody needed to look at it, then the court could allow that review."

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

Schlickman: "Would the Sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Schlickman: "You said upon the motion of a party. What is your definition of a party? Is it a legal representative?"

Daniels: "Party contained to the provisions under the Probate Code for disabled persons."

Schlickman: "Who is the party? The legal representative?"

Daniels: "I would assume a legal representative would be a party."

Schlickman: "What about children of the disabled person?"

Daniels: "If they're represented by a guardian ad litem, I would assume they would be...."

Schlickman: "Adult children."

Daniels: "If they are party to the proceedings they would be ones that could petition the court and then the court order... and motion... order of the court, they could impound the file."

Schlickman: "May I address the Bill, Mr. Speaker?"

Speaker Lechowicz: "Please proceed."

Schlickman: "Mr. Speaker, Members of the House, I oppose House Bill 3569. It is not a good analogy to compare the situation of a disabled person with that of an adoption. An adoption is a one-time matter. And deals with natural parents and adopted parents, period, that's it. You do not have a fiduciary capacity involved as you do with respect to the estate of a disabled person where a legal representative is appointed and becomes the guardian of a person's estate, money. Money which ultimately will go to the heirs or the beneficiaries of



the disabled person. The guardian, by law, is required to file annually in a county to show how the guardian is performing his or her fiduciary responsibility. Wisely investing or unwisely investing? Wisely spending or unwisely spending. Mr. Speaker, Members of the House, if this Bill were limited to the medical reports which gave rise to the determination or adjudication that a person is disabled, that would be okay. But I see no need for confidentiality and in fact, I think it is contrary to public policy to insure accounting by fiduciaries... that the accounting, the statements of receipts, the statement of expenditures, should be made confidential. I think this is wrong, Mr. Speaker. This Bill goes much too far to the detriment not only of the disabled person, but to the heirs or beneficiaries of the disabled person. I respectfully suggest, Mr. Speaker, that we deny this Bill the number of votes required to pass and then allow the Sponsor the opportunity to take it back to Second Reading for an Amendment that would restrict confidentiality to the medical reports, period, that's it."

Speaker Lecnowicz: "Any further discussion? The Gentleman from DuPage, Mr. Daniels, to close."

Daniels: "I think we'll take it out of the record. That long dialog was a Member of the Judiciary Committee, that sits on the Committee that heard this Bill. Would have been better if we'd heard in Committee instead of on the House floor."

Speaker Lechowicz: "Take the Bill out of the record. The Gentleman from Cook, Mr. Schlickman, for what purpose do you seek recognition?"

Schlickman: "Now that the Bill is taken from the record, a point of privilege."

Speaker Lechowicz: "Please proceed, Sir."

Schlickman: "I was not at that Committee hearing and just because I oppose this Bill he doesn't have to take that



tact."

Speaker Lechowicz: "House Bill 3579."

Clerk O'Brien: "House Bill 3579, a Bill for an Act relating to a senior environmental employee program. Third Reading of the Bill."

Speaker Lechowicz: "The Lady from Sangamon, Mrs. Oblinger."

Oblinger: "Mr. Speaker and Members of the House, this is a substantive Bill that goes with 2942. It was passed two weeks ago and is now in the Senate. It is the employment program for EPA and DOA for senior citizens in environmental protection agency."

Speaker Lechowicz: "Any discussion? The question is, 'Shall House Bill 3579 pass?' All in favor vote 'aye'; all opposed vote 'no'. Kindly record me as 'aye', please, Jack. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 146 'ayes', five 'nos', one recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3594, Mr. Slape. Read the Bill."

Clerk O'Brien: "House Bill 3594, a Bill for an Act in relation to small businesses. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Bond, Mr. Slape."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to ask leave of the House to return the Bill to Second Reading."

Speaker Lechowicz: "Any objections? Objections have been raised. The Gentleman from Bond, Mr. Slape."

Slape: "Well I would move that the House put the Bill back to Second Reading."

Speaker Lechowicz: "The question is, 'Shall the Gentleman's request be granted?' All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 112 'ayes', 23 'nays', one recorded as



'present'. The Gentleman moves that the House Bill 3594 from Third to Second is granted. The Bill is on Second Reading. Any Amendments?"

Clerk O'Brien: "Amendment #1, Slape, amends House Bill 3594.."

Speaker Lechowicz: "The Gentleman from Bond, Mr. Slape."

Slape: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #1 changes the Bill and in fact, the Amendment becomes the Bill. The Amendment is in three parts. The first part creates the Illinois Small Business Assistance Act to provide various assistance to Illinois small businesses and creating within the Department of Commerce and Community Affairs a small business division. Presently this is done on a program level within the Department. Part number two of the Amendment authorizes counties and municipalities to establish economic Commissions and provide for local grants and part number three establishes a small business development center at universities and colleges throughout the state by providing such centers with financing for an Executive Director. I move for adoption of the Amendment."

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

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, just the last statement that the Gentleman made is going to provide small business centers in every university and again, I don't see any appropriation Bill or any companion Bill and who's going to pay for this and I think that the Amendment should be defeated."

Speaker Lechowicz: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "I would like the Sponsor of this Amendment to tell the House if he can what this will do to aid small business that the United States Small Business Administration can't do or does not do if anything."

Slape: "Sorry, Cal. Could you repeat that?"

Skinner: "Yes. I would like to know what your Bill as amended



will do to help the small businessman that the United States Small Business Administration cannot or does not do."

Slape: "Well, first of all, it provides a... Well, one thing, it brings it onto the state level as compared to the federal level."

Skinner: "That's not necessarily an improvement."

Slape: "Well, I know, but they will be after November. Anyway, what it does is creates...."

Skinner: "The Governor up for election or what?"

Speaker Lechowicz: "Don't badger the poor Sponsor. Please continue Mr. Slape."

Skinner: "I was trying to be helpful."

Slape: "Well, it provides three services. One, it's going to..Directs the Department to help new industries.. new businesses in the State of Illinois, help them to get any licensing or any permits they may need. It also provides further use of university centers to help with graduate students. They can go into the university. As you're well aware of, many univer.. many small businesses are failing at this time of recession because of a very simple ... sometimes it's simply bookkeeping and the guy who runs the small business doesn't know how to keep books. So we send some graduate students in there to help him out with his problem and I think over in Missouri, if I'm correct and I'm almost certain I am, in Missouri, they even use retired executives through this program and they feed them back into small business to give them some expertise."

Skinner: "Well, I would be highly surprised if in Missouri the assistance was not offered under the senior corp of retired executives program which is sponsored by the United States Small Business Administration. So far, I haven't heard anything terribly large that your proposal will do that the United States Small Business Administra-



tion is not capable of doing. I hope as the debate progresses we may find"

Slape: "Well, for one thing, it would help with coordination, coordinating their problems, finding their problems, zeroing in on their problems and pinning people in to help correct them."

Skinner: "But you're putting this into the Department of Commerce. I thought that there were recent articles about the Department of Commerce not being able to coordinate itself as it exists."

Slape: "I would like to make one point to you, Cal. There are two point seven thousand businesses in the State of Illinois and out of those, only 800 are classified as big business. The rest of the 207 thousand businesses are small businesses and they are the mainstream of the economy of the State of Illinois and this is just an effort to try to booster them in any way possible."

Skinner: "You certainly don't have to convince me that most of the jobs come from small businesses. Perhaps you ought to convince some of the people that are trying to bail out the big businesses that can't make it on their own."

Slape: "Well, here's our chance to get even Cal."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker. 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 is moved. The Gentleman from Bond, Mr. Slape, to close."

Slape: "Well, thank you, Mr. Speaker. Actually all this Bill does is it brings into focus the problem that small businesses in the State of Illinois are having. At the same time it emphasizes the fact that small businesses are at the core of the economic stability of the State of Illinois and I would move for adoption of the Amendment."



Speaker Lechowicz: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'. Opposed? All in favor vote 'aye'; all opposed vote 'no'. On the Amendment, the adoption of the Amendment. The Gentleman from Will.. No, the Bill's on Second Reading. This is Amendment #1. The Gentleman from Will, Mr. Leinenweber, to explain his vote."

Leinenweber: "Mr. Speaker, Members of the House, one ought to be tempted to vote for this Amendment because the Bill was atrocious. The Amendment merely makes it impossible for us to vote for. But I really don't know how to vote on the thing on that basis! Originally this Bill was set up to encourage people to get into the grocery business. I just looked through the Amendment and we no longer do that. In order to discourage people to get into the grocery business and probably it's a good idea to vote for this Amendment."

Speaker Lechowicz: "The Gentleman from Sangamon, Mr. Kane. The Gentleman from Conti, Mr.... The Gentleman from Cook, Mr. Conti, to explain his vote? You spoke in debate I believe."

Conti: "No, I don't want to explain my vote. I just want to ... I'm going to verify this Roll Call."

Speaker Lechowicz: "You're entitled to do that, Sir. The Gentleman from Winnebago, Mr. Hallock, to explain his vote. Timer's on."

Hallock: "Thank you, Mr. Speaker, Members of the House. Currently in the Department of Commerce there already is a small business section which could, in fact, do part of this if they chose to do so. What this Amendment will do is merely give us more bureaucracy at more cost and I would urge a 'no' vote on this Amendment. Thank you."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 89 'ayes' and 68 'nos' and three recorded as



'present'. And Mr. Conti requests a verification . The Gentleman from Cook, Mr. Conti."

Conti: "Yeah, I withdraw it."

Speaker Lechowicz: "The Gentleman withdraws it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Third Reading. Oh, the Gentleman from Cook, Mr. Schlickman."

Schlickman: "I filed a request for a fiscal note."

Speaker Lechowicz: "I wasn't aware of that."

Schlickman: "Thank you."

Speaker Lechowicz: "Leave the Bill on Second Reading. House Bill 3595." Out of the record, request of the Sponsor. House Bill 3600."

Clerk O'Brien: "House Bill 3600,..."

Speaker Lechowicz: "Mr. Totten? Take it out of the record. House Bill 25.. I'm sorry. 2898."

Clerk O'Brien: "House Bill 2898, a Bill for an Act to reduce the State Occupation and Use Tax on food for human consumption and prescription and nonprescription medicines and drugs. Third Reading of the Bill."

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

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 2898 goes forward with the sales tax reduction by removing another penny off the sales tax on food and medicine . At the same time, it does affect the local government's tax rates on those items. We discussed this Bill at great length and I am urging the House to give me an 'aye' vote."

Speaker Lechowicz: "Any discussion? The question... The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Will the Sponsor yield for a question, Mr. Speaker?"

Preston: "Of course."

Speaker Lechowicz: "Indicates he will."

Vinson: "When you say it takes another cent off, where does



that leave it?"

Preston: "The state's portion would be left at two cents."

Vinson: "Effective when?"

Preston: "January 1st, 1981."

Vinson: "And without the Bill, where would it be?"

Preston: "Three cents."

Vinson: "And you say you make up the revenue that local governments lose on it?"

Preston: "No, the local governments don't lose anything on it."

Vinson: "Did the man in the Speaker's Chair currently have a similar Bill earlier in the Session that's on Postponed Consideration?"

Preston: "That's correct."

Vinson: "Do you think that he will be unwilling to call his Bill and won't diligently pursue that passage of that Bill?"

Preston: "I'm sorry. Would you repeat your question? I don't think I understand what you're...."

Vinson: "....."

Speaker Lechowicz: "Would you address your remarks to 2898, Sir?"

Vinson: "Well, with that... Do you think this Bill is really necessary, Mr. Preston?"

Preston: "This Bill is similar to a previous Bill that the House passed. It will give another vehicle to the Senate. I don't know what, if anything, may happen to the previous Bill in the Senate and that's the ... the purpose of this is a back up for that measure."

Vinson: "There is a previous Bill to this that the House did pass?"

Preston: "No, there's a similar Bill to this, I think, was sponsored by Representative Darrow, if I'm not mistaken, that did pass and is now in the Senate. This is similar to it. It's a back up measure. If something adverse



happens in the Senate to Representative Darrow's Bill, this will go forward, I hope, with the additional... an additional one cent sales tax reduction."

Vinson: "What will the cost to the state be in making up the revenue lost by local government?"

Preston: "No, there is no loss to local governments pursuant to this Bill."

Vinson: "No, the loss to the state for making up the loss..."

Preston: "In fiscal year 1981 the Department of Revenue estimates the cost at 51 million dollars. In fiscal year '82, cumulatively it will be 163 million dollars."

Vinson: "163 million dollars...."

Preston: "Total for the two years."

Vinson: "Cumulative.."

Preston: "Right."

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

Speaker Lechowicz: "Please proceed, Mr. Vinson."

Vinson: "I would urge the defeat. It's very important that we defeat this one and if it gets 89, I'd like to request a verification."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Preston, to close."

Preston: "Thank you, Mr. Speaker. Ladies and Gentlemen, obviously I disagree with the previous speaker's comments. If the people in this Body seek to give tax relief to the people of Illinois, we have proposed a number of ways of doing it. I had a proposal up that would have exempt certain categories of food from sales tax. Membership here thought that was unnecessary and voted against it. If we care about senior citizens, if we carry.. care about the disabled and the disadvantaged, and more importantly, if we care about the promise of the Governor that the state made when he said that we can afford tax relief, but he wanted to do it year by year by year, penny by penny, rather than to get the state committed



to what he thought would be an irreversible process, that we should go along with what the Governor recommended and we should go along with what the people in Illinois want, which is additional sales tax relief on food and medicine. I would urge, Ladies and Gentlemen of this House, to give us an 'aye' vote."

Speaker Lechowicz: "The question is, 'Shall House Bill 2898 pass?' All in favor vote 'aye'; all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 110... 115 'ayes', 34 'nays', three recorded as 'present'. Put Capuzi as 'aye'. 116 'ayes'. Who? On this question there's 116 'ayes', 34 'nos', three recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2963."

Clerk O'Brien: "House Bill 2963, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Lechowicz: "We're going to be working late tonight so plan accordingly. Late means about nine o'clock.

House Bill 2963, the Gentleman from Cook, Mr. Keane."

Keane: "Thank you, Mr. Speaker. House Bill 2963 is a very simple Bill. The money that is paid by a taxpayer under protest, when he pays his taxes under protest, that money is deposited and at the present time if the taxpayer wins his tax protest the collector, the county collector, maintains the interest that that money has earned while the protest has taken place. House Bill 2963 as amended would do nothing more than to return the interest that the money, the taxes paid under protest earned in the event that the taxpayer won the suit. I would ask for a favorable Roll Call."

Speaker Lechowicz: "Any discussion? The question is, 'Shall House Bill 2963 pass?' All in favor vote 'aye'; all opposed vote 'nay'. Have all voted who wish? Have all



voted who wish? Clerk will take the record. On this question there's 153 'ayes', one 'nay', five recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Kindly record Mr. J.J. Wolf as 'aye'. 3130."

Clerk O'Brien: "House Bill 3130, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Kane, Mr. Murphy."

Murphy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is a tax freeze on historical preservation buildings. You would have to spend five thousand dollars to come under this Act. It's for four years and as you know there is no building going on and I think this is a good way to get some economy started in our older homes. Now there's no money coming out of the state. It's on a local level. It has to come through the Historical District designated by the Municipal Preservation Commission. And it has to be approved by the Supervisor of assessments that the work has been done and that's all the Bill does. And I think it's a Bill that will do some good because there is no work being done in the building trades right now."

Speaker Lechowicz: "Is there any discussion? The question is, 'Shall House Bill 31..' The Gentleman from Cook, Mr. Walsh."

Walsh: "Will the Sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Walsh: "We passed this Bill in its original form just a few months ago. Would you mind, Laz, telling me once again how this extends the application of the present freeze?"

Speaker Lechowicz: "Mr. Murphy."

Murphy: "This is just for four years and you have to spend five thousand dollars on the property and it has to be approved by the Supervisor of assessments, but it has to come through the designated Municipal Preservation



Commission."

Walsh: "Does this mean then that the five thousand dollars that is spent on single family residences in an Historical District then is exempt from assessment? That five thousand dollars is not added to the assessment...?"

Murphy: "Not.. That's right."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, we .. we passed, I think, the original Bill, the Historic and Landmark Exemption Bill, perhaps a little bit in haste and we have, or at least I have, gotten considerable heat from local taxing bodies on it to the point where I was asked to sponsor a Bill which would permit all taxing bodies to opt out of the Historical District assessment freeze. I think we're ill-advised since the application of the Bill that started... that we passed last June does not take effect till January 1st, 1981. I think we're ill-advised to be expanding on that now until we can see what effect it has. Because remember, for every break that we give certain taxpayers, or in this case, certain types of property, somebody else must pay for it. So I would suggest that we do not pass this at this time and would urge you to vote 'no'."

Speaker Lechowicz: "The Lady from Champaign, Mrs. Satterthwaite."

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

Speaker Lechowicz: "Indicates he will."

Satterthwaite: "In our analysis, it indicates that the current law puts the freeze on pre-December 31st of 1989. Your Bill would have the freeze run only until December 31st, of '84. Is that right?"

Murphy: "That's right."

Satterthwaite: "And so, in fact, the previous speaker with the rationale that he used in his argument ought to be highly supportive of your Bill. Right?"

Murphy: "Right."

Satterthwaite: "Thank you."



Speaker Lechowicz: "The Gentleman from Kane, Mr. Murphy, to close."

Murphy: "Thank you, Mr. Speaker. I think I'm on the right track. As long as we can preserve at least a few buildings in the downtrodden areas, it would probably restore more work in the area and I would appreciate a favorable vote."

Speaker Lechowicz: "The question is, 'Shall House Bill 3130 pass?' All in favor vote 'aye'; all opposed vote 'nay'. Mike, give me an 'aye'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 137 'ayes', 22 'nos', two recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3133."

Clerk Léone: "House Bill 3133, a Bill for an Act to amend the Fish Code. Third Reading of the Bill."

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

Schraeder: "Mr. Speaker, this is an Amendment (sic) to the Fish Code legislation that we passed last year when the .. inadvertantly the retail and wholesale fish licenses were grouped together and a fee of \$50.00 was charged. This will reduce the fee for retail merchants from the \$50.00 down to \$10.00. It has the approval of the Department of Conservation. It came out of the Committee without a dissenting vote and the retail merchants support it. I don't know of any opposition and I would urge an 'aye' vote."

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

Schlickman: "Would the Sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Schlickman: "Would you say that the Bill had been amended so that the retail license is \$10,00?"

Schraeder: "Yes."



Schlickman: "Instead of \$50.00..."

Schraeder: "Instead of \$50.00 it is now ten."

Schlickman: "I see. So you would actually be doubling the former fee which was \$5.00?"

Schraeder: "No. There was a.. There's no fee on a retail merchants at all and last year we put it on at a \$50.00 fee.. Now, we're reducing it down to ten."

Schlickman: "I'm advised that prior to Public Act 81-0383 that the retail was formerly five and the wholesale was 25 and that by this Act both were increased to 50."

Schraeder: "Yes, that's correct."

Schlickman: "Thank you very much."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Wolf. J.J. Wolf."

Wolf: " Yes, Mr. Speaker, Members of the House, I rise in support. I think it's an excellent Amendment (sic). However, I would just like to point out for the information of the Members that in the Chicago area there's only one full time conservation officer working that area and it's just impossible for him to make these inspections. We certainly are in need of a couple more officers in the Chicago area. I think it's a good Bill and I'm going to vote for it."

Speaker Lechowicz: "The Gentleman from Peoria, Mr. Schraeder, to close."

Schraeder: "Well, for those of you who are interested in reducing fees, this would reduce the fees for retail merchants from 50.00 to \$10.00 and there's no opposition to my knowledge. And I'd appreciate an 'aye' vote."

Speaker Lechowicz: "The question is, 'Shall House Bill 3133 pass?' All in favor vote 'aye'; all opposed vote 'no'. Record me as 'aye', please. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 162 'ayes', no 'nays', none recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House



Bill 3146."

Clerk Leone: "House Bill 3146, a Bill for an Act to impose county, municipal, and regional transportation authority use tax on items used in the operation of a manufacturing business. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Macon, Mr. Dunn." "Take it out of the record, request of the Sponsor. 3177. Mr. Keane."

Clerk Leone: "House Bill 3177, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. House Bill 3177 applies only to counties of over one million people and what it does is it increases the interest penalty on delinquent taxes from one percent to one and a half percent. I would ask for a favorable Roll Call."

Speaker Lechowicz: "Any discussion? The question is, 'Shall House Bill 3177...'... The Gentleman from Champaign, Mr. Johnson."

Johnson: "Who's the Sponsor? I don't even see.. Oh.."

Speaker Lechowicz: "Keane."

Johnson: "Now, tell me what this Bill does again, Representative Keane?"

Keane: "It increases the penalty, the interest penalty on delinquent property taxes in counties of over one million from one percent to one and a half percent..."

Johnson: "Why is that? Why do you want to do that?"

Keane: "First of all, you get the people to pay their taxes a lot faster. It reflects more the proper interest rate. There are people now who if they're going to pay 12% a year in delinquent taxes will keep their taxes delinquent. If you put it up to an 18% a month.. a year rate, they will pay their taxes. So it's an inducement in counties of a million or more to have people not let their taxes become delinquent."



Johnson: "Are you the Chief Sponsor of this Bill?"

Keane: "I'm a Cosponsor."

Johnson: "Are you a hyphenated Chief Sponsor?"

Keane: "No."

Johnson: "Why are you speaking on the Bill on the floor?"

Speaker Lechowicz: "I asked him to handle it."

Johnson: "Is that in the rules, Mr. Speaker?"

Speaker Lechowicz: "He's on the Bill."

Johnson: "Pardon me?"

Speaker Lechowicz: "He's on the Bill."

Johnson: "I understand, but that's just a substantive Sponsor, isn't it?"

Speaker Lechowicz: "Monroe, why don't you come up here?"

Johnson: "As I read the Digest, House Bill 3177 is Representative Lechowicz."

Keane: "You're correct."

Clerk Leone: "Representative Flinn in the Chair."

Speaker Flinn: "The Gentleman from Cook, Representative Lechowicz, is recognized "on House Bill 3177."

Lechowicz: "Well, Mr. Speaker, Ladies and Gentlemen of the House, the explanation that was given by Representative Keane was quite accurate. Basically this Bill requires an increase on delinquent property taxes from one percent to one and a half percent per month. Basically that amounts to .. from 12% to 18% and as he pointed out, it does encourage people to pay their taxes on time. I don't believe it's an additional burden when you have the property tax.. many property tax owners in the County of Cook, and this only applies to the County of Cook, who pay their taxes on time. They expect everyone else to pay their taxes on time and we have a certain segment within the County of Cook, because of the interest rates presently within the market, are not paying their taxes on time. This Bill would encourage everyone to pay their taxes on time by increasing it to one and a half percent per month.



I personally believe it's a good Bill. It came out of Committee 22 to nothing. It does merit your support."

Speaker Flinn: "The Gentleman from Macon, Representative Dunn, John Dunn, is recognized."

Dunn: "Thank you, Mr. Speaker. Question for the Sponsor."

Speaker Flinn: "Indicates he'll yield."

Dunn: "The Digest confuses me, not about the Sponsorship, but about the explanation of the Amendment (sic). The Digest seems to lead me to believe that under some circumstances the increased rate is .. someone is excused from paying that rate and it appears to me to say that where the taxes have been challenged in some form...."

Lechowicz: "That Amendment... May I address myself to the Gentleman's question?"

Speaker Flinn: " Sure."

Lechowicz: "That Amendment was specifically put in for people who are presently in court based upon the personal property tax assessment. The Bill as it was originally intended was strictly for the delinquent real estate taxes. The Amendment was drafted at the request of people who have their matters pending in court, specifically Illinois Bell and they came to me and I told them that the intent of the Bill was strictly for delinquent property taxes, not personal property taxes and for that reason the Amendment was offered and adopted in Committee. "

Dunn: "So, the interest is not excused altogether. It just shall remain at one percent. Is that correct?"

Lechowicz: "For the personal property taxes that are pending in court, it would one percent per month."

Dunn: "Okay. Thank you."

Speaker Flinn: "Representative Conti."

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House here it is again, the sovereign State of Illinois is being divided and separated by the 'Chinese Wall' again. Population of five ... over a million pays one and a half percent ; those of us in Cook County. But you downstaters



are only going to pay one percent interest. If there isn't any... I don't know where we get all these unconstitutional Bills and I sure would like to see some taxpayer start his suit on this discriminatory piece of legislation."

Speaker Flinn: "Representative Willer."

Willer: "Yes, will the Sponsor yield? Representative Lechowicz, I've been thinking about what the previous speakers said, I was going to ask you why did you exclude the rest of the state outside of ... obviously it'd be unpopular, but are there no delinquent taxes to speak of in the rest of the state outside of Cook County?"

Lechowicz: "Ma'am, as we reviewed the Bill, we have the problem in Cook County as far as having people pay their property taxes on time. And, I'm sure that you are well aware of the fact that it also goes to a tax sale. This would be based upon the same figure that is presently generated as far as on a tax sale on delinquent property. Hopefully, the problem was primarily in Cook County. We thought we could address it in that situation. There was not a request from any other portion of the state to be included in the Bill and for that reason, they were not included."

Willer: "Well, that's the point I'm trying to make. In Committee there was no testimony from anybody in the rest of the state that there was a problem in the rest of the state outside of Cook County."

Lechowicz: "That is correct, Ma'am."

Speaker Flinn: "Representative Huskey."

Huskey: "Would the Sponsor yield please?"

Speaker Flinn: "He indicates he will."

Huskey: "Well, Representative Lechowicz, don't you feel that if maybe it's a hardship case on the people that haven't paid their taxes on time? Maybe a widow or a poor person that's maybe in financial trouble?"



Lechowicz: "I personally don't believe....In fact, the situations are just totally in reverse, Mr. Huskey. If you would sit down with the County Treasurer of Cook County or the County Assessor of Cook County, they normally find that the people who are delinquent are delinquent every year. And if you want to go through and check every parcel, you'll also find out that it's not the small delinquent home owner that this Bill is really after. It's the people that just don't pay their taxes: because it cost less money, less money to them personally, to have the county carry their outstanding loans per se than it is to go to the bank and draw that money from a bank. And for this reason, when you change from 12% to 18%, that's what it cost you when you buy anything on credit, presently. In fact, we passed a Bill out of this House to eliminate that amount of 18%, no cap whatsoever. Was passed overwhelmingly in this House. And now we're saying that we can't charge one and a half percent per month? Come on now."

Huskey: "I didn't... I have a couple more questions."

Lechowicz: "Please proceed, Sir."

Huskey: "Actually, aren't these tax bills sold and isn't it really the county that loses that 18%.. the interest money, the beneficiary, the interest money, is the person that buys these delinquent taxes? Isn't this for their benefit rather than for the County of Cook? "

Lechowicz: "I didn't hear your question. I'm sorry. Repeat your question."

Huskey: "I said, these delinquent tax bills, aren't they sold and the person that buys these tax bills receives the interest instead of the County of Cook? This gives the 18% to the mortgage companies or the people that buy up the..."

Lechowicz: "That's if the property is delinquent for three years."



Huskey: "You're misrepresenting...Isn't it two years, Representative Lechowicz?"

Lechowicz: "Three years before it goes to a tax delinquency (or) sale...This has nothing to do with tax delinquency sales."

Huskey: "Mr. Speaker, may I just..."

Lechowicz: "This just raises from one percent to one and a half percent per month."

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

Speaker Flinn: "Proceed."

Huskey : "Mr. Speaker, after two years, tax bills are sold and I'm certain that the percentage rate will carry on into the mortgage companies that buy these tax bills. The County of Cook is really not out anything. They have the privilege of selling these delinquent taxes and this is just a rip-off for the poor people that come on hard times that are not able to pay their taxes on time, the people that are the least able to pay are the people that are getting hammered the hardest on this.. on this tax Bill. I certainly hope that this doesn't pass for the poor people, the people that are up against it having a hard time and I'd hope you would search your conscience on this Bill."

Speaker Flinn: "Representative Brummer, Rich Brummer."

Brummer: "Yes, I move the previous question."

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

The question is, 'Shall the main question be put?' All those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. Representative Lechowicz to close."

Lechowicz: "Well, Mr. Speaker, I believe the Bill has been debated. I believe that the majority of this House will concur with the idea that we, for once, should encourage people to pay their taxes on time and if they can't pay their taxes, the County of Cook, or any other county, should not subsidize them based upon the current cost of money. And for this reason, I believe House Bill 3177



is an equitable Bill and deserves your support."

Speaker Flinn: "The question is, 'Shall House Bill 3177 pass?'

All those in favor vote 'aye'; those opposed vote 'no'.

Representative Peters to explain his vote, one minute."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to support the concept advanced by Representative Lechowicz. I served as the Assistant Treasurer of Cook County under Ed Kucharski when he was a County Treasurer from '68 to '72 and I was there until '71 and let me indicate to you that from the experience we had in our office, it's basically not the poor widow or the person who owns the bungalow, that does not pay his taxes on time. If there's anything, those people come in and pay those taxes ahead of time because that's the one investment they have in the world and they want to make sure it's protected. People that we always had a problem with are those who got the places that are 75 and 80 thousand and 100 thousand dollars in taxes and it paid for them and it pays for them now to be a month, two months, three months, four months delinquent until their certificates of deposit come back and bring them a higher yield. I think this is a good concept and goes in the right direction."

Speaker Flinn: "Have all voted who wish? Representative Lechowicz, to explain his vote."

Lechowicz: "It also is the recommendation that was made ten years ago in the Ogilvie Commission. "

Speaker Flinn : "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 147 voting 'aye', 12 voting 'nay'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3195."

Clerk Leone: "House Bill 3195, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

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



Keane: "Mr. Speaker, I would ask for leave to return House Bill 3195 ..."

Speaker Lechowicz: "Hearing no objections, the Bill is on Second Reading. 3195. Any Amendments?"

Clerk Leone: "Floor Amendment #1, Keane, amends House Bill 3195 on page one by deleting lines ten and eleven and inserting in lieu thereof the following."

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

Keane: "This Amendment follows up a Bill that was cosponsored by Representative Campbell and I last year dealing with reimbursements for those who have received a certified Illinois assessment officer. The Bill, 3195, was inadvertently drawn and it did not include the employees of the Board of Appeals, the Property Tax Appeal Board, who we are attempting to include for the same benefits as we did with the assessor Bill last year. And I would ask for the adoption of Amendment #1."

Speaker Lechowicz: "Any discussion? The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, this seems to be an unnecessary expenditure of state revenue. All of the employees of the State Property Tax Appeal Board are under the Personnel Code and are supposedly paid what they are worth. In addition, the numbers of the State Property Tax Appeal Board are fairly well paid. I think they're paid over 30 thousand dollars a year. I don't see why they should be entitled to an extra 500 dollars a year just because they went through a short course and were able to pass a test. There's no requirement in the law that they have any .. that they be certified as Illinois.. certified Illinois assessing officers. I just don't see why we should be spending this money on them. I don't think it will improve their performance at all."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Keane, to close."



Keane: "Thank you. It applies to Members of the Board of Review or the Board of Appeals or the Property Tax Appeal or any employee of a Board of Appeals or Property Tax Appeal Board. There are a number of those who are not as well paid as some prior assessing officials have been paid. The legislation which we passed last year provided the necessary inducement, hopefully, for people in the assessing and in the tax setting field to get the certified Illinois assessing officer certificate. These people often-times interrelate with assessors. Sometimes they become assessors and I think it's important that they receive this same treatment. I would ask for a favorable vote on the Amendment."

Speaker Lechowicz: "The question is, 'Shall Amendment #1 be adopted?' All in favor signify by saying 'aye'; 'aye'. Opposed? 'Ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Lechowicz: "Third Reading. House Bill 3238, out of the record, request of the Sponsor. House Bill 3366? Mr. Meyers on the floor? Out of the record, request of the Sponsor. House Bill 3430? Mr. Ewing? Out of the record, request of the Sponsor. House Bill 3507. Mr. Pierce. Read the Bill."

Clerk Leone: "House Bill 3507, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Pierce."

Pierce: "Yes, Mr. Speaker. House Bill 3507 tries to present .. prevent an inequity that has arisen since we passed the personal property tax replacement income tax last year. With the help of the amendatory veto of the Governor and this Legislature, we replaced the personal property tax with the corporate income tax at two point eight five percent. Now what's happened in certain areas of the state is assessors have become greedy and they have re-



classified property that was... personal property as real estate. So that these businesses are paying a double tax. They're paying the new replacement tax as well as having what was personal property reclassified as real estate. And this includes machinery and equipment and is discouraging to business. Because in all sincerity when the Chairman of the Revenue of the Democratic task force on replacement tax, when we passed out the personal property tax replacement, it was my belief that it was to be a replacement of the personal property tax, as mandated by the 1970 Constitution and was not to be a new tax, which was to be placed on the businesses at the same time, were to be placed on their old personal property tax, when it's reclassified incorrectly as real estate. So what this Bill does is say very simply and clearly, that property which was assessed as personal property prior to January 1, 1979, is presumed thereafter to be personal property for assessment purposes and would prevent these assessment officials from taking personal property whether it be farm machinery, and equipment or whether it be industrial machinery and equipment or store fixtures and store equipment, and reclassified as real estate so those poor farmers and businessmen are being hit twice, once with the replacement tax and once with the new real estate tax on what was always personal property. So, it's a good Bill. It prevents double taxation. It takes off an unfair and unconstitutional burden in my opinion on business and I urge your support for House Bill 3507."

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

Madigan: "Question of the Sponsor."

Speaker Lechowicz: "Indicates he'll yield."

Madigan: "Mr. Pierce, after the adoption of Amendment #1, am I correct in understanding that this Bill would simply



create a presumption in favor of the classification of property as personal property which was classified as personal property prior to the passage and enactment into law of the personal property tax replacement Bill?"

Pierce: "Yes, there's an Amendment #1 by Representative McPike which clarifies the Bill and made it clear that the Bill only created a presumption that property..... for the Amendment when I read the Bill, that the property assessed as personal property before January 1, 1979 is presumed thereafter to be personal property for assessment purposes. A presumption of course can be rebutted. It does establish the burden of rebutting on the taxing official rather than on the property owner as in most cases it would be without this Bill. So, what was personal property will be presumed to be personal property. But the assessor could prove, I suppose... could overcome that presumption by overwhelming evidence at least by establishing his burden that the property should have always been real estate. There was some malassessments or classifications I'm sure. There might have been some very incorrect classifications of certain fixtures as personal property which should have been real estate, and in those cases I imagine the assessor, the taxing officials, could overcome that presumption. But when they're acting.. they're acting in a manner that was just taking equipment and machinery that was obviously personal property, and try to reclassify that as real estate, I'm sure they couldn't overcome that presumption and the Bill would prevail."

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

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, I don't think this Bill does everything that it possibly should, but it is a good start in keeping out the inequity of double taxation as the result of the personal property replacement tax. And I would definitely encourage an



'aye' vote on this Bill."

Speaker Lechowicz: "The Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I'd like to ask the Sponsor a question."

Speaker Lechowicz: "Indicates he'll yield."

Van Duyne: "Mr. Pierce, now you've stipulated that all personal property that was personal property taxable personal property before we changed the law. But does it do it in reverse? Does it guarantee us that people who had stuff bolted down and stuff that was classified as real property stay as real property? Or can they now unbolt it and move it around, transfer it, whatever? I'm sure you're much more knowledgeable than I am about this and that's why I'm asking a question. I hear rumors that some of our local manufacturers are now trying to take pieces of personal property that they have modified to be incorporated into their building away from that building where it will be now classified back as personal property."

Pierce: "The Bill doesn't speak to that particular problem. However, my hyphenated Cosponsor who just spoke, Representative Ewing, has a Bill of his own, I believe, 3430 that does say what is personal property and what is real estate and..."

Van Duyne: "Yeah, but I would rather have you..."

Pierce: "Spells that out and I'm a hyphenated Cosponsor, at least I'm a Cosponsor of that Bill. Now your question is, you take a barbar pole and unscrew it from the ground. Does that barbar pole then become personal property instead of real estate? Well, I suppose if you took the barbar pole out of the ground and just placed it in your barbar shop on the side on the floor, was no longer attached, that might be personal property. But here the facts have changed. The Bill doesn't speak to a reclassification .. a legal reclassification by an assessor from real estate to personal property. But if that were done, then



the facts would speak for itself and the matter could be contested in court."

Van Duyn: "Well, I wasn't speaking of something as miniscule as a barbar pole. I was talking about maybe something like a scrubber or something that costs millions of dollars and if you go by a seven or eight dollar tax rate, it would really amount up to a lot of relief for the person that we're talking about. Anyway, you have answered my question. This Bill does not address itself to that so therefore I can judge this Bill on its merit and hope to good God that you are aware of Representative Ewing's background when he presents his."

Pierce: "Thank you very much and Representative Ewing has a very fine background I understand."

Speaker Lechowicz: "Let's not get into backgrounds now. The Gentleman from Lake, Mr. Pierce, to close."

Pierce: "Yes, this Bill, as was pointed out, was amended on the floor on Second Reading so it includes the presumption that was personal property prior to January 1, '79 should be classified and assessed as personal property. That assumption can be rebutted by .. by the assessor or taxing officials overcoming that presumption and undertaking their burden of proof. The Bill is a good Bill. It prevents double taxation of farmers and businesses on their machinery and equipment and I urge the passage of House Bill 3507."

Speaker Lechowicz: "The question is, 'Shall House Bill 3507 pass?' All in favor vote 'aye'; all opposed vote 'no'. Brummer, give me an 'aye'. The Gentleman from Cook, Mr. Madigan, to explain his vote. Timer's on."

Madigan: "Mr. Speaker, I'd like to explain my 'aye' vote. I am voting 'aye' because of the explanation rendered by the Sponsor of this Bill that the Bill only creates a presumption and does go beyond the creation of a presumption."



Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk, kindly record Mrs. Macdonald as 'aye'. Clerk will take the record. On this question there's 154 'ayes', no 'nays', three recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Calendar on page 14, appears Senate Bills, Third Reading, two emergency matters. Mr. Winchester on Senate Bill 1652. "

Clerk Leone: "Senate Bill 1652, a Bill for an Act to provide for certain transfers between funds in the State Treasury. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Hardin, Mr. Winchester."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1652 provides a transfer of one million, two hundred thousand dollars. That's six hundred thousand for the road fund and six hundred thousand for the general revenue fund into the state revolving fund and also the Bill has a provision for the total pay back for five hundred thousand to the road fund and the general revenue fund over a period of one and one half years. I'd appreciate a favorable Roll Call vote."

Speaker Lechowicz: "Any discussion? The question is, 'Shall Senate Bill 1652 pass?' All in favor vote 'aye'; all opposed vote 'no'. Record me as 'aye' please. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 151 'ayes', no 'nays', seven recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1655."

Clerk Leone: "Senate Bill 1655, a Bill for an Act to amend the appropriation to the Department of Administrative Services and to the State Comptroller. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Hardin, Mr. Winchester."



Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1653 (sic) is a supplemental appropriation of one million, five hundred and eighty-seven thousand, from the road fund for workers compensation claims in the Department of Administrative Services. I'd ask for a favorable Roll Call vote."

Speaker Lechowicz: "Any discussion? The question is, 'Shall Senate Bill 1655 pass?' All in favor vote.."

Winchester: "Yeah, 1655, I'm sorry. Correct."

Speaker Lechowicz: "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's 150 'ayes', two 'nays', seven recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Back on the Priority of Call. Page one. We're not calling the appropriation Bills because the deadline effective on the appropriation Bills is a week from Friday. We'll get to those when the substantive Bills are passed first. Another emergency matter, 3241. Where's that on the Calendar Jim? Page nine."

Clerk Leone: "House Bill 3241, a Bill for an Act making supplemental appropriations to the Illinois Legislative Investigating Commission for ordinary and contingent expenses. Thi.."

Speaker Lechowicz: "The... I'm sorry. Go ahead."

Clerk Leone: "Third Reading of the Bill."

Speaker Lechowicz : "Page nine of the Calendar, bottom of the page. The Gentleman from Cook, Mr. Taylor."

Taylor: "Thank you, Mr. Speaker and Members of the House. House Bill 3241 transfers... well, approp.. supplemental appropriates 54 thousand dollars that it needed to complete the reports before June 30th. 24 thousand of those dollars are transferred from line item appropriation. I solicit your support for House Bill 3241."



Speaker Lechowicz: "Any discussion? The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, I wonder if the Sponsor would yield to a question or two?"

Speaker Lechowicz: "Indicates he will."

Skinner: "Would like to know if you're still renting a renting space from a company who's President is 'Lester Crown' in direct violation of state law?"

Taylor: "Representative Skinner, I have not signed a new lease. I am waiting for an opinion from the AG's Office and I should have that before the end of the week."

Skinner: "Well, I'm delighted to hear that. Regardless of what the Attorney General says, I believe that his clear legislative intent, that we don't want any agency of State Government doing business with any individual who has admitted on the record that he has attempted to bribe or who has actually bribed State Legislators. Lester Crown is one such individual and when I was talking to your staffer he told me that the reason you were considering continuing in the material service building near the Lyric Opera House was because the Legislative Investigating Commission could not find cheaper space elsewhere. It seems to me, Representative, that cost was not an item that was considered when Representative Stearney's Bill passed. It was whether or not we should do business with honest businessman. It seems to me that by having admitted on the record that his company attempted to bribe Illinois State Legislators Mr. Crown has voided any right whatsoever to belly up to the public troth and receive additional money. So I am hopeful that your Commission will find other office space regardless of whether or not if costs more or less. Thank you."

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

Peters: " Mr. Speaker and Ladies and Gentlemen of the House, if I may comment on the remarks made by our colleague from



McHenry, the Commission Members are certainly aware of the intent of the General Assembly when they passed the legislation offered by Representative Stearney. When it was called to the Commission's attention by the 'Mike Lawrence' in fact of the Rock Island newspaper I believe, the Commission did immediately send a letter under the direction of our Cochairman, Representative Taylor, to the Attorney General asking for an opinion and a clarification of the law and as to whether it did apply to the building that the Commission was in view of the fact that ownership of the building was in a trust or two and a few other kinds of corporations from one end to the other holding other beneficial interests in it. We have in the next budget added some funds for a move should the Attorney General and the Department of Administrative Services, which finally does sign and set all of our leases, determine that in fact it would be a violation of the law to remain in that building. Now we are prepared to move as a Commission pending action by one, the Attorney General and two, the Department of Administrative Services. Is that... Representative Taylor, do I state the case properly? Thank you."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Taylor, to close."

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

I simply solicit your support. This is an emergency and we do need to fund at this time."

Speaker Lechowicz: "The question is, 'Shall House Bill 3241 pass?' All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 124 'ayes', 14 'nos', eleven recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Back on the Priority of Call.



House Bill 2131? "

Clerk Leone: "House Bill 2131, a Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Chapman: "Mr. Speaker and Members of the House, House Bill 2131 establishes the Adult Basic Education in High School Completion Education Act, thereby implementing the 1970 Constitution that requires that education through the secondary level shall be free. At the present time, both High School Districts and community colleges are offering various kinds of adult education programs which are: for Public Aid recipients for citizenship training, for elementary and secondary classes, for preparation for GED. What has been needed is coordination and planning. The Board of Higher Ed and the State Board of Education have worked together in developing this Bill which not only delineates responsibility; but also provides for local planning. So the good programs locally being provided throughout our state will not suffer by any kind of a state mandate that is laid upon. But that local planning based on community college districts will develop and evaluate needed programs. As you note by the fiscal note the expense for this year will be for planning grants which would be for a maximum of ten thousand dollars per planning unit, per community college unit and this amounts to 440 thousand dollars I believe is the figure and 4 thousand... four thousand twenty...420 thousand dollars. There would be no additional costs whatsoever this year. To the extent that these programs are effective in future years and do offer adult education programs through the secondary level, and that's all this deals with is through the secondary level, there would be a fiscal impact down the road."

Speaker Taylor: "Any discussion? .."

Clerk Leone: "Representative Ta..."



Speaker Taylor: "Representative from LaSalle, Representative Hoxsey."

Hoxsey: "Yes, would the.. would the Sponsor yield please?"

Speaker Taylor: "She indicates that she will."

Hoxsey: "Representative Chapman, of the people that would be involved in this type of a program how many of them are people who had already an opportunity to attend the public school systems in the State of Illinois and for one reason or another have refused to do so?"

Chapman: "There are a number of people who have dropped out of school obviously before the age of 16 or before completing their education. As a matter of fact, the figure for this is .. I just had read this just a moment ago , Representative, and ... Estimates indicate that right now in our state there are indeed 3.5 million adults who do not possess a high school diploma. Now as these figures have been projected out and compared to other states and programs in other states it appears that about 35 thousand adults would probably participate in the first year of the program. The State Constitution specifically mandates in Article X that education through the secondary level shall be free to all citizens."

Hoxsey: "But I would suggest to you, Representative, that these people have already had an opportunity to participate in the education system that this Constitution mandates that we provide and what we're doing here is providing education twice. Now they've had that opportunity. Not only that, but I think this idea of regional council again smacks of regional government. Why, if you want a program like this, can't it operate from the local level? You say, 'local'. This isn't local. This is regional. Why can't it operate from the local level to the state if there's a need? I'm not at all sure that there is a need to educate people twice when they've had the opportunity by..."



Chapman: "If that is the question, Representative, there is no opportunity through this Bill to educate people twice. The only people who would be eligible under this program are people who do not have a high school diploma. I would regard our community college districts as being units of local.. and I never heard it suggested otherwise."

Hoxsey: "But, Representative Chapman, how many of those 35 thousand people had the opportunity at one time to participate in education in Illinois?"

Chapman: "Many of them undoubtedly did. For what reasons they failed to finish high school you and I can only speculate. I would refer you to language of our State Constitution which is most specific."

Hoxsey: "Well, I would like to speak to the Bill. I suggest that: in this instance, if people want to participate in an education today in the State of Illinois, they can very easily do it. My suggestion to you is that you can lead a horse to water but you can't make him drink, And if they want to educate themselves, they will. And I don't think we have the responsibility to offer that education twice."

Speaker Taylor: "The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, will the Sponsor yield?"

Speaker Taylor: "She indicates she will."

Stuffle: "Representative Chapman, Jeannie.."

Chapman: "Mr. Stuffle."

Stuffle: "Yes. We discussed this somewhat in Committee and I committed to give you a vote to get it out and I told you at that time I might ask for questions. At this time let me ask you, with regard to the Amendment #1, if I have a regional agency such as the Mattoon Area Adult Education Center which provides two of the basic programs that we have in adult education, they're now



now more or less on their own. Under this Bill, will they become subservient so to speak to the local education agency, be it the community college or the local School District? And if so, in what way since they serve a number of counties at this particular time and they basically have their own reimbursement schedule and they basically compete directly from their own fund?"

Chapman: "Are they a cooperative of High School and Unit Districts? I'm not familiar ..."

Stuffle: "Not exactly. They serve a multi-county area on a referral basis. Many of the people are referred through and among the community colleges and the School Districts. There's a concern at least expressed to me by one individual there that they now would have to be within an education plan set up by the local education agency which they're not directly a part of. How would they be effected from their current situation given those parameters?"

Chapman: "Are they funded through the local community college districts? Is this what you've indicated?"

Stuffle: "No."

Chapman: "From where does their funding derive now?"

Stuffle: "Not completely. My understanding is from them that they are more or less competing directly for funds and that they have some consideration .. concern that under this Bill, that they would have to be incorporated in a local education agency plan and that they might lose part of their program, that those might end up directly in the community college where they are not now."

Chapman: "I cannot.. I do not believe that could possibly occur because the decision making in terms of grants rests under this legislation as it does at the present time with the State Board of Education. Now if you're talking about community fund... college funding, that remains unchanged also and would flow to a unit through



a contractual arrangement with the community college district."

Stuffle: "Are you saying there wouldn't be a change in the way that my adult center receives its money?"

Chapman: "I am not familiar specifically with your adult center. But, in terms of the discussions I've had with the State Board of Education, which supports the Bill, and the Board of Higher Education, which supports the Bill, and through my reading of the legislation itself, which in no way changes the funding, but it dealing with planning, I cannot see anyway that they would be affected."

Stuffle: "Okay. On Amendment #2..."

Chapman: "Yes, Sir.."

Stuffle: "With regard to the issue of contiguous territory where you've got a Charter District surrounded by a non-community college territory with regard to the definition there of what is contiguous, where did Amendment #2 come from specifically? And secondly, with regard to that Amendment, the synopsis indicates that there's a deletion of the language that would.. that would say that if the surrounding territory at some point ends up in a district other than the one that your definition makes the Charter District contiguous to, then they would cease to have the ability to contract or deal with a specific district. Is that the case?"

Chapman: "The language in Amendment #2, relates to your district as you know, no other districts has this problem which you have in Danville. It was developed by the Reference Bureau at the instruction of the State Board of Education and the Community College Board in order to respond to your peculiar, if you don't mind that choice of words, your peculiar situation in Danville. It if doesn't, I'd be very happy to modify this Bill subsequently so it would respond to your problem in Danville."

Stuffle: "Well, I'm just trying to find out two things here."



Number one, the way you've rewritten the Bill with the Amendment, it would say that, if for example, that Paris area district which is now surrounded by nondistrict territory, it could under your Amendment either deal with Danville or the Matoon District that it now deals with. Under your Amendment it could deal with Danville as well as Matoon, the Lake Land District, but if subsequently.. subsequent to this if that nondistrict territory became a part of the Lake Land District let's say, they would have to cease their operations with Danville. Is that the understanding you have?"

Chapman: "The understanding I have is would this solve the problem for this situation in this one district. It was developed by the adult educators in these two Boards and if it does not, I would be certainly willing to handle it in a way.. I see a Member of the State Board responding to this. I'd be happy to respond to you in a way that dealt with this fairly and equitably."

Stuffle: "Okay. My understanding then from my advisor here is that it's up to the School District, that the School District could go with both or stay where they're at or break up the structure they have now."

Chapman: "It is the intention to provide an option, yes."

Stuffle: "Thank you."

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

Hudson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, would the Sponsor yield for a question or two?"

Speaker Taylor: "She indicates that she will."

Hudson: "Yes. Eugenia, I notice in the Amendment here, Amendment #1, it mentions the Area Planning Council. Now Representative Hoxsey mentioned this before, but could you tell me roughly how many area planning councils you envision under this proposition?"

Chapman: "42... In every single part of the state where there



is a community college district, or local community college district,, this would serve as the base for the council. There is a small part of the state that is not part of the community college district so we have tried to structure what is a similar kind of population base for those few areas. 42, is the answer."

Hudson: "The lowest areas then that do not fall within an existing let's say junior college district would be taken in. Is that right? So you'd be formulating a new.. a new district, in effect, on an area basis."

Chapman: "I don't think that that truly would be the case. There are some little training areas in the state that would not be of that size that they would be providing adult education programs. So, what we have done is to just add them to the district, so only in that sense would you have a new unit. Essentially the unit we're talking about is the community college district which almost every, single person in this room experiences and relates to."

Hudson: "Now Section IV indicates that in accordance with a plan developed by the Area Planning Council in their respective planning areas, that is to say that rules and regulations will be formulated in accordance with a plan developed by the Area Planning Council. This suggests to me that the planning council is somewhat supreme in this area. The question I think I have for you is, how do you equate this with local control when you give this Area Planning Council this much power?"

Chapman: "Their power is of an advisory nature, Sir, and the responsibility for basic education lies with the State Board of Education. However, we do want to provide local control and it appeared in the discussion with the adult educators with the Boards, the State Board of Higher Ed and the Board of Education, that the local public



community college was a good day for this planning which was advisory in nature. There is no supremacy here at all, Sir."

Hudson: "Well, I fail to see where our local Boards come into play here. The representatives on the Council, maybe.. they don't have to be elected Members. They can be employees as I read the Amendment here. If the School District or the community college district, they don't even have to be elected people..."

Chapman: "It's up to the elected Board to make that determination, Sir."

Hudson: "Well, yes. They can make the determination, but they do not have to put elected people on there. Is that correct?"

Chapman: " This is an advisory Board to study availability of basic adult education resources in the community to work together the various units, high schools and junior colleges, offering adult education. We hope they'll work together in developing a plan that would provide education to the people in that particular junior college area."

Hudson: "Another question would be this; Now I'm concerned about the cost here. Later on in the Amendment, it speaks of the cost including costs of student transportation and such facilities or provisions for child.. for child care as may be necessary in the judgement of the Board to permit maximum utilization of the courses by the students with children. Now, does this mean that .. Does this mean that we are going to be faced with an educational cost here which includes child care of.."

Chapman: "No, Sir. It does not. What it does is include requirements presently in the law under which Public Aid recipients through the Public Aid budget have child care providers for them, so these Public Aid recipients can learn a skill, can get a high school diploma and can get off the Public Aid rolls. It would appear to me that



one of the major reasons Representative Hudson that you and I both might have had for voting for legislation of this nature is that we want people to stand on their own two feet. We don't want the taxpayers to foot Public Aid cost any more than is necessary. We want people to be independent and self-reliant. To help that Public Aid recipient as the present law does, there is no change proposed here. There is .. having the effect of helping that oftentimes women, oftentimes the mother, get the ability, develop the ability to take care of herself and her own children. And I think this is the kind of goal that I've heard discussed very often on this floor and which I certainly support. But this is presently in the law."

Hudson: "One other question; I note that if a School District fails to provide or is providing unsatisfactory or insufficient classes under this Section, the State Superintendent of Education may provide for the establishment of such classes under the provision of the Section of the Act and so on and so on. It seems to me that what we're saying here is that if a local School District plans that financially or economically unfeasible, to provide this kind of service then they will be in a sense mandated and forced to by the State Board, State Superintendent of Education."

Chapman: "Quite the opposite I believe Sir. If you notice the last line of the fiscal note, it says this Bill would not necessitate any increased tax burden on local districts."

Hudson: "Well, Mr. Speaker, may I speak to the Bill?"

Speaker Taylor: "Proceed."

Hudson: "Notwithstanding the assurances of the Sponsor, for whom I have great respect, it is ... It appears to me that what we're faced with here, what is being proposed is an educational scheme of considerable magnitude and



an educational proposal that exceeds anything that we have really contemplated to date. I think we are indeed talking about educational on a regional basis. I cannot personally see that this leaves the necessary controls or influence of the process in the hands of people at the local level. It seems to me that we're not only setting up a regional framework for this phase of education, but we're moving the responsibility and the control of it farther and farther away from the local School Boards and the elected members of those School Boards who bear the responsibility of, at least traditionally, of funding our educational processes in the State of Illinois. I think that this Bill is tending in the direction of open endedness fiscally. I think we are taking on, when we take on this segment of people... and again I say I am.. I am not impugning the motives of the Sponsor. I know she is extremely well intended, but when we begin to impose day care centers, and the costs that go with them and the transportation involved, at a time when our School Districts even now, are complaining bitterly that they're underfunded and they do not have the money to support the programs that they're faced with at the moment, we are at the same time suggesting additional ones that mean additional money. And I think that this is a proposal that we should take a very careful look at and one that we should be extremely wary of passing before many, many questions have been answered that I do not feel have been answered here today so far. So I'm going to come.. I'm going to urge you to consider this carefully and to vote 'no'."

Speaker Taylor: "The Gentleman from Kankakee, Representative McBroom."

McBroom: "Yes, Mr. Speaker, Members of the House, I move the previous question."

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



All in favor signify by saying 'aye'; those opposed 'no'. The 'ayes' have it. And the previous question is moved. Representative Chapman to close."

Chapman: "Mr. Speaker and Members of the House, it seems that some of the Members have not understood my explanation. Perhaps I need to work on my clarity of presentation. The funding mechanism is not changed. There will be no additional dollars requested by the State Board this year except for this ten thousand dollar grant per community college planning unit for planning purposes. The Bill is supported... Oh, and let me also mention there is no change in day care being provided for children of Public Aid recipients. This Bill does not do anything new, does not turn over any new ground whatsoever in this regard. I do want you to know that this does come from the task force on adult education of the early '70's on which educators from all over the state work, that the present form of that has been developed with care and cooperation and is approved by the Board of Higher Education and the State Board of Education. It is supported by the Adult and Continuing Educators Association, a group that is very much interested in coordination and in planning but in local control, and also by the advisory council on adult vocational and technical education and I do ask all of you to vote 'yes' on the Bill."

Speaker Taylor: "The question is, 'Shall House Bill 2131 pass?' All in favor signify by voting 'aye'; those opposed by voting 'no'.... The Gentleman from Lake, Representative Griesheimer, to explain his vote."

Griesheimer: "Thank you, Mr. Speaker. I'll just briefly comment since it appears this Bill will not pass anyway. I would reiterate everything Representative Hudson said. We are taking another step towards centralization which will do little to improve systems which are already implemented for adult education in our local communities.



I favor local control of our adult education and centralizing it, providing transportation, baby-sitting services and the what-not is a step in the wrong direction. This is another mandated program and it'll do nothing but confuse an otherwise well working system."

Speaker Taylor: "The Gentleman from Cook, Representative McCourt. The Lady from DuPage, Representative Dyer."

Dyer: "Mr. Speaker and Ladies and Gentlemen of the House, I am really surprised to see so many of my fellow Republicans voting 'no' on this Bill. Many of us attended a state convention in Peoria on Saturday where we adopted a state platform and the Preamble says this; 'It is imperative that we return to historically Republican principles that have served this country so well in the past, principles designed to encourage individual initiative, to promote self-reliance and to allow the people of this country an opportunity for personal expression, experience and achievement.' Now, if there's ever a Bill that Republicans should vote 'yes' for, this is it. How can you get people off of welfare and into employment if you don't take them above the step of illiteracy? We know when the demographic statistics now that there's a decline in birth rate. Many schools are closing because of declining enrollment of young people age five years old, the kindergarden through 12 population is declining. Why not use this space and use facilities and educate adults? And get them eligible for employment. I urge a 'yes' vote on this very good Bill."

Speaker Taylor: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, we know that there are people who dropped out of school before they have completed their high school education. We may regret that act, but regrets do not give them a basic education. This Bill simply provides another way for



getting those people back into the education cycle. It gives them an added incentive at some date beyond their regular high school years when they really are aware that they need that education. We are not mandating that they go back to school. We cannot force them to learn. But some people do see the light after they have been out of school for a while and find that they can't get employment without high school credentials. For those people we need to open a path so that they can easily get back into the educational system, so that they can qualify for better work opportunities and so that we will not have to keep subsidizing them for the rest of their lives. The Constitutional mandate requires that we provide this level of education for them. I think it should not be in regard to their age, but in regard to their needs and I ask for your support."

Speaker Taylor: "The Gentleman from LaSalle, Representative Anderson."

Anderson: "Yes, Mr. Speaker. I certainly support this concept, too, to get the community college districts along with the local School Districts involved together. This is a good concept. What it does in fact is exactly what I said. I know in our area there are grade schools that have adult education; there's community colleges. For \$10,000 we can get together in our area. Each area can plan their own and come up with a concept to help the people. You know, people mature at different times in life, in their lives and it's a chance for people to get off of the welfare rolls and get back into the mainstream, to get themselves an education. I think it's necessary and I urge you to vote for it."

Speaker Taylor: "The Gentleman from Rock Island, Representative Polk."

Polk: "Mr. Speaker and Ladies and Gentlemen, what concerns me is page nine of the Bill. And it says here, 'The Board



shall pay the necessary expenses of such classes out of school funds of the district, including costs of student transportation, and such facilities or provisions for child care as may be necessary.' That truly bothers me. I don't believe they were answered and concerns me when we are.. had voted on other Bills just recently in regards to transportation and child care. It appears to me it's not something we should be doing at this time."

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

Friedrich: "Mr. Speaker and Members of the House, if there's anything the people in my district are telling me, they don't want any more bureaucracy. They don't want any more planning. They don't want any more centralization of government and this does all of those things. It will not do anything for adult education. If you want to have adult education, you leave it like it is. There's nothing this Bill will do for adult education you don't already have. "

Speaker Taylor: "The Lady from Cook, Representative Chapman."

Chapman: "Mr. Speaker, I've already... In explaining my vote, I've already twice talked about the child care part of this Bill. The present law says... I hope those of you who are interested in this are listening. The present law calls for day care being provided under certain circumstances for Public Aid recipients so that Public Aid recipients may learn a skill, may get enough schooling so that they will be able to get off Public Aid and support themselves and their children..."

Speaker Taylor: "The Gentleman from Hardin, Representative Winchester, what do you arise for?"

Winchester: "Well, aren't we on explanation of votes? Can the Lady participate in debating on explanation of votes?"

Speaker Taylor: "She's explaining her vote. Representative Chapman, continue."



Chapman: "I am explaining my vote and indicating that there is no new authority in this Bill in terms of child care for students who take classes, that this authority presently exists is simply restated in the Bill. So if child care is one of the concerns which you have, it is presently in the law. This is a Bill that does not set up..."

Speaker Taylor: "The Gentleman from Cook, Representative..."

Chapman: "Any new..."

Speaker Taylor: "Collins."

Collins: "Mr. Speaker..."

Speaker Taylor: "....."

Collins: "The rules are quite clear. We are allowed one minute to explain our vote. I wish you'd put that timer on and it's obvious that Mrs. Chapman has already gone well over one minute."

Speaker Taylor: "Representative Chapman."

Chapman: "I'm always one of those people who say just only a few things. I'm so surprised that you feel I've gone over one minute. But I am sorry that there's apparently been so much confusion that people believe that child care is involved and it is not. What is involved here is planning by local community college districts and where there are not community college districts, by a comparable unit in order to provide some local coordination and control in meeting adult education needs. It's a good Bill. It doesn't do many of the things which possibly some of us would like it to do. It is a minimum kind of Bill and it does start things and I hope you vote 'aye'."

Speaker Taylor: "Have all voted who wish? The Gentleman from Cook, Representative Piel. Piel, Representative Piel."

Piel: "Representative Chapman convinced me. If this receives 89, I want to verify it."

Speaker Taylor: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there's 86 'yes' and 68 'nos'. Representative Chapman wants a



poll of the absentees."

Clerk O'Brien: "Poll of the absentees; Borchers. Dawson. Domico. Donovan. Ewing. Klosak. Laurino. Richmond. Schlickman. Schuneman. Skinner. Telcser. Terzich. Totten. And Williams."

Speaker Taylor: "86 'yes' and 68 'no'. 86 'yes' and 68 'no'. The Lady have leave for Postponed Consideration? Leave has been granted. Postponed Consideration. House Bill 3288, Representative Ryan."

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

Speaker Taylor: "Take it out of the record. House Bill 3376. Representative Schneider."

Clerk O'Brien: "House Bill 33..."

Speaker Taylor: "Take it out of the record.."

Clerk O'Brien: "76..."

Speake Taylor: "House Bill 1414. Representative Marovitz. Take it out of the record. House Bill 2341, Representative Kane."

Clerk O'Brien: "House Bill 2341, a Bill for an Act to amend the Cemetery District Act. Third Reading of the Bill."

Speaker Taylor: "Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, this is another Bill having to do with the abolition of special districts. It was pulled from the record last week because there was a technical Amendment that was required that was put on.. The Bill was called back to Second Reading and that was put on. The Bill is now in the shape to be considered. I think that those people that had supported the abolition of the Surface Water Protection Districts, which passed over into the Senate, would also support the abolition of the Cemetery Districts. The Bill transfers the functions of Cemetery Districts to townships. What it is is a part of a package to eliminate special districts in this state and to abolish those parts of local government that are run by appointed Boards and



transfer their functions to elected units of local government such as townships, municipalities, and counties.

And I would urge an 'aye' vote on House Bill 2341."

Speaker Taylor: "Any discussion? The question is, 'Shall House Bill 2341 pass?' All in favor signify by voting 'yes'.
.. Representative Robbins."

Robbins: "Mr. Speaker and Ladies and Gentlemen of the House, I reluctantly arise to oppose this Bill. In our area we are being required to form more of these districts for ambulance districts and that kind of thing. Now, I can't see why if the state is forcing us to form an ambulance district, why we should try to do away and change these Cemetery Districts where they're being properly run and there is one thing to think about. With these new EMT's that you have running around that run on these ambulances, you'd better keep some cemeteries so you'll have someplace to plant the people they lose."

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

Hoxsey: "Representative Kane, aren't you a proponent of local government? I fail to understand why you want to take a district such as a cemetery district that is all self-reliant within itself and has been for years, doing their own thing, governing their own intake and outgo of funds, and everybody's happy with it and you want to turn it over to the township or County Board. Now, I fail to understand the philosophy of getting away from local government. I think we need to get back to local government. I suggest that this is a moving in the wrong direction. My cemetery district that is right there, my local area, I want it to stay just exactly like it is. So I suggest a 'no' vote on this."

Speaker Taylor: "The Gentleman from Perry, Representative Ralph Dunn."

Dunn: "Thank you, Mr. Speaker. I wonder if the Sponsor would yield? I'd like to know, Representative Kane, how many



special cemetery districts there are and how many local governments would this eliminate? How many?"

Kane: "There are 21 cemetery districts in the state."

Dunn: "Are there any south of Springfield?"

Kane: "It appears at quick look, there's about three or four south of Springfield."

Dunn: "Thank you. Mr. Speaker, may I speak to the Bill?"

Speaker Taylor: "Proceed."

Dunn: "I think we all kind of agree with the idea that we ought to do away with some special districts, but on the other hand, I agree with Representative Hoxsey that so many of our special districts serve a special purpose. I come from an area that has Commission Counties where we have a three Member Board of Commissioners and I assume by the text of the Bill that in case we don't have township government in those counties, then the power of the cemetery district would be turned over to the three Member County Board. I'm not sure that this is all good. The County Boards are elected, but they're elected for a three year term or four year terms and it changes hands quite a bit. Cemetery districts I think are something special in the area where they take care of professional care of cemeteries and cemetery districts and I, too, would urge a 'no' vote on this Bill."

Speaker Taylor: "The Gentleman from Marion, Representative Friedrich, The Gentleman from Rock Island, Representative Polk?"

Polk: "I just have one question for the Sponsor."

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

Polk: "My cemetery districts want to know if this is a.. if you consider this to be a plot against them?"

Kane: "I don't think you have a cemetery district in your district."

Polk: "Well, maybe it's a dead issue then."

Speaker Taylor: "The Gentleman from Winnebago, Representative



Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I don't have a cemetery district in my Legislative District, but as a funeral director, I can tell you that most of the cemetery districts in the State of Illinois are taken care of mainly by individuals in a very small geographical area. The cost of maintaining them is very minimal. It's usually a small area that many of the cemeteries have religious or they may have historical connotations in keeping up these cemeteries where there are families that take a great deal of pride in them. I am afraid if they are turned over to the township or the counties to be maintained that the personal attention that these cemeteries have been given over a period of years will vanish and I do think they would deteriorate. The maintenance would not be kept up and I think the amount of individual and local pride that is kept up in maintaining the dignity and the presence of a cemetery would be lost. And I think in this case it will be better served if House Bill 2341 were defeated by the General Assembly."

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

Neff: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think our present districts and cemetery districts are doing a good job and I can see no reason in my particular area for this type of legislation. I think we're starting something here that definitely should not be changed at this time. These Legislative The districts that were created were created by referendum by the people and I think if they were going to be changed, they should be left up to referendum of the people. Therefore, I think we should oppose this legislation."

Speaker Taylor: "The Gentleman from Sangamon, Representative Kane, to close."



Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I'm surprised at how inefficient and how ineffective everyone here on this floor who's arguing against these Bills, how inefficient and ineffective you think your township officials are and your local county officials. You say that you're for local government. And yet, to listen to you speak on the floor of the House, you're saying that your township officials can't even handle a cemetery. Well, if they can't handle a cemetery, how do you expect them to handle your roads? Maybe we ought to have special road districts and do away with township government. What we're trying to do is to strengthen local government. Illinois has one of the weakest local government systems in the country and the reason why local government is weak here in Illinois is because it's fragmented. We have more units of local government that have the authority to tax in this state than in any other state. Pennsylvania's second and Pennsylvania has 1500 fewer units of local government than the State of Illinois. We have 6500 plus units of local government that have the power to levy property taxes and then you all come here to Springfield and you wring your hands about how high your property taxes are. One of the reasons why your property taxes are so high is because there are more hands in the local taxpayers' pockets than in any other state of the union. And the more hands you have in the pocket, the more they're going to take out. What we're trying to do is to say that local government should be run by elected officials, that they should. ~~that~~ it should not be, the power to tax, should not be vested in appointed officials, but in elected officials, elected officials who have to go to the taxpayers and get reelected, that they can't stand behind the anonymity that they have now. And this is what this Bill is all about. And I'd urge the adoption of House Bill 2341."



Speaker Taylor: "The question is, 'Shall House Bill 2341 pass?' All in favor signify by voting 'aye'; and those opposed by voting 'no'. The Lady from Sangamon, Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, what hasn't been called to your attention is the fact that we have three large cemeteries in the city of Springfield. One of them is a national cemetery; the other two, one is personally owned and the third one is run by the city of Springfield. I'm sure Capital Township doesn't want to take over Oakbridge and Rose Lawn because they couldn't afford to do this; That way they're handled now is the proper way."

Speaker Taylor: " The Gentleman from Cook, Representative Kelly."

Kelly: "Yes, Mr. Speaker, I just want to say a favorable word or two about my colleague's Bill. Illinois has more units of government than any other state in the nation. Certainly this is one place where we could cut down on this large bureaucratic structure and I am very pleased to support Representative Kane on this easy Bill."

Speaker Taylor: "The Gentleman from Knox, Representative McMaster."

McMaster: "You know, I get a little bit tired of people hollering about coming down on bureaucracy, doing away with a cemetery district, making it cheaper, when we know in reality that the Board of Trustees of the cemetery district is probably not paid anything, that they do the work of tending to that district because they believe in it and they want to do something and all we're going to do with these Bills of Doug Kane's is shift the responsibility from Board of Trustees that are paid nothing to either a county or a township or something like that that is going to have to hold Committee meetings, going to have to pay members of their Committee or whatever to go to a meeting and to vote on things that right now



are being done for nothing. We talk about doing away with special taxing districts, when, indeed, the new Constitution that was passed in 1970 provided for special taxing districts and what is a cemetery district, if it's not a special taxing district? So let's get smart. Give this Bill the burial it deserves and let's get on with the business of the House. For Heaven's sake, we're spending forever on every Bill. Let's get moving and do something, Mr. Speaker. Let's vote this Bill down."

Speaker Taylor: "The Gentleman from Cook, Represe... The Gentleman from Cook, Representative Bowman."

Bowman: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I believe that Representative McMaster perhaps inadvertantly touched on the real reason why this Bill was... seems to be doomed to defeat. There are probably just too many people out there who are.. have their fingers in the pie, running cemetery districts that people don't want to offend them. It seems to me that if we're ever going to bring about a rational system of local government in the state, we have to begin undoing some of the damage that we did under the old State Constitution where we imposed all these bond limits and tax limits and so forth and caused the whole raft of new special districts to be formed to detour around those limitations. It was irracionale to begin with. The pattern that we have is irrational right now. If we can't get rid of cemetery districts, there's not a prayer for getting rid of any district in the state. I think it's time we start trying to rationalize our local government. This is a good place to start, but looks like the people who are now running the show are going to be continued to run it. I regret that. Thank you."

Speaker Taylor: "The Gentleman from Kane... from Sangamon, Representative Kane."

Kane: "Just two quick points in explaining my vote. One is



the cemetery districts are not run for free. There is not one cemetery district that does not have a tax levy. Several of them are already levying ten cents on assessed valuation of 100 to run the cemetery district. The other thing that I would like to make clear is that this Bill has nothing at all to do with the cemeteries that are already run by townships, has nothing at all to do with the cemeteries that are already run by municipalities. Municipalities and townships already have the authority to run cemeteries and a lot of them are running by municipalities and townships. What this does is simply to say .. is that the special cemetery district would be abolished and that the authority would be turned over to the local township. And that is simply all that it does. Municipalities that now run cemeteries would continue to do so and townships would continue to do so."

Speaker Taylor: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, and Members of the House, in order to emphasize how important these districts are and the reason I'm voting for this good Bill is that a few years back we abolished the method of appointing new trustees to these cemetery districts and it was quite some time before we even found out that we hadn't provided for another way of appointing these trustees. We finally did that for no good reason. We should have abolished the whole district at that time. However, we didn't go that far then. I think we are now taking a very good step in trying to abolish those districts and put them into a consolidated effort in our townships and counties. When a district is so important that you abolish the mechanism for giving them trustees and aren't even aware of that for some time, they can't be doing all that much."

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



Friedrich: "I was just going to suggest, Mr. Speaker, that you use your timer. The last five people have taken four minutes to explain their one minute vote."

Speaker Taylor: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, House Bill 2341, there are 69 voting 'yes', and 69 voting 'no'. This Bill, having failed to receive the Constitutional Majority... Representative Van Dwyne, 'aye'. This Bill has failed. House Bill 1414, Representative Marovitz."

Clerk O'Brien: "House Bill 1414, a Bill for an Act creating the Proceed Court Act. Third Reading of the Bill."

Speaker Taylor: "Representative Marovitz."

Marovitz: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1414 is a Bill which in its amended form only reduces the filing fee in 'prose' court cases. In cases.. The limit in 'prose' court is \$500.00. In cases of 200 and 50 dollars and less the filing fee will be five dollars. In cases over 250 dollars the filing fee would remain at the present \$13.00. That's all it does. It reduces the filing fee from 13 to five dollars for cases of 250 dollars and less. I amended the Bill at the request of the Clerk of the Circuit Court Morgan Finnley and I would ask for a favorable Roll Call on this Bill."

Speaker Taylor: "The Gentleman from Rock Island, Representative Polk."

Polk: "Mr. Speaker, I just wanted to clarify one thing. Bill, you've been my desk about three different times today but this is the one good Bill that you want to pass tonight. Is that right?"

Marovitz: "Thank you for remembering so well, Representative Polk."

Polk: "You're welcome, Bill."

Speaker Taylor: "The Gentleman from Lake, Representative



Griesheimer."

Griesheimer: "Mr. Speaker, just a parliamentary inquiry. I think there might be some problem with the House right now. Is it possible that that side of the aisle has adjourned for the evening? I notice everybody seems to be gone over there and I thought maybe they adjourned for recess for dinner over there. Maybe you'd like to hold these Bills..."

Speaker Taylor: "Well, they're in the office, I expect. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Would the Sponsor yield for a question please?"

Speaker Taylor: "He indicates that he will."

Vinson: "Was there an Amendment on the floor to this Bill, Representative?"

Marovitz: "Yes, there was... We put an Amendment on at the request of the Clerk of the Circuit Court, Morgan Finnley."

Vinson: "What did the Floor Amendment do?"

Marovitz: "The Floor Amendment, in effect, changes the filing fee in cases of \$250 and less only to two dollars plus a three dollar library fee." "It leaves the present filing fee the same for cases over \$250."

Vinson: "Thank you."

Marovitz: "That's all the Amendment does."

Speaker Taylor: "The Gentleman from Lake, Representative Deuster."

Deuster: "A question of the Sponsor; I think we all know we have inflation. The cost of everything is going up. These 'prose' cases are cases where a person comes into court to represent themselves. They do not have a lawyer so in a way they're saving money by not having a lawyer. But I'm just wondering why are we lowering the fee? The fees for just about everything go up. Is someone else subsidizing the cost of the Circuit Court Clerk and the judicial system?"

Marovitz: "We're lowering the fee in very small cases, small



cases only, Representative Deuster, so that people who cannot afford a lawyer and want to file their cases in very small ..fee cases in very small recovery cases, would be able to do so."

Speaker Taylor: "Representative Marovitz to close."

Marovitz: "I would just ask for an affirmative Roll Call on this legislation."

Speaker Taylor: "All in favor of House Bill 1414 signify by voting 'aye' and those opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Will the Clerk take the record? On this question there's 155 voting 'yes', nine voting 'nay', and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2823, Representative Pierce."

Clerk O'Brien: "House Bill 2823, a Bill for an Act to amend Sections of the Inheritance and Transfer Tax Law. Third Reading of the Bill."

Speaker Taylor: "Representative Pierce."

Pierce: " Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2823 brings the Illinois inheritance tax into alignment with the federal estate tax in providing a stretched out period for closing out businesses and family farms to pay their death taxes. Right now the Illinois inheritance tax is due in full ten months after death. This often causes forced sales of family farms and of closing out businesses. The Federal Government realized this problem years ago and established installment payments over a maximum period of ten or fifteen years of interest payable that in no way reduces the tax, but defers it to allow the closing out business or family farm to pay the tax without a forced liquidation, a forced sale. I urge your support on House Bill 2823 which brings Illinois into conformity with the federal estate tax."

Speaker Taylor: "Any discussion? The question is, 'Shall House Bill 2823 pass?' All in favor signify by voting



'aye' and those opposed by voting 'no'. "

Pierce: "All aboard."

Speaker Taylor: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 146 voting 'yes', one voting 'no', and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2861 . Representative Schraeder. Take it out of the record. House Bill 2856, Representative C.M. Stiehl. Read the Bill."



Clerk O'Brien: "House Bill 2856. A Bill for an Act to amend Sections of the Unified Code of Corrections. Third Reading of the Bill."

Speaker Taylor: "Representative Stiehl."

Stiehl: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mr. Speaker, Representative Everett Steele and I are Cospons...joint Cosponsors of this Bill. It... with leave of the House I'd like to open and Representative Everett Steele will close."

Speaker Taylor: "Leave."

Stiehl: "Thank you, Mr. Speaker. House Bill 2856 provides that under circumstances of exceptionally brutal or heinous behavior the court may, as an alternative to existing penalties, impose a natural life sentence for the crime of rape. Now, Ladies and Gentlemen of the House, this Bill is exceptionally important. It's permissive. It simply allows the court to impose a natural life sentence, but it's important as a deterrent to the ever increasing...the alarming increase in the crimes of rape and the serious brutality of many of these crimes. The Department of Law Enforcement's statistics show that rape increased by 9.5% in '79 and another 19% in 1980. This is extremely important. Never have I had a Bill that I have heard from so many people throughout the state. The women are asking for this to make their streets safe. Rape can be the most violent and cruelest of crimes, and it is a crime not only against the victim, but it is a crime against society in general. This Bill has the full support of the Governor, and it has the support of Leadership on both sides of the aisle. It's important as a deterrent, and I would ask for an affirmative vote."

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

Johnson: "Several questions first before I address the Bill of the Sponsor."



Speaker Taylor: "She indicates she'll yield."

Johnson: "Representative Stiehl, can you tell me what the existing range of penalty for a murder is? Well, let me tell you that..."

Stiehl: "My Bill, Representative Johnson, only..."

Johnson: "Okay."

Stiehl: "...deals with rape."

Johnson: "The existing range of penalty for murder is up to 40 years, so, in effect, what we're doing with this is signif...making a significant penalty for rape beyond what the penalty for murder is. Secondly, I might as well just address the Bill. Secondly, I think the majority of the people in this House...in fact, probably a three-fifths majority or more supported Representative Aaron Jaffe's Bill last term that came here with the support of the Rape Study Commission, which lowered the penalty for rape from six years to four years. Now, that Bill didn't make it through the whole process. But, the fact of the matter is the reports from the Rape Study Commission...Representative Jaffe and others who supported that Bill on the floor of the House indicated, and I think Representative Stiehl supported that Bill. I had a copy of the Roll Call, and I believe she voted for it. But, in any event, the whole purpose of that Bill was the fact that it would greatly enhance penalties for rape as serious a crime as it is that there was an increasing...or a decreasing frequency of conviction. And, so by enacting this Bill today we're doing exactly the opposite of what we intended to do or did do in this House a year and a half ago when we acted on that."

Speaker Taylor: "The Lady from St..."

Johnson: "The other..."

Speaker Taylor: "The Lady from St. Clair, Representative..."

Johnson: "Well, Rep..."



Speaker Taylor: "...Stiehl, for what purpose do you rise?"

Stiehl: "Mr. Speaker, I wanted to rise on a point of personal privilege, but let the...let the speaker finish."

Speaker Taylor: "Representative Johnson."

Johnson: "And, the other point is this, I would presume that the average person who perpetrates the crime of rape is somewhere in the range of 25-years-old. Existing law right now allows that individual under the circumstances of this Bill to be sentenced to a term of up to 60...of up to 60 years. So that, in effect, what we're doing is making a determination that an 85-year-old rapist, because we add the 25 years that the individual is in chronological age plus the 60 years they can be sentenced to under existing law, but what we're saying is that 85-year-old rapists are such a threat to society that we ought to extend their term from their 85th year to when they die. I would suggest that as a possibility for...an alternative possibility for an 85-year-old rapist that we ought to create a new crime called assault with a dead weapon. I...I just believe that in this case in an attempt to address a problem that's a serious problem, we're really covering ground that ought really not to be covered. Existing law is very tough on rapists. They can be sentenced to up to 60 years as it is...Class X felony. We're really saying here that rape is a more serious crime than murder is. You can only be sentenced up to 40 years for murder, and I would suggest that the approach taken by Representative Jaffe and the Rape Study Commission, wherein higher convictions are obtained through really realistic penalties, is the proper approach to take. And, I think that Representatives Stiehl and Steele are trying to address a serious social problem, but I don't think this Bill does it. I think that the areas that can be improved are changing the rules of admissibility



for evidence in a rape case and it also...to provide greater protection for a victim on the witness stand, to provide more money for rape study squads, to provide more money for law enforcement agencies who deal with the question of rape, but increasing it to a life term when we only have a 40 year life term for murder and when we've done exactly the opposite of this a year and a half ago, and Representative Jaffe's Bill really doesn't approach the problem, so I would respectfully urge a 'no' vote on House Bill 2856."

Speaker Taylor: "Representative Stiehl, for what point do you rise for?"

Stiehl: "Mr. Speaker, I'd like to respond to the Sponsor (sic) In the first place, this will not affect Representative Jaffe's rape study Bill...Commission Bill in any way. He deals with the lower end of the..."

Speaker Taylor: "Representative Stiehl, I think you should... argument to closing up debate. The Representative from Cook, Representative Kosinski."

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, I think we...I'm aware of the direction Representative Stiehl wishes to take. Outside of the involvements of the present law, I'm sure her...she intended for this to be permissive. She's very concerned about heinous rape, and she's concerned that this Bill might be a possible deterrent to somebody who is not as conversant with the law as Mr. Johnson."

Speaker Taylor: "The Lady from Cook, Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. I rise in support of this legislation. I voted for it in Committee. I agree with Representative Celeste Stiehl that what this does is to provide an opportunity for judges to have the whole spectrum of penalties available to them for convicted rapists. I want to point out that in many cases of rape, perhaps it's worse



than murder. Perhaps the victim wishes that she had died, and perhaps this is, an appropriate penalty. We amended this in Committee to leave room for Representative Jaffe's Bill so that that part of the spectrum can be put into the statutes. I think it's totally frivolous to talk about 85-year-old rapists. I think it's totally irresponsible to try to distract from what the Sponsor is trying to do with this Bill, and I hope everyone will support it."

Speaker Taylor: "The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, I move the previous question."

Speaker Taylor: "The previous question has been moved. All in favor signify by voting...saying 'aye'. 'Aye'. Opposed, 'no'. The 'ayes' have it. Representative Steele, to close."

Steele: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In closing on this very, very important Bill, all over this state crimes of rape are on the increase. As you've heard 19% increase last year. Now, this measure's been amended in Committee to satisfy problems and concerns that have been expressed. It certainly is in concordance with the Jaffe Bill. More and more throughout our state there are heinous, violent crimes being committed. More and more there are rapes involving brutal, wanton cruelty, and obviously our present laws are not working. Because our present laws are not working, we believe the judges should have the discretion when there are serious, heinous crimes of imposing life imprisonment. Certainly it's imperative if we're going to stem the tide that's rampant throughout this state, that we also give the discretionary power, not the mandatory power but at the judges' discretion to impose life imprisonment where there heinous, brutal, and wanton cruelty circumstances. So,



this is an important Bill. Now, the opposition has brought to your attention and quoted something about an 85-year-old rapist. Ladies and Gentlemen, this is not the problem. This doesn't even address the seriousness of this problem we're trying to talk about. They brought up that murder only brings 40 years. I'll tell you murder can put you in the electric chair and bring capital punishment, and so it is important to have life imprisonment and additional discretionary penalty to fit the crime that judges may have. Now, the Herald News of Joliet has recently said big lies in the number of the Chicago rapes. The St. Louis Globe Democrat, which has performed a very great service in bringing to the public's attention the seriousness of this problem recently, carried the headline, "Violence of Rape Victims is Increasing", and another headline, "Women's Groups and Civic Leaders Support Life Terms for Rapists" so it's needed, it's important. The people are wanting law and order, and this Bill will make the penalty fit the crime where there are heinous and wanton cruelty involved. It's our jobs as Legislators to help support law and order, and that's what this Bill will do. It's supported by the Governor...supported by the Leadership on both sides of the aisle, and we urge your support of this very important Bill."

Speaker Taylor: "The question is, 'Shall House Bill 2856 pass?' All in favor signify by voting 'aye' and opposed by voting 'no'. Representative Robbins, to explain your vote for one minute. The timer's on."

Robbins: "Mr. Speaker and Ladies and Gentlemen of the House, the crime of rape and the things that are being done with it at the present time goes beyond the murder of a human being. It makes them have things that they have to live with all their life that no one should have to live with. This Bill should be passed, and it should



have another Amendment to the thing to make it a hanging offense."

Speaker Taylor: "The Gentleman from Macon, Representative Dunn. The Lady from LaSalle, Representative Hoxsey."

Hoxsey: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, one of the things that you may not have considered on this Bill is the fact that very, very frequently within our correctional institutions in the State of Illinois you have many forms of heinous rape. This could very well act as a deterrent in that regard, and I think it would be a very good thing for us to pass."

Speaker Taylor: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 117 voting 'yes', 21 voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3001. Representative Madigan. Take it out of the record. House Bill 3024. Representative Winchester. "

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

Speaker Taylor: "Pardon me. That's an appropriation Bill. Take that out of the record. House Bill 3072, Representative McCourt. "

Clerk O'Brien: "House Bill 3072, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Taylor: "Representative McCourt."

McCourt: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3072 is a Bill that would bring the state physical education law into compliance with the recent federal court decision which concerned... What the court upheld the Constitutional right of a parent to object on religious grounds of having their child participate in a co-educational phy. ed. class. This Bill would allow such an objecting student not to be required to attend a co-ed physical education class and would allow the School District the ability to provide a substitute program for such a student that would meet the School



Code requirement for physical education. We put an Amendment on this Bill which would allow the local School Board to grant a pupil a waiver if it feels a substitute class is not feasible. It's It's a good Bill that was recommended by the Office of Education and I solicit your favorable support."

Speaker Taylor: "Any discussion? The question is, 'Shall House Bill 3072 pass?' All in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Gentleman from Lake, Representative Griesheimer. Have all voted who wish?"

The Clerk will take the record. On this question there's 143 voting 'yes', six voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3377. Representative Schneider."

Clerk O'Brien: "House Bill 3377, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Taylor: "Representative Schneider. Representative Mulcahey. Take it out of the record. House Bill 3394. Representative McClain? Take it out of the record. House Bill 1602, Representative Terzich. Take it out of the record. House Bill 1603, Representative Terzich. Take it out of the record. House Bill 2793. Representative Catania. Take it out of the record. House Bill 2854, Representative Brummer. Representative Brummer? Take it out of the record. House Bill 2858. Representative C.M. Stiehl."

Clerk O'Brien: "House Bill 2858, a Bill for an Act to amend Sections of an Act relating to alcoholic liquors. Third Reading of the Bill."

Speaker Taylor: "The Lady from St. Clair, Representative Stiehl."

Stiehl: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 2858 modifies the existing beer tax exemption to permit the two remaining breweries



in Illinois to qualify for this exemption. At one time Illinois had 61 breweries. As we all know the business is highly competitive. Since that time we have seen a downward trend. We now have only two breweries in Illinois. In order to keep these breweries in Illinois and to keep the employment and the economic input from these breweries, we're asking that they be allowed to qualify. These breweries employ almost 1300 people. They contribute well over 65 million dollars to the economy of this state. And once a brewery closes, it cannot be used for any other business. The economic shock within a community is very difficult to comprehend. Not only does employment increase, but related industries which supply production materials to breweries also feel the financial pinch. This Bill is an investment in the future of the economy of this state. It's an investment in jobs, in this state. And I would ask for a favorable vote."

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

Flinn: "Well, Mr. Speaker, I rise in support of the Bill also. It's a very important Bill so far as the economy is concerned to both Bellville and the city of Peoria. That's the only two breweries left in the state. There has been some misunderstanding as to what the Bill does. I would like to point out that if these two breweries shut down and go out of business, there will not be one can of beer left available to the people. It doesn't produce any more beer; it just makes it in Illinois. It keeps the jobs that are already in Illinois here and it's very important. We've talked about jobs leaving Illinois, here's an opportunity to save about 500, 600 jobs in these two cities."

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



Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I hope everyone is paying attention to this Bill. We heard in the paper or read in the paper where a number of people were hoodwinked by the Chrysler Bill. Well, pay attention so you know you're not hoodwinked. This is the beer bail out Bill. Ladies and Gentlemen of the House, keep in mind that the rebate we want to give back to the breweries, a lot of it is taxed they don't even collect for pay. I would also remind you that in all of the state.. in all of the states around here, our rebate is much more liberal in this Bill than any of our neighboring states. So let's take it back.. If we're going to give a rebate, let's don't super-give a rebate. Let's don't give anymore than our neighbors. And I doubt that we'll run out of beer in Illinois even if we don't pass this bad Bill."

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

Giorgi: "Mr. Speaker, I get up in support of Cissy Stiehl's very good Bill. This will only be a direct loan of 330 thousand dollars a year. We can well afford it for the jobs and keep Illinois one of the great states of the 50 states. I commend you, Cissy, on a beautiful Bill and I'm up here to support you."

Speaker Taylor: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Well, now it all comes out. I sort of thought there was a little informal, maybe more than an informal arrangement, between beer barons of Southern Illinois and central Illinois and the supporters of the UAW from the Rockford area and I don't know what to call those people who are supporting the 'Ballad of Wisconsin Steel'. It hardly seems appropriation to call the supporters of a floundering company because it is certainly dead at this point... But the arguments made in support of this Bill are



fairly incredible. They're not suggesting that beer disappear from the State of Illinois if these breweries go under. What they're suggesting is that we should save local jobs. Alright, let's put this into an analytical framework. How much money are we talking about? Let's put it into a framework everybody can understand. For the G. Heileman brewery down in Bellville, we're talking about an annual state subsidy of \$930 per employee, \$980 per employee. I mean, that makes the Representative from Rockford's Bill look like an absolutely mild Bill. I mean, his greed was not enough. He could have gotten a lot more. It also makes the Representative from the south side of Chicago, the south of Cook County's Bill look like it was mild. I mean, if you divide the 3500 employees into the 20 million dollars that he wants from Wisconsin Steel you have substantially less than \$9230 per year. In fact, if you divide into it, that's a one shot thing. This is every year. Alright, I would suggest that this is certainly the Chrysler .. the Chrysler bail out Bill of the beer industry. It is.. I don't think it's needed. This is not a socially redeeming industry. It's not a basic industry such as the automobile industry or the steel making industry. It's an industry which will exist whether or not it exists in the State of Illinois. Not only will the brewery in Bellville be benefited however, also the brewery in Peoria will be benefited. I think the benefit there is a lot less. I think it comes down to about somewhere between 300 and 400 dollars per employee. If you want.. If the real purpose of the majority in the General Assembly in passing these Bills that bail out business is .. and passing these Bills that exempt business from taxes, is to abolish taxes on businesses, there's an easier way to do it. We can just abolish taxes on business. Why don't we be straightforward? This masquerades as a job creation



Bill or a job saving Bill. What it really is is a direct subsidy to the.. of course, says Representative Giorgi.. It masquerades as a .. Oh, what the hell. You know if I had a little can in a plain wrapper tonight which will probably be appropriated considering the subject matter of this Bill, maybe there'd be an excuse for my lack of logic in arguing against this Bill. It suffices to say that the direct tax cut for one industry,. In fact, for one plant, which is totally unjustifiable. It we want... If we don't want to tax breweries, we can just abolish the tax on breweries altogether. Why should we just give them a \$930 per employee benefit?"

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

Ewell: "Mr. Speaker, Ladies and Gentlemen, it has come to my attention that we have two appropriation Committees. However, if we ever get around to totaling the amount of money that the Revenue Committee has taken out of the State Treasury, I think that they, too, will go into first position as an appropriation Committee. You've got a Committee here that hasn't raised any money in three years and has given out billions of dollars in tax refunds, rebates, special consideration, and here we are once again, looking out at the brewers of the state. Now some of the same people who talk about the evils of drink and the evils of the race tracks and the evils of gambling who come from the good Christian counties that want none of it, now, they ask to dip their hands into the State Treasury. Ordinarily we just go to the Reven.. I mean we go to the Appropriations and ask for money. We now have a third route which is known as the Revenue Committee. This Committee has given away so much money and I will get to a total figure, has given up so much money that they are exceeding the appropriations of the Appropriation Committee. I think it's



utterly ridiculous and folly for us to ask one after one, we're going to supplement every industry, every business in the State of Illinois because it comes from somebody's small district. You've got to look at this problem as a whole. You've got to ask yourself at one point, where is the money going to come from? You and I know that within a year or two we will hear the pleas and the cries from the Members as they beg and cajole us and tell us how much the state needs the money and how broke we're going. Ladies and Gentlemen, we are taking the route to extinction. And I think now all that's necessary is to find another of these fine Committees that begins to appropriate more money than the Appropriations. Ladies and Gentlemen, I'm not going to vote with you on those tax increases and I'm going to listen to you whine and howl and plead and beg and talk about the various agencies that are going out of business. But I ask you, those of you who have any fiscal responsibility, how can you in good conscience vote for a Bill like this? I'm going to vote 'no'."

Speaker Taylor: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, very much, Mr. Speaker. Many of my colleagues have asked me to comment on this piece of legislation and I took them at their word. I would like to point out that, yes, this is a grant program to the fourth and the eighth largest producers of beer in the nation. It's very similar to a piece of legislation that was adopted by this House a couple of years ago. It was at that time Representative Sandquist's Bill that gave a similar provision to the Joseph Huber Brewery Company in the Chicago area, operating out of the old Chicago brewery. At that time, I think the end result is the fact that we opened up the grant. We gave them about 110 thousand dollars. They closed up their



brewery and they operate out of Monroe, Wisconsin. I think that's the bottom line on that particular issue. But I would like to point out that this was amended to make it applicable to only those taxes that are owed by the manufacturer and not those by the wholesaling distributor. But I do believe that the comments that were made are exactly correct. It is a grant program. I'm not sure whether this General Assembly is ready to give grants in this respect. I may have a conflict of interest on this piece of legislation. I certainly won't be supporting it or voting on it. But I think you should know that it is an outright grant to an industry which is nationwide, not only here in the State of Illinois."

Speaker Taylor: "The Gentleman from Kankakee, Representative McBroom."

McBroom: "Yes, Mr. Speaker, Members of the House, is Representative Collins.. Yes, I see him. Mr. Speaker and Members of the General Assembly some of these attacks on Representative Stiehl's brewery Bill I construe as a personal attack on Representative Collins and I want the Members to know I resent it.."

Speaker Taylor: "The Gentleman from Bond, Representative Watson. The Gentleman from Bond, Representative Watson. The Gentleman from .. Well... The Gentleman from Colcs, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, I move the previous question."

Speaker Taylor: "The Gentleman has moved the previous question. All in favor signify by saying 'aye', 'aye'. Opposed say 'no'. The 'ayes' have it. The previous question is moved. Representative Stiehl, to close."

Stiehl: "Thank you, Ladies and Gentlemen. I'd like it clearly understood that the Revenue Committee did not give anything to the breweries. This does not cost any money, new money. What we're saying is there is a Bill, there is a piece of legislation on our statutes which allows



breweries a tax credit. However, they have allowed this only for the smaller breweries. There are no more smaller breweries in Illinois. We have only two breweries left. Now the only question here is, are you going to amend this law to allow them to get this credit? Or are you going to let them go out of business and move to another state? Then we'll have nothing. They contribute over 60 million dollars to this state. It makes sense to grant them this tax credit."

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

Peters: "Mr. Speaker, are we on explanation of votes? I'm sorry..."

Speaker Taylor: "The question is, 'Shall House Bill 2858 pass?' All in favor signify by voting 'aye' and those opposed by voting 'no'. Representative Peters."

Peters: "Mr. Speaker, now in explanation of my vote, Mr. Speaker. I had some trepidations in terms of voting for this, but I find that this Bill also applies to a brewery in the city of Peoria. Now the city of Peoria is near and dear to my heart because of the very outstanding newspaper that exists in that city, the Peoria Journal Star. Now, I certainly want to do everything in my power to make sure that that newspaper continues publishing. Because it does act as a beacon of truth and justice and enlightenment for the entire central Illinois. And I'm sure that the editor of the paper has spent a little bit of time at the brewery, considering the editorial policy of the paper in the past. I therefore, find it difficult because of my fiscal conservatism and desire to protect free enterprise, but I think the better part of common sense will...."

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

Schraeder: "Well, Mr. Speaker, I regret having heard the state-



ments that were just made, Not that I'm upholding any newspaper media, or any other media, but for the very fact we're talking about something that's very desperate in our city and in our district. They're talking about 1,000 people. We're talking about a 16 million direct pay roll. We're talking about the community good. We're talking about economic development in the State of Illinois. And you may carry this lightly in your own district, Representative Peters, and I'm ashamed of you, that you would use against somebody that's employing good people of the State of Illinois by a newspaper media. And it's shame on you. I'm going to support this Bill whether you feel it's a good measure or not and I think you owe the citizens of the Peoria Heights that work at the brewery an apology and I would be willing to accept it for them."

Speaker Taylor: "The Gentleman from Cook, Representative Sandquist. The Gentleman from Cook, Representative Peters."

Peters: "Well, Representative, I certainly would not make any attack on the good people who live in the city of Peoria or in the city of Peoria Heights. My comments were directed to a newspaper and an editorial policy of a newspaper which I think stinks and I'll say it again, it stinks and it stinks and it's narrow-minded and it's bigoted, not only in regards to position that we have here on the House floor, but into the entire spectrum of political and social values which a lot of Members of this House hold dear. The paper stinks."

Speaker Taylor: "Representative from Cook, Representative Sandquist."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, because my name was mentioned in debate by Representative Mautino, not really on personal privilege, but in explaining what's involved here. I did have a Bill three



years ago for the old Chicago brewery in my district in the 13th. It was a small brewery and we did help it out by passing this Bill. Unfortunately, it only stayed in business about a year and a half after we had helped them and then it.. they had to close down. But what we're doing here in this Bill, we're not only helping, when they took off the provision I had which limited it to those who produced small amounts, this gives it to all breweries. It's not only helping 'Carlings' down in Bellville, but it also helps Pabst in Peoria. And what it does, it's going to cost the state about 650 thousand dollars a year in taxes. So it is a loss of taxes and I think you have to consider that. You want to keep business going? I don't know. I can just tell you that it didn't help old Chicago. They finally went out."

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

Tuerk: "Mr. Speaker, Members of the House, if we can get back onstream here with the provisions of this Bill, as it was pointed out, this is important, not only to Peoria and Peoria Heights and also Bellville, but to the entire citizenry of Illinois and particularly those people who appreciate the product which these people manufacture. Now, we've given tax relief to various companies, businesses, segments of the population across the state. This is not new. There is precedent. Two years or four years ago I can't recall, when we did provide some relief for those breweries in Chicago to try and save them, actually we acted too late. Here, we have an opportunity to act now and give some relief in order to provide some stability of jobs within these areas. I think it's time that we put some more green votes on the Board and pass this Bill out. Actually there was a lot of misinformation. The Bill has been amended downward to the point where it's not that big of revenue loss



to the state and I think it's just good policy for the state.."

Speaker Taylor: "The Gentleman from Cook, Representative Greiman."

Greiman: "Well, just very briefly, I cataloge and save things. First I remember there was a statement a few years ago on the floor of this House that this won't cost.. this measure won't cost the taxpayers anything. It's paid for by the Federal Government. I thought that was a great one. But the Sponsor of this Bill has said, 'this doesn't cost money. It's just a tax credit.' And I think that goes together, that part of it. I did notice that I'm keeping score. Farm machinery we voted a credit for that one. Investment credit, we haven't made that one yet. We voted a tax freeze on landmarks today. And now we have this one, so we're really doing than ever.. than we ever have before and we're keeping the special interest beaten for a change. I think we deserve a hand, really."

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

Flinn: "Well, Mr. Speaker, everybody talks about how much money it will cost. I don't think anybody has mentioned the fact that it will cost a lot more if these breweries are not in business. They will not be paying any tax. There will be no... There will be no state income tax paid for those employees who are not working. They will either go on unemployment or Public Aid one or either both in the long run. I think it's foolhearty to risk losing this many jobs when we are continually talking about trying to save jobs in the state. Here's an opportunity, a golden opportunity, and I think a good many of those who spoke against the Bill either were purposely misleading us or didn't read the Bill, one of the two. It had to be one or the other."

Speaker Taylor: "The Gentleman from Livingston, Representative



Ewing."

Ewing: "Mr. Speaker, I spoke in debate so I can't talk on the Bill."

Speaker Taylor: "The Gentleman from Adams, Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, the comments of Representative Peters has nothing to do against the dean of the press corp, Bill O'Connle. Bill, would you stand up? Bill, come on. Stand up. Bill, you're alright. Bill, are you standing? Pete has nothing against you. It's just basically the rightest attitude of the editorial staff on minimizing the size of the House. So it had nothing to do with you and Pete and ours and the rest of our comments have nothing to do against the dean of the press corp. Pete, if you'll talk, I think you'll recognize that. It had nothing to do against Bill O'Connle, Ziggy. I recommend. Mr. Peters, please."

Speaker Taylor: "....."

McClain: "I mentioned his name in the debate."

Speaker Taylor: "The Gentleman from Hardin, Representative Winchester."

Winchester: "Thank you, Mr. Speaker. There's definite merits to this Bill. I'm afraid we've gotten off track. We've been discussing many things except this piece of legislation...."

Speaker Taylor: "Go ahead, Representative Winchester."

Winchester: "I was just going to ask you, would you give the Lady at least 70 votes so she could put it on Postponed Consideration and bring it back at a later date?"

Speaker Taylor: "The Gentleman from Madison, Representative Steele."

Steele: "Well, thank you, Mr. Speaker. I was just rising in support of this Bill, urging a few more green lights. This Bill is.. really will help keep jobs here in the State



of Illinois and Lord knows we need to keep them here. It affects one of the most distressed regions in our state, around Peoria where Hiram Walker has went out of business, where Caterpillar is expanding elsewhere than in Peoria. And I think when you're talking about one of the most distressed areas in the state you have to give special consideration. Now this has been done for other.. others in the same industry. We're merely asking here for equal treatment for the two remaining in the same industry. There's only two or three left. If we don't pass a Bill like this, there will probably none left and of course we're talking about jobs. So let's help keep some jobs, particularly in the most distressed part of our state and let's get some more green lights in support of this good Bill."

Speaker Taylor: "The Lady from St. Clair, Representative Stiehl."

Stiehl: "Mr. Speaker, I'd like to put this on Postponed Consideration."

Speaker Taylor: "Postponed Consideration. The Clerk take the record. Postponed Consideration. House Bill 3394. Representative McClain."

Clerk O'Brien: "House Bill 3394, a Bill for an Act to amend the Soil and Water Conservation District Act. Third Reading of the Bill."

Speaker Taylor: "Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 3394 as amended is a product of the House Environment and Energy, Natural Resources Committee which we responded to a series of articles put forth by the Chicago Tribune on wasteland in Illinois. The purpose of the legislation was to attack waste on Illinois land in a four part proposal, this being one of the four parts. This proposal now not only was worked arduously by Representative Ted Meyer,



Minority Spokesman, but also now has the full endorsement of the Department of Agriculture, the Soil and Water Conservation Districts and the Governor. The Governor's Office has been instrumental in making sure that the product of the legislation indeed helps farmers respond to 208 water quality program problems that they are now having. The Bill basically attacks soil and conservation problems and soil erosion projects, conservation tillage programs and for the first time in the history of the State of Illinois, we also attacked livestock waste management programs that problems that therein lie. Now this piece of legislation provides for grants and also provides for economic incentives for farmers to participate within the professional and technical advice through Soil and Water Conservation Districts, to improve the quality of land so that they will indeed have less soil erosion and less violations of the 208 federal water quality program. I don't believe there's any opposition to this piece of legislation. It's been worked on by the House Environment, Energy and Natural Resources Committee, passed out of our Committee. Has bipartisan support and I'd ask for passage of this piece of legislation as amended."

Speaker Taylor: "Any discussion? The Gentleman from McLean, Representative Ropp."

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

Speaker Taylor: "He indicates that he will."

Ropp: "Representative McClain, what's the total amount of dollars involved in this program?"

McClain: "I think that's fair. What our.. our Committee proposal was because of now administration back proposal, we will abide by whatever amount of money that they wish to place as an Amendment on the Department of Agriculture's budget. Initially in the proposal it's 500 thousand dollars. You should know, Gordan, that



the State of Iowa instituted a similar proposal three years ago and now it has a very aggressive program. But since Illinois is pretty much in the embryonic stage we've pretty much agreed that we're not in conflict at all with the administration. We just want the substantive language on the books, which they've agreed to. There's no conflict on any appropriation. We'll abide by whatever they have in their budget."

Ropp: "Mr. Speaker, I'd like to speak on behalf of the Bill then. Just.."

Speaker Taylor: "Yes."

Ropp: "Just yesterday the Department of Agriculture in cooperation with the Department of Conservation and the EPA conducted a tour here in the counties of Sangamon and Menard to actually visually see the program that can come about through improvement in the operation of soil conservation. It was an excellent tour. I wish all of you could have been present. The program is an excellent one and I strongly urge your support of this Bill."

Speaker Taylor: "The Gentleman from Macon, Representative Dunn, John Dunn."

Dunn: "Thank you, Mr. Speaker. Will the Sponsor please indicate what farm groups support this legislation?"

Speaker Taylor: "Representative McClain."

McClain: "First of all, Mr. Speaker, and thank you very much. I know of no farm group against the Bill. You should know that as we prepared the piece of legislation we continually had private meetings with the Department of Agriculture, Soil Water Conservation District and the Farm Bureau in putting the piece of legislation together. So that it was not anything that would offend any particular segment of the farmers. The whole angle in terms of like the grant ceilings or anything like that, is all directed towards the smaller farmer as opposed to



the very wealthy farmer, who really has the capital to .. to do like, for instance, tillage programs. So we've tried to make it so that.. that the whole program is set up for a small farmer. But the mechanism or the people involved in putting together the piece of legislation was the Farm Bureau, Soil and Water Conservation District, and the Department of Agriculture..."

Dunn: "Does the Farm Bureau then support this legislation in its present form?"

McClain: "Well, as far as I know, the first and second programs in other words, the tillage programs and the soil program are all now initiated by the Department of Agriculture through their rules and regulations. Okay? The third program which is the livestock waste management program is something the Department of Agriculture is not ... does not have within its rules and regulations. So, yeah, I mean the Farm Bureau's been instrumental in developing the entire Bill."

Dunn: "But what... What.. But they don't really have a position, a formal position. And what about the Farmers Union and the other farm groups?"

McClain: "Well,..."

Dunn: "And I'm concerned about the people affected by this Bill. I hear that...."

McClain: "Harold Dodd signed a witness slip in favor of the Bill. I mean we have...."

Dunn: "He did."

McClain: "Yes. I mean we have no... There's no opposition to the entire piece of legislation."

Dunn: "Okay. I... the concern of course is...."

McClain: "The only opposition we ever had was from the administration. We thought that we were going to put in a higher figure for appropriation and we ended up, the Committee ended up agreeing to..."

Dunn: "Okay.."



McClain: "Accepting any appropriation level they desired."

Speaker Taylor: "The Gentleman from Winnebago, Representative Simms."

Simms: "Mr. Speaker, will the Sponsor yield for a question?"

Speaker Taylor: "He indicates that he will."

Simms: "Mike, the question that Representative Ropp asked regarding the funding for this, you indicated to start up funding would be 500 thousand dollars for the first year. My question is, What do you envision that this is going to cost the taxpayers of Illinois over a long period of time? Let's say the next ten years to effectually have a program that is going to comply with the intentions and the dynamics of this legislation? What do you envision this will cost?"

McClain: "Representative Simms, actually the 500 thousand dollar figure is a figure put forth by the administration to institute parts one and two of our program, not the livestock management program of our legislation. So, entirely, it's the Committee's point of view that it's really up to the administration, the Department of Agriculture and the Soil, Water Conservation Districts to develop the program naturally as they go through, not .. it's got nothing to do with any.. any emphasis from our Committee's viewpoint. Secondly, and frankly, the Chicago Tribune pointed out in essence what this soil and water conservation program will do is it will save money for the State of Illinois because of the tons of land wasted by either blowing away or washing down our rivers and streams.

Simms: "Well, if we carry this out and to have a program that is... that fulfills what you're trying to achieve, is it fair to say that potentially this could cost millions and millions of dollars for the entire state?" "I mean, is there any way..."

McClain: "Well, in balance you have to look at what's happened.



Parts one and two of the program are already now in the Department of Agriculture's rules and regulations.."

Simms: "Right."

McClain: "Okay? So, by statute all we're changing is we're include livestock management. Okay? Now, on the administration proposal they have 500 thousand dollars their start up of parts one and two? Okay? Iowa has a very aggressive program and they're going in their fourth year and they have a ten million dollar program, okay? For soil and water conservation. The problem is if it ends up being... You've got amore complicated question than you think. Within five years farmers have to mandatorily into a water quality program, which will basically put a lot of farmers out of business in terms of also livestock management programs. So in terms of saving money, we end up... it's almost a balancing act. We end up saving money by investing our grants and our monies into soil and water conservation areas."

Simms: "In other words, you're going to have to spend money to save money in the long run and there's really..."

McClain: "Yeah, except it's much more valuable than that because it's not just a one buck versus one buck thing. It's a one buck versus one buck plus saving our land and our waterways and some decent livestock management people "

Simms: "Thank you very much."

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

Friedrich: "Would the Sponsor yield please?"

Speaker Taylor: "He indicates he will."

Friedrich: "We have established Soil and Water Conservation Districts in this state who have very active Boards, who serve for free, who probably know more about soil and water conservation than anybody out here at the State Office at the Department of Agriculture. Why didn't you put this in the hands of them?"



McClain: "Mr. Friedrich, it is. What it is is an approp... Now we're talking about the appropriation process, but the appropriation goes to the Department of Agriculture, Division of Natural Resources, okay? That's our line item. That money exactly goes to Soil and Water Conservation Districts. They're the ones who are going to have to approve the project. They're the ones that are going to be the technical expertise on what projects... In fact, the Soil and Water Conservation Districts couldn't be happier. In fact, the Department of Agriculture couldn't be happier. The initial piece of legislation said that the Department of Agriculture had to sign off on all contracts. Department of Agriculture didn't want that. They wanted the entire mechanism to be within the Soil and Water Conservation Districts and so indeed, it really is grants to local governments so they entirely have the benefit of what programs are indeed logical and will work."

Speaker Taylor: "The Gentleman from Cook, Representative Meyer."

Meyer: "Thank you, Ladies and Gentlemen. This is.. This Bill is a product of the House Environmental, and Natural Resources Committee. I think Representative McClain has done a good job in explaining it. But one thing I'd like to point out, that agriculture in the State of Illinois is our number one renewable resource. We have a problem in soil erosion, in sediment control. This will solve these problems. I hope everybody votes for this good Bill."

Speaker Taylor: "The Gentleman from DuPage, Representative Hoffman."

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

Speaker Taylor: "There's no other one seeking recognition. Representative McClain to close."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentle-



men of the House, this Bill is basically a bold step for the State of Illinois to really actively and aggressively support soil water conservation in the State of Illinois on farmland. Representative Meyer stated very ably basically our State of Illinois.. our largest industry is agriculture. This Bill does not offend the administration. In fact, it has the administration's full and active support. I know of no farm group against it. In fact, the Illinois Farm Bureau supports this piece of legislation. We worked hard to make sure the money went into local hands for local consideration of what local projects are the best ones and I really compliment the Chicago Tribune on pointing this out to the House Environmental Committee and I'd ask for a favorable vote."

Speaker Taylor: "The question is, 'Shall House Bill 3394 pass?' All in favor signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there's 157 voting 'yes', and one voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Stuffle... Slape, rather. Representative Slape."

Slape: "Yes, I'd like a verification of the negative Roll Call please?"

Speaker Taylor: "House Bill 2854. Representative Brummer."

Clerk Leone: "House Bill 2854, a Bill for an Act to amend a Section of the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker Taylor: "Representative Brummer."

Brummer: "Yes, thank you, Mr. Speaker, Members of the House. This Bill corrects an oversight, I think, in the Marital Dissolution Act that we passed two years ago. That Act provided that independent custody proceedings could be initiated, being independent of separate maintenance of divorce... separation proceedings or divorce. That Act



did not provide any mechanism for the payment of child support cases pursuant to independent custody proceedings. This Bill would correct that oversight and would allow the court to enter child support payments incidental to independent custody proceedings."

Speaker Taylor: "Any discussion? The question is, 'Shall House Bill 2854 pass?' All in favor signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there's 155 voting 'yes' and nine voting 'nay'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2880. Representative Cullerton. Representative Cullerton seeks leave to return this Bill to Second Reading? No. House Bill 2880. Read the Bill."

Clerk Leone: "House Bill 2880, a Bill for an Act to amend Sections: of an Act in relation to public ... office of public defender. Third Reading of the Bill."

Speaker Taylor: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is designed to remedy a problem we have in the juvenile courts throughout the State of Illinois. In juvenile courts the Public Defenders Office has been appointed to represent parents as well as minors even though the parents do not have a Constitutional right to a lawyer. As a result, two problems have occurred. First of all, we're using county taxpayers money to pay.. provide free lawyers for people who should be getting their own private lawyers. In Cook County alone the savings could be 150 thousand dollars. And secondly, we are avoiding a conflict of interest which exists within the Public Defenders Office where they represent not only a minor, but they also represent a parent. There was an Amendment put on the Bill which does two things. With respect to... It has permissive language with respect



to counties of population over 100 thousand and less than 500 thousand where they.. if they want to, if the County Board wants to they can raise the Public Defender's salary to that of the State's Attorney, but if they do so, it prohibits the Public Defender from making any money on the side. In other words, they have to work full time as a public defender. So, that's what the Bill does. I would appreciate a favorable Roll Call. Be happy to answer any questions."

Speaker Taylor: "Any discussion? The question is, 'Shall House Bill 2880 pass?' All in favor signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Representative Bullock."

Bullock: "Mr. Speaker, I was under the impression that this Bill would be moved back to Second for purposes of an Amendment. Am I incorrect?"

Speaker Taylor: "You're incorrect."

Bullock: "Alright."

Speaker Taylor: "The Gentleman from Bureau, Representative Mautino."

Mautino: "I'd like to explain my 'no' vote since there are only three of us up there. But as I read this Bill, that means in Bureau County that the Public Defender will be getting \$46,500 a year. I think that some of you had better look at this because it's over 30 thousand and they can go to 100% of what the State's Attorney gets. That's why I'm voting 'no'."

Speaker Taylor: "Have all voted who wish? Mr. Clerk, take the record. On this question, House Bill 2880, having received 106 'yes's, 24 voting 'no'... This Bill, having received the Constitutional Majority, is hereby declared passed. 2997. Representative Brummer."

Clerk Leone: "House Bill 2997, a Bill for an Act to amend the General Not-For-Profit Corporation Act. Third Reading



of the Bill."

Speaker Taylor: "Representative Brummer."

Brummer: "Yes, thank you, Mr. Speaker, Members of the House.

This Bill amends the Community Mental Health Act and the General Not-For-Profit Corporation Act. It specifically allows a not-for-profit corporation to operate a direct patient service facility for the purpose of delivering mental health services. It also authorizes that entity to contract with physicians and psychiatrists as independent contractors and makes clear that the Board has that authority. Currently, the General -Not-For-Profit Corporation Act does not provide that although there are general not-for-profit corporations which are engaging in this service. There is some concern that there is individual liability on the part of the Board of Directors as a result of the existing status of the law. We've worked on this matter with the Illinois Association of Community Mental Health Agencies, the Illinois State Medical Society, and I know of no opposition to it now."

Speaker Taylor: "Any discussion? The Lady from Cook, Representative Pullen. Pullen."

Pullen: "May I ask the Sponsor a question please?"

Speaker Taylor: "He indicates that he'll yield.."

Pullen: "Thank you. Did the Amendment get adopted to this, Rich, to satisfy my objection in Committee?"

Brummer: "The Amen... Amendment #2 reinstated the stricken language regarding a limitation on a 708 community mental health board providing direct patient care services for a period not to exceed two years. So the current status of the Bill with regard to that would be identical to the current status of the law. We would not be doing anything with regard to that issue. "

Pullen: "Okay. Good. Thank you. I urge.. I urge support for this Bill."

Speaker Taylor: "Any further discussion? The Gentleman from



Cook, Representative Yourell."

Yourell: "Yes. Mr. Speaker, I wasn't here for a while and somebody, I guess, my switch inadvertently was .. was punched 'no' on House Bill 2858. I voted 'yes' on 2858.. 56 and I thought that was the Bill that dealt with rapists and I don't want to be recorded voting 'yes'. I want to be recorded as voting 'no'."

Speaker Taylor: "Come around to the Clerk's desk and make out a slip, Representative Yourell. Is there any further discussion? Representative Brummer to close."

Brummer: "Yes, I think.. I do not think there's any dispute or opposition to this Bill. I would ask for a favorable Roll Call."

Speaker Taylor: "The question is, 'Shall House Bill 2997 pass?' All in favor signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there's 151 voting 'yes', none voting 'nay'. This Bill, having received the Constitutional Majority, is hereby declared passed. Will Speaker Redmond come to the podium please? Speaker Redmond? House Bill 3140. Representative Pierce."



Clerk Leone: "House Bill 3140, a Bill for an Act in relation to the holding of funds collected pursuant to personal property tax replacement taxes. Third Reading of the Bill."
Speaker Taylor: "Representative Pierce."

Pierce: "House Bill... Thank you, Mr. Speaker. House Bill 3140 is a clean up Bill on the personal property replacement tax that we passed last year. Considerable work went into this Bill. Representative Ewing cooperated fully with me on it. Representative Ropp has a provision in it. The Illinois Department of Revenue and the administration of the Democratic staff all worked on the Bill. The Bill provides that the personal property replacement taxes, the revenue from the tax, shall be paid directly to the personal property replacement tax fund rather than the general revenue fund. This will make the general revenue fund more accurate and will eliminate the inflation that appears in the balances at the end of each quarter. It will also insure that the interest earned on the revenues will be accrued to local governments and School Districts rather than to the state. The Bill provides that the Illinois Department of Revenue's cost of collecting and distributing the tax shall be paid from the replacement revenues collected and that will relieve the state of some burden in that respect. The Bill also provides for quarterly payments, or eight payments a year, rather than four payments a year to the schools and local government units from the replacement tax fund to ease their cash flow problem. We also have a provision in there that takes care of the townships that collect money for the cities which is Representative Ropp's provision. The Bill really is a clean up of the personal property tax replacement. I don't believe it's controversial in its present stage and I urge the passage of House Bill 3140."

Speaker Redmond: "Any discussion? Representative Ewing."



Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I wholeheartedly endorse what the Chairman of the Revenue Committee has said. This Bill is an amalgamation of two Bills, one which he was the Sponsor of and one which I sponsored which I believe will clean up the personal property tax replacement. Creates this fund. Should speed up some of the distribution of this needed tax money to local governments and I would encourage a 'yes' vote on this measure."

Speaker Redmond: "Ready for the question? 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 157 'ayes', and no 'nays'. The Bill, having received the Constitutional Majority, is hereby declared passed."



Speaker Redmond: "House Bill 3204. Representative Kornowicz.
Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3204, a Bill for an Act to revise
the requirements for circuit breaker grants for and to
provide fuel cost relief grants for senior citizens and
disabled persons. Third Reading of the Bill."

Speaker Redmond: "Representative Kornowicz."

Kornowicz: "Take it out. Take it out of the record. Mr.
Speaker?"

Speaker Redmond: "Out of the record. 3214. Read the Bill,
Mr. Clerk."

Clerk Leone: "House Bill 3214, a Bill for an Act to establish
a state program for the planning development and admini-
stration of support services for adolescent parents.
Third Reading of the Bill."

Speaker Redmond: "Representative Chapman? Out of the record.
3216, Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill..."

Speaker Redmond: "Out of the record, request of the Sponsor.
3217. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3217, a Bill for an Act in relation to
provisions for child day care assistance in case of
adolescent parents. Third Reading of the Bill."

Speaker Redmond: "Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, it's been
found a technical difficulty with this Bill and I'd like
to take it back to Second Reading to correct that. "

Speaker Redmond: "Does she have leave to return the Bill to
the Order of Second Reading for the purpose of an
Amendment? Hearing no objection, leave is granted.
Second Reading. Any Amendments from the floor, Mr. Clerk?"

Clerk Leone: "Floor Amendment #1, Oblinger, amends House Bill
3217 on page one, line six and so forth."

Speaker Redmond: "Representative Oblinger."

Oblinger: "The Bill as it was originally formed was to amend



paragraph four instead of paragraph nine. This has been corrected and with this correction the Department of Public Aid supports the Bill."

Speaker Redmond: "Any discussion? The question's on the Lady's motion for the adoption of Amendment 1. Those in favor say 'aye', 'aye'; opposed 'no'. The 'ayes' have it. The motion carries. The Amendment's adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Third.. Third Reading. Now we'll take the Bills on.. that Members want to return to the Order of Second Reading for the purpose of Amendment. Friday is the last day and then we're going to have to... Representative Hoffman, for what purpose do you arise? I have a list up here that they gave me this morning. And I'm not going to let even my colleagues sneak in ahead of this priority."

Hoffman: "No, just so I'm on the list. 3426 I would like to return for the purpose of an Amendment. This..."

Speaker Redmond: "3426? Okay.."

Hoffman: "Just put me on where I belong.....get ahead."

Speaker Redmond: "We'll put you where you belong. Now, Representative Davis, are you seeking recognition?"

Davis: "I'm on the list."

Speaker Redmond: "Okay. Who's list? Ryan's? Okay. Third Reading. 3491, Representative Mahar."

Mahar: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to have 3491 taken back to Second Reading to remove Amendment #2."

Speaker Redmond: "Does the Gentleman have leave? Representative Mahar, what was it you wanted?"

Mahar: "I wanted to move House Bill 3491 back to..."

Speaker Redmond: "Does he have leave to return it to the Order of Second Reading? Hearing no objections, Second Reading. 3491."



Mahar: "Having voted on the prevailing side by which Amendment #2 was adopted, I now move to reconsider the vote."

Speaker Redmond: "Is there any discussion? The question's on the Gentleman's motion to reconsider the vote by which Amendment #2 was adopted. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 112 'aye' and no 'nay'. And the Gentleman's motion prevails. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Representative Mahar?"

Mahar: "Yes, now I wish to... Representative Krska has the Amendment, to withdraw the Amendment.. Amendment #2."

Speaker Redmond: "Well, Amendment #2 was tabled. Now it stands with Amendment 1..."

Mahar: "That's fine. Thank you.."

Speaker Redmond: "No. No Amendments from the floor. Is that correct?"

Mahar: "That's correct."

Speaker Redmond: "Third Reading. Jack Davis, 697? That doesn't look right. What's the number of your Bill? 697? On the Order of House Bills, Third Reading, appears House Bill 697. Representative Davis."

Davis: "Yes, Sir, I'd like leave of the House to return it to Second Reading for the purposes of an Amendment."

Speaker Redmond: "Does the Gentleman have leave? 697, he has leave to return it to Second, is that correct? Now, what... Any Amendments from the floor? Well, is there.. Oh? I see. What are we going to do? Have a Floor Amendment on it then? "

Davis: "Mr. Speaker, there was a small problem with the Bill. There was some confusion in the Committee Amendment. I think the Clerk, Mr. O'Brien....."

Speaker Redmond: "I understand the Committee Clerk did not report that Amendment 1 had been adopted in Committee."



Davis: "That's true."

Speaker Redmond: "Read the amended Committee report, Mr. Clerk."

Clerk Leone: "House Bill 697, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk Leone: "No motions filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk Leone: "Amendment #2, Ebbesen, amends House Bill 697 as amended by deleting the title and inserting in lieu thereof the following."

Speaker Redmond: "Representative Ebbesen on the floor? Representative Davis, what's your pleasure?"

Davis: "To move forward, Sir."

Speaker Redmond: "Third Reading, the absence of the Sponsor..."

Davis: "There's another Amendment, Sir. Another Amendment's filed."

Speaker Redmond: "Okay. Second Reading. Any further Amendments?"

Davis: "Mr. Speaker?"

Speaker Redmond: "Representative Davis?"

Davis: "I would like after we adopt Amendment 3 then to leave the Bill on Second Reading pending a pension impact request has been filed. The note will be available tomorrow."

Speaker Redmond: "Okay. We'll do that. You filed a very elusive Amendment."

Davis: "They can't find it in other words."

Speaker Redmond: "They can't find it. It's been distributed to everyone but the Clerk. Representative McCourt, for what purpose do you arise?"

McCourt: "Well, Mr. Speaker, I think a point... We're out of order here. The Sponsor here has an Amendment which the Clerk can't seem to find, but besides that, he is... he's telling us that the Amendment has a great fiscal effect on our pension systems and he does not have that



information. So I think we should just leave this on Second right now until he can give us a whole and..."

Speaker Redmond: "He has requested that it remain on Second."

McCourt: "Alright, without this Amendment."

Speaker Redmond: "Well, either way.."

McCourt: "I don't think we should even adopt an Amendment until we know what we're adopting, what it's going to cost the pension system."

Speaker Redmond: "Well, we can't adopt it until we find it."

Representative Davis on Amendment 2. Mr. Clerk, did you read the Amendment 2?"

Davis: "It's Amendment 3, Sir."

Speaker Redmond: "Amendment 3."

Clerk Leone: "Floor Amendment #3, Davis, amends House Bill 697 as amended by inserting after paragraph H of this Section 14-108 the following."

Speaker Redmond: "Representative Davis."

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

Amendment 3 redefines the term 'security employee correctional institutions' for inclusion under the pension provisions of this Bill. That's the one Amendment as amended that it does. The second Amendment would be that it triggers in an increase in correctional officer pension benefits after 20 years not eight years. And that's simply what it does. In an attempt to lessen the impact that Amendment #1 had, so Representative, McCourt, we're hoping that the impact is less than we're expecting. The pension impact note tomorrow from the actuaries which will be filed tomorrow and be left on Second Reading."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, was there another Amendment just adopted to this Bill?"

Speaker Redmond: "No. Amendment... Amendment 1 was adopted in Committee. Amendment 2, the Sponsor wasn't here. This is: Amendment 3. "



Madigan: "Has the Sponsor offered an explanation of this Amendment?"

Speaker Redmond: "He just did."

Davis: "I just did, Mike. You want to hear it again?"

Madigan: "Please."

Davis: "It does two things. First it redefines 'security employee' to include all those people working in correctional institutions who have daily contact with inmates. Secondly, currently the pension .. the pension system that correctional employees are under provides that at the eight year level of employment, if they should retire at age 60 with eight years service, they could draw the increased benefits. This Bill will be at the 20 year level rather than the eight."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, inasmuch as Representative Ebbesen isn't here and his Amendment was glossed over, I wonder if Davis could tell us what was in Ebbesen's Amendment?"

Davis: "Well, it's an Amendment that I would have subscribed to as a Bill. What it did was delete everything in my Bill and effectively kill the Bill, which I wasn't too happy about, But what it would have done was declare a moratorium on all pension benefits in the State of Illinois until we soundly fund all pension systems of the state. It's an idea to which I subscribed incidently."

Giorgi: "Well, Mr. Speaker, everyone knows the stand that Representative Ebbesen takes on these pension Bills and I think this is dirty pool, pulling a Bill out when your colleague is off the floor and you know how adamant he is about pension programs. I think this is one of the .. the lowest tricks pulled this Session."

Davis: "Representative Giorgi, his Amendment was filed after the Bill was on Third Reading and if it's a low trick, it wasn't any lower than Chrysler ."

Speaker Redmond: "The question's on the Gentleman's...."



Giorgi: "Joe Ebbesen will take care of you."

Speaker Redmond: "Representative McCourt."

McCourt: "Well, on the motion, Mr. Speaker, it.. as I understand the Gentleman's motion, this would make all prison personnel who come into contact with prisoners come under the.. have the same benefits as the state police."

Davis: "No. No..."

McCourt: "Well, what difference would it be to the state police?..."

Davis: "All references to the state police pension system have been deleted from this Bill. The Bill now is the same pension system that correctional employees are now under with the same triggered in length of service, the same 60 year retirement situation. It has nothing to do with state police fund. Amendment #1 adopted in Committee deleted all those references, Jim. And you were there."

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment 3. Representative Giorgi."

Giorgi: "Mr. Speaker, I'm wondering if maybe Representative Johnson won't put a spy on what Edgar and George Ryan are talking about in the event of some pressures or vote changes or something. You think we ought to have Representative Johnson sneak up on them and see what they're talking about?"

Speaker Redmond: "I think you're out of order, Representative Giorgi. The question's on Representative Davis' motion to adopt Amendment 3. Those in favor say 'aye', 'aye'. Representative Ewell."

Ewell: "Isn't this fiscal note due?"

Speaker Redmond: "We're going to leave it on Second."

Ewell: "I know, but isn't the impact note due before? Not after. We're in bad shape if we vote on this in the blind. I mean they might move..."

Speaker Redmond: "Well, it would seem to me that the pension impact statement isn't due until after this Amendment



goes on because if it doesn't go on then, as I understand there wouldn't be any necessity for it. So it would seem to that ...Those in favor of the motion say 'aye', 'aye'. Opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The motion carried. The Amendment's adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Leave it on Second Reading. 3195 on page eight. Representative Keane. Representative Keane, out of the record? Representative Keane?"

Keane: "I already amended that in the regular course of business, Mr. Speaker."

Speaker Redmond: "Okay. 3488. 3488. Garmisa here? Garmisa here? Out of the record. Wait a minute. 3488. Well, Garmisa isn't here. Leinenweber isn't here. 3195? Keane, that's the one we took out. 2051? Representative Meyer."

Meyer: "Mr. Speaker, I'd like to have leave of the House to bring House Bill 2051 back to Second Reading for the purpose of an introduction of Amendments."

Speaker Redmond: "Representative Meyers?"

Meyer: "Meyer."

Speaker Redmond: "On 2051."

Meyer: "Yes, Sir. Mr. Speaker, I'd like to have leave of the House to bring House Bill 2051 back to Second Reading for the purpose of an Amendment."

Speaker Redmond: "Does he have leave? Hearing no objection, leave is granted. It's on Second Reading. Any Amendments from the floor?"

Clerk Leone: "Amendment #2, Younge, amends House Bill 2051 as amended by Amendment 1 with reference to page and line numbers and so forth."

Speaker Redmond: "Representative Meyer. "

Meyer: "Mr. Speaker, this is Representative Younge's Amendment. I believe Amendments 2 and 3 are technically incorrect



and Amendment 4 will do the.. will.. the language is technically correct. 2,3, and 4 say the same thing, but there's a..."

Speaker Redmond: "Who's the Sponsor of 2?"

Meyer: "2,3, and 4 are Representative Younge's."

Speaker Redmond: "Representative Younge."

Younge: "Mr. Speaker, I move to table 2 and 3 and we'll proceed with 4."

Speaker Redmond: "Representative Younge withdraws Amendments 2 and 3. Any further Amendments?"

Clerk Leone: "Amendment #4, Younge, amends House Bill 2051 as amended with reference to page and line numbers and so forth."

Speaker Redmond: "Representative Younge."

Younge: "Mr. Speaker, I move to table Amendment #4 and want to proceed with Amendment #5."

Speaker Redmond: "4 is withdrawn. Any further Amendment?"

Clerk Leone: "Amendment #5, Younge, amends House Bill 2051 as amended with reference to page and line numbers of House Amendment #1 as follows."

Speaker Redmond: "Representative Younge."

Younge: "Thank you, Mr. Speaker. This Bill is a Bill establishing an automobile emissions maintenance and inspection program. And the Bill gives as it is presently drawn gives municipalities or counties with population in excess of one million the power to set up their maintenance and inspection program. My Amendment, Amendment #5, would give that same right to home rule units having a population of less than a million. In other words, this is a Bill which basically affects two areas of Illinois. It affects the Chicago area and it affects the East St. Louis area. And I feel that since the Chicago area has been given the right to set up this maintenance and inspection program, that same privilege or option should be made available to the East St. Louis area and I move



for the adoption of the Amendment."

Speaker Redmond: "Representative Kulas."

Kulas: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I stand in opposition to Amendment #4. (sic) Now the Joint House and Senate Committee on inspection maintenance program has worked diligently for the last six months to put this Bill in the posture in which it stands today. Now, Representative Younge's Amendment would just confuse the issue, would not make the program feasible and not workable in the State of Illinois. We have had extensive hearings all over the state. In order for such a program to be feasible there must be an economy of testing. You must have a certain volume of vehicles that can be tested in order to keep the cost of this program down. There has to be coordination on fees, coordination on.. on the different exemptions, on the appeal procedures etc. Now, if every home rule unit would be allowed to run their own program, this.. this.. we could never coordinate all these problems. And the more organization we have, the harder it would be to get this program into motion. Now, this program has to be in motion by January 1, 1982. And I soundly appeal to everyone to vote 'no' on this Amendment."

Speaker Redmond: "Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise on behalf of this Amendment. It's the request of the Northwest Municipal Conference. They have said they would like to have the ability in the municipalities that have the desire and can afford it and in which it would be realistic to have such a program run by them. Now, this Bill has been amended so that the city of Chicago can do its own testing separate from that of the state. Now in the city of Evanston, for a number of years, they have had safety testing drive-through lanes to test automobiles registered in Evanston. It would



take the addition of only one machine to check the exhaust of automobiles to allow them to participate in this program. Now, I recognize that the vast majority of municipalities are either too small or uninterested or simply unable to participate in this program. But where you have municipalities or home rule units that are large enough and can do it, they should be allowed to much the same way the city of Chicago is going to be allowed to. I remind you that any municipalities that would do this, like Chicago, would have to comply with all the regulations, all the cost guidelines that the city of Chicago would. I see no reason why larger municipalities who wish to engage in this should not be allowed to. I encourage an 'aye' vote. "Thank you."

Speaker Redmond: " Representative Meyer."

Meyer: "Thank you, Mr. Speaker. I rise in opposition to this Amendment. The states of California, Arizona and Oregon each have testing programs. They have in excess of 110,000 vehicles passing through each testing station.

Quite frankly no other municipality other than the city of Chicago has the volume and with the volume you get.. you get a cheaper rate. You get good location of testing stations. You get economy of testing stations. The lines will be shorter. There'll be coordination of fees. There'll be quality insurance and for these reasons, I urge you to vote against this Amendment."

Speaker Redmond: "Representative Younge, to close."

Younge: "I think the basic principle at stake here is the treatment, the fair treatment, and the equal treatment of each home rule unit. We have passed legislation here that treats differently home rule units and their ability to make decisions in reference to the programs that affect them. What I'm asking for is the same rights given the home rule unit of Chicago in reference to the establishment or the option to run this program. I think



that that is fair and equitable. I don't think that there is any evidence that just because the municipality of East St. Louis, which is a home rule unit, is given the option to run the program that there would be any lack of economy of testing. I don't think that there is any evidence of that at all. And all I'm asking is that we be treated fairly. There are only two areas of the state that this whole program will affect and that is the Chicago metropolitan area and the East St. Louis metropolitan area. And I ask that under fairness and under our principles in reference to home rule units, and the prerogatives given them, that you give me a 'yes' vote in reference to this Amendment."

Speaker Redmond: "The question's on the Lady's motion for the adoption of Amendment 5. Those in favor vote 'aye'; opposed vote 'no'. Representative Skinner to explain his vote."

Skinner: "Mr. Speaker, I'm going to vote 'yes' for this Amendment because I think Representative Younge has a good idea. There's nothing that makes the city of Chicago special with regard to the ability to run tests. In fact, some might argue that virtually any other home rule unit in the entire state could do a better job, a more honest job. Most home rule units downstate don't have the majority of their electrical inspectors under indictment or in jail. The city of Chicago does. We may just be setting another bribery mechanism in the State of Illinois if we allow Chicago to do this."

Speaker Redmond: "Representative Ewell?"

Ewell: "The preceding speaker does not have the ability to discern between electrical inspection and exhaust inspection. And under those circumstances, I don't think he quite qualifies in one of his many fields. But again, it's a very simply issue. The city of Chicago and the areas downstate need to run their own business. And how



would you like it if the city of Chicago came out and imposed rules and regulations upon you? We're talking about basic fundamental principles of fairness and the belief in the Democratic system that the people ought to be free to chose and to elect and to follow their particular business. And I'm ashamed of you, the previous speaker."

Speaker Redmond: "Have all voted who wish? Representative Slape, for what purpose do you arise?"

Slape: "Thank you, Mr. Speaker. With great reluctance I rise in opposition to this Amendment. But out of respect for the two Sponsors who spent probably over a year getting their Bill in shape, having hearings all across the State of Illinois, including in the metropolitan area, to get the Bill where they want to right now. And I think that they have done a great job and I think the House should support them in keeping their Bill intact. Thank you."

Speaker Redmond: "Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, this Amendment is a very critical Amendment and I don't think it's necessarily an upstate, downstate issue. Our Committee, the Joint Committee, served by Cochairman Mr. Kulas, it has got nothing to do with Chicago cersus the State of Illinois. Our Committee ... this is a very technical, a very important piece of legislation that we have to and we're mandated by Environmental Protection Agency. East St. Louis does not have the quality or the number of vehicles to adequately handle this kind of program. If you want to gut the Bill and cause all kinds of severe problems, or if you want to end up having the piece of legislation on a Conference Committee where none of us have any idea what the piece of legislation really had, then I guess you vote 'aye'. But, Mr. Slape, I think is to be admired. That... He's from that area and what he is telling you



adequate! Our Committee heard the piece of legislation, the House Environment Committee, the Joint Committee studied, had hearings throughout the State of Illinois. I think it is an Amendment that is probably well intentioned, but ill-timed and I would ask you to defeat it."

Speaker Redmond: "Have all voted who wish? Representative Kulas."

Kulas: "Well, Mr. Speaker, in explaining my vote, I would just like to say this isn't, like Representative McClain said, this isn't an issue of Chicago and East St. Louis. It's an issue of economic feasibility. East St. Louis can afford it. Now the Sponsor of this Amendment didn't vote for this Bill in Committee. This is her way of killing this Bill and I ask for a... to kill this Amendment."

Speaker Redmond: "Have all voted who wish? On this question there's 66 'ayes', 83 'no', and the motion fails. Any further Amendment?"

Clerk Leone: "Amendment #6, Sumner, amends House Bill 2051 as amended with reference to page and line numbers of House Amendment #1 and so forth."

Speaker Redmond: "Representative Sumner."

Sumner: "Thank you, Mr. Speaker. Could I have leave to withdraw Amendment #6?"

Speaker Redmond: "Amendment 6 is withdrawn. Any further Amendments?"

Clerk Leone: "Amendment #7, Sumner, amends House Bill 2051 as amended with reference to page and line numbers of House Amendment #1 and so forth."

Speaker Redmond: "Representative Sumner."

Sumner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment provides exemptions for the inspection and maintenance programs for, number one, vehicles that are certified under the Federal Motor Vehicle control program; all passenger vehicles prior to 1968 and two,



vehicles being tested for certification by the US Environmental Protection Agency to determine if the experimental device to control emissions or enhance fuel economy does not cause an increase in emissions but would be required to have an agency permit."

Speaker Redmond: "Any discussion? Representative Meyer?"

Meyer: "Yes, Mr. Speaker, I'm told that the agency has no position on this. Then.... you're not opposed to it."

Speaker Redmond: "...Anything further? The question's on the Lady's motion for the adoption of Amendment 7. Those in favor say 'aye', 'aye'. Opposed 'no'. The 'ayes' have it. The motion carried and the Amendment's adopted. Any further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Third Reading. 3594? Representative Slape? Mr. Clerk, where is 3594? I show it on Third Reading. Has that been.. It's been returned to the Order of Second Reading. Is that correct? 3594 on page 13. It's on Second Reading and held now. Are there any Amendments from the floor? "

Clerk Leone: "No Floor Amendments."

Slape: "Yes, Mr. Speaker. This Bill was moved back and amended and it was held for a fiscal note. That note has now been filed and I'd like to have House Bill 3594"

Speaker Redmond: "Has the fiscal note been filed? "

Clerk Leone: "Fiscal note has been filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Redmond: "Third Reading. 3594. 3513. On page.. page three."

Clerk Leone: "House Bill .."

Speaker Redmond: "It's on Second Reading on page three.

Representative Ewing. Will you read the Bill, Mr. Clerk?"

Clerk Leone: "House Bill 3513, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Amendments



#1 and 2 were adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendments 1 and 2?"

Clerk Leone: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Redmond: "Has the fiscal note been filed?"

Clerk Leone: "Yes, the fiscal note has been filed."

Speaker Redmond: "Representative Madigan."

Madigan: "The Clerk stated there were no Floor Amendments adopted to this Bill. It was my memory that there was a Floor Amendment adopted to the Bill. I believe it was sponsored by Representative McPike."

Clerk Leone: "Amendments #1 and 2 were adopted previously instead of adopted in Committee."

Madigan: "Thank you."

Speaker Redmond: "So now it's Amendment 1,2, that correct? And the fiscal note has been filed."

Madigan: "Yes."

Speaker Redmond: "Third Reading. 3246 on page ten. 3246, Representative Kane? Douglas Kane? The Gentleman from Sangamon. Kane? Representative Kane."

Kane: "Mr. Speaker, I'd ask leave of the House to bring House Bill 3246 back to Second Reading for an Amendment."

Speaker Redmond: "Does the Gentleman have leave to return 3246 to the Order of Second Reading? Hearing no objections, leave is granted. Mr. Clerk, are there Amendments from the floor?"

Clerk Leone: "Amendment #3, Keane, amends House Bill 3246 as amended by Amendment #2 and so forth."

Speaker Redmond: "Representative Keane."

Keane: "Thank you, Mr. Speaker. Amendment #3 does nothing more than clarify the Members. As you may remember this is regarding the Southern Illinois University Medical School. In the earlier Amendments we identified members of



the faculty and to clarify the members we indicated that they have to be members of a professional school, that it only applies to the professional school members:.."

Speaker Redmond: "Any discussion? The question's on the motion for the adoption of Amendment 3. Those in favor say 'aye', 'aye'. Opposed 'no'. The 'ayes' have it. The motion carried and Amendment's adopted. Any further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Third Reading. 3539. Page... No, that's Postponed Consideration. Representative Piel. "

Piel: "Thank you, Mr. Speaker. With leave of the House, I'd like to bring this back to Second Reading for the purpose of an Amendment."

Speaker Redmond: "Does he have leave? Hearing no objections, leave is granted. Any Amendments from the floor?"

Clerk Leone: "Amendment #2, Younge, amends House Bill 3539 on page one and line one by deleting Section 7.23 and inserting in lieu thereof the following."

Speaker Redmond: "Representative Piel? Representative Younge."

Younge: "Mr. Speaker, I table that Amendment."

Speaker Redmond: "Withdraw the Amendment. Any further Amendment?"

Clerk Leone: "Amendment #3, Huff-Henry, amends House Bill 3539 on page one and line one by deleting Section 7.23 and inserting in lieu thereof the following."

Speaker Redmond: "Representative Huff."

Huff: "Thank you, Mr. Speaker. Amendment #3 clarifies a geographical area with regard to Section 8. If adopted this Amendment would not impact IDA's uncommitted funds or its bonding authority because Section 8, which is provided by the government, has its own interim financing and commitment in the Section 8 program. All the Amendment is doing is directing that IDA build houses in areas where it's never built before, in areas where there's a demonstrated shortage of safe and decent sanitary housing



and so forth."

Speaker Redmond: "Representative Piel?"

Piel: "Have no problem with the Amendment...."

Speaker Redmond: "The question's on the motion for the adoption of Amendment 3. Those in favor say 'aye', 'aye'. Opposed 'no'. The 'ayes' have it. The motion carried. The Amendment's adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Postponed Consideration. 32... 3426 on page 12, Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker. I'd like permission to return House Bill 3426 to Second Reading for the purpose of an Amendments."

Speaker Redmond: "Does he have leave to return 3426 to Second Reading? Hearing no objections, leave is granted. Any Amendments from the floor, Mr. Clerk? "

Clerk Leone: "Amendment #1, Hoffman, amends House Bill 3426 on page two by deleting lines seven through 12 and inserting in lieu thereof the following."

Hoffman: "Mr. Speaker, I'd like leave to withdraw Amendment #1."

Speaker Redmond: "The Amendment's withdrawn. Any further Amendments?"

Clerk Leone: "Amendment #2, Hoffman, amends House Bill 3426 on page one line 28 by inserting immediately after the period the following."

Speaker Redmond: "Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 to House Bill 3426 provides additional language which will clarify the ability of a local School District to provide special education facilities on the grounds of ... education facilities which are residential facilities within their district... I move for the adoption."

Speaker Redmond: "The question's on the Gentleman's motion for



the adotion of Amendment #2. Those in favor say 'aye', 'aye'. Opposed 'po'. The 'ayes' have it. The motion carried. The Amendment's adopted. Any further Amendments?"

Clerk Leone: "Amendment #3, Hoffman, amends House Bill 3426 on page two by deleting all of line seven through 12 and inserting in lieu thereof the following."

Speaker Redmond: "Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 provides for the tuition reimbursement for residential facilities to move from half payment in December, quarter payment in March, and quarter payment in September the year after, moves these payments up to a quarter payment beginning in September, a quarter in December, a quarter in March and the last payment in June, which puts it about three months ahead of where it would have been before. And I move for the adoption of Amendment #3."

Speaker Redmond: "Any discussion? Representative Brummer."

Brummer: "Yes, what is.. What is the fiscal impact of moving up those payments?"

Speaker Redmond: "Representative Hoffman."

Hoffman: "There is no fiscal impact. We're just moving it forward a little bit so the local School District gets their money earlier."

Brummer: "What is one quarter payment? You're moving it a quarter ahead, right? So, temporarily there's a cash flow impact when it..."

Hoffman: "The.. the dollar amount will not change, but rather than paying a half in December which is the first time we pay, we move it up until we pay a quarter in September so the local School District..."

Brummer: "I understand that. What does that one quarter consist of? How many dollars are we talking about? You are talking about an impact on a checkbook balance, if you will. If you don't have the money in the checkbook in



September as opposed to December.."

Hoffman: "It would appear to me that the total is in the.. the total of all of the payments on tuition is about three million dollars, total for the whole thing."

Speaker Redmond: "Anything further? The question's on the Gentleman's motion for the adoption of Amendment 3. Those in favor say 'aye', 'aye'. Opposed 'no'. The 'ayes' have it. The motion carried. The Amendment's adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Third Reading. 2768, Representative Balanoff asked leave to return it to the Order of Second Reading. Does she have leave?" Hearing no objection, leave is granted. Any Amendments from the floor?"

Clerk Leone: "Amendment #4, amends House Bill 2768 on page one, line 18 by inserting the word, 'and', immediately after the comma and so forth."

Speaker Redmond: "Representative Balanoff."

Balanoff: "Yes. Amendment #4 is a clean up Amendment which is needed because Amendments #1 and 2 were added on in Committee."

Speaker Redmond: "Will you... What is your motion?"

Balanoff: "To.."

Speaker Redmond: "You moving to amend?"

Balanoff: "No. Well, Amendment #4 is a clean up Amendment which is needed because..."

Speaker Redmond: "You're moving to adopt Amendment #4. Is that correct?"

Balanoff: "Correct."

Speaker Redmond: "Representative Vinson."

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

Speaker Redmond: "She will."

Vinson: "What's the effect of the action you're recommending the House take?"

Balanoff: "Because two Amendments were put on in Committee, the



introductory language was not entirely accurate and that's why this Amendment #4 is needed."

Vinson: "And what will Amendment #4 do when it's adopted?"

Balanoff: "It will add an 'and' after a comma and will include language and exclude language which is needed because of the first two Amendments."

Vinson: "What is the effect of those changes in language, the substantive effect?"

Balanoff: "Well, it would give effect to the , you know, the intent of the whole Bill."

Vinson: "It will what?"

Balanoff: "Give effect to the intent of the whole Bill."

Vinson: "What effect?"

Balanoff: "Well, it's specifically will... The Bill would exclude companies which are under physical calamity, which is what the introduction had in the first place, but the Amendment took the language...."

Vinson: "The Bill would be technically flawed without this Amendment, is that correct?"

Balanoff: "That's correct. Yes."

Vinson: "Mr. Speaker, I'd like to speak to the Amendment."

Speaker Redmond: "Proceed."

Vinson: "This is probably the worst Bill of the Session. The effect of the Bill is to add another penalty to manufacturers who would seek to come to the State of Illinois. It would make it that much more unattractive to do business in the State of Illinois. It's a Bill aimed punitively at any businessman who thinks about expansion..."

Speaker Redmond: "Are you addressing the Amendment?"

Vinson: "Yes, Sir."

Speaker Redmond: "Doesn't sound like it to me."

Vinson: "Well, this..."

Speaker Redmond: "Sounds like you're addressing the Bill."

Vinson: "Mr. Speaker, the.. without the Amendment the Sponsor tells me the Bill will have no effect. So the effect of



the Amendment is to do what the Bill will do and that's what I'm addressing."

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

Vinson: "And so I would urge that in order to defeat the effect of the Amendment, which would be the effect of the Bill, that we defeat this Amendment right now and assure businessmen that Illinois will not get any worse at least this year." I'd urge a 'no' vote on the Amendment."

Speaker Redmond: "Anything further? You want to close, Representative Balanoff?"

Balanoff: "Yes. As I said, originally, this is just a clean up Amendment and I would appreciate your support on this one."

Speaker Redmond: "The question's on the Lady's motion for the adoption of the Amendment. Those in favor say 'aye', 'aye'. Opposed 'no'. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 43 'ayes' and 74 'nos', and the motion fails. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Third Reading. 3272. Marovitz." Page ten. He asks leave to return it to the Order of Second Reading. Is that correct? Does he have leave? Hearing no objection, leave is granted. Any Amendments from the floor?"

Clerk Leone: "Amendment #1, Telcser, amends House Bill 3272 by deleting the title and inserting in lieu thereof the following."

Speaker Redmond: "Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, Amendment #1 is an Amendment which does the same thing which the prior Bill does that received 80 votes on Friday afternoon before adjournment. The Amendment provides that the Department of Insurance shall set standards for properties for insurance purposes..."



Speaker Redmond: "Representative Marovitz, for what purpose do you arise?"

Marovitz: "Point of order, is there an Amendment 2 filed to this? Is there an Amendment 2?"

Speaker Redmond: "Clerk advises me there is."

Marovitz: "I believe it is the Gentleman's intention then to withdraw or table Amendment #1 and proceed with Amendment #2."

Speaker Redmond: "Let's see now. What is the status of the Bill with respect to Amendments?"

Telcser: "Mr. Speaker, Amendment #1 was drafted incorrectly. I'd like to move to..."

Speaker Redmond: "And that was withdrawn? Is that correct?"

Telcser: "I'd like to withdraw #1 and offer #2."

Speaker Redmond: "Okay. Amendment #1 is withdrawn. Any further Amendments?"

Clerk Leone: "Amendment #2, Telcser, amends House Bill 3227 (sic) by deleting the title and inserting in lieu thereof the following."

Speaker Redmond: "Representative... Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, Amendment #2 to House Bill 3272 provides a few things which were contained in a Bill that failed on Friday afternoon a week ago and received 80 votes. The substance of Amendment..."

Speaker Redmond: "Representative Brummer, for what purpose do you arise?"

Brummer: "Yes. Inquiry of the Chair, has this Amendment been distributed?"

Telcser: "Yes."

Speaker Redmond: "They tell me it has. Craig? It has."

Telcser: "Okay? Amendments... Amendment #2 gives the Director of Insurance the power to set standards for insurability for properties which would be insured in the State of Illinois. The Amendment also provides that if someone is



turned down for insurance on their home, that they would have the right to know why they had been turned down. The Amendment also, Mr. Speaker, and Members of the House, has nothing to do with rating. It is not a rating question. It is designed simply to let people know one, why they have been denied insurance, and secondly, and perhaps more importantly, it allows the Director of the Department of Insurance to set standards for properties as to their insurability. And it would therefore allow people to obtain insurance on their properties at a fair and equitable price and not be swept up in higher insurance costs because some of their neighbors have properties that don't meet the proper standards. Mr. Speaker, I offer and move the adoption of Amendment #2 to House Bill 3272."

Speaker Redmond: "Representative Brummer."

Brummer: "Yes, will the Sponsor yield? Does this apply only to property insured under the Fair Plan?"

Telcser: "Yes, it does."

Brummer: "Okay. In Section 155.23, Section A, the language appears on line nine that the criteria cannot include age of the property, geographic location of the property, or prior action by another insurer. Is that language new language? Or is that language that.. I know it's new within the Amendment. Is it language that already exists within the Fair Plan?"

Telcser: "I'm sorry, Representative. I'm not quite sure I heard what you said. But it is new language and I think that answers the question."

Brummer: "Is that a new standard? Does not exist under the Fair Plan under the existing law?"

Telcser: "This would be a new standard, so to speak, because you could not take into consideration the age of a building along for a reason for refusing insurance. There are many buildings that maybe 50,60, 70 years old that have been rehabilitated, rejuvenated, and have new mechanical,



new electrical systems and what have you and could very well be in better condition than a newer property."

Brummer: "Well, apparently, you could not take into account age of the building as even one of the factors, is that correct?"

Telcser: "The age by itself should not be a .. one of the standards in my opinion."

Brummer: "It could not be one of the standards either?"

Telcser: "Correct."

Brummer: "Okay. What about geographic location?"

Telcser: "The geographic location ... This gets to the heart of the Bill, Representative. Today there are many people with good properties that are in fine condition, but simply because they are in a certain geographic location, find themselves unable to obtain insurance coverage or have to pay higher premiums simply because of some neighboring properties that may not be in the same condition."

Brummer: "Okay. Will this.. Will these criteria apply uniformly throughout the state within the areas insured under the Fair Plan?"

Telcser: "I believe so."

Brummer: "What is the significance of the language in Section B which refers to counties of one million or more?"

Telcser: "That clearly sets the standards... The Fair Plan... The bulk of the Fair Plan properties are in the city of Chicago, Representative, which would be in counties over a million."

Brummer: "Yes, but there are certainly Fair Plan insured areas outside of the city of Chicago."

Telcser: "But the abuses clearly take place in that part of the state and that is the area to which we're directing our attention."

Brummer: "Well, now, you indicated that this Bill had application across the state and not just within Cook County or the city



I think, Mr. Speaker. This is one of those..."

Speaker Redmond: "You ever met Mr. Vinson?"

Schuneman: "I beg your pardon?"

Speaker Redmond: "Have you ever met Mr. Vinson? Proceed."

Schuneman: "This is one of those provisions, Mr. Speaker, that seems to keep popping up. We kill it and then it pops up and we kill it and it pops up again. And now here it is once more before us. Just within the last week we killed this provision in House Bill 2165. I would suggest that there are several things wrong with this Amendment. First of all, the freedom of information provision that's in here seems to me that may be in conflict with a Bill sponsored by Representative Sandquist which has already passed this House and I would suggest that it may be entirely inappropriate for us to adopt that provision. The other thing that the Bill does is establish and take away from those people running the Fair Plan the right to develop their own criteria and would establish a procedure whereby the Director must establish minimum criteria which cannot include such important factors as the age of the property or the geographical location of the property. And I submit to you, Mr. Speaker and Ladies and Gentlemen of the House, that we should not be tampering with the Fair Plan this way. We should allow those people to operate the Fair Plan who know something about handling insurance and providing a market for the people that need it. I think this is a bad idea now, just as bad as it was when it was offered in the individual Bill. And we ought to reject the Amendment."

Speaker Redmond: "Representative Epton."

Epton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First I want to apologize to the Sponsor of this Amendment for my remarks of last week. I was in error although I'm not sure my feelings have changed, but apparently the Department of Insurance agrees with the



thrust of this. Actually all this Amendment does is simply instead of allowing the Fair Plan to make provisions, it insists that the Department of Insurance mandates that the Fair Plan make provisions. So, that in reference to the previous question raised by Representative Brummer, the Fair Plan outside of Cook County will still continue to issue rules and regulations covering the policies that they will issue. Secondly, it does not preclude or in any way invalidate Representative Sandquist's Bill. I was somewhat disturbed at the fact that it was included since we had already passed, as my colleague indicated, a Bill at this ... correcting any report to the insurance company. But the Department of Insurance, the Director of Insurance, feels that he should have the right to mandate that the Fair Plan, which consists of five members of the insurance companies and four public members, shall mandate rules and regulations which do not solely go into the age of the building or to the geographical location or to the manner of compliance of the various regulations. It simply allows the Fair Plan to continue the standard it presently utilizes but gives the Director of Insurance somewhat of an axe over their head. And therefore, I would recommend that we approve this Amendment."

Speaker Redmond: "Anything further? Representative Telcser, to close."

Telcser: "Well, Mr. Speaker, Members of the House, I'd like to first of all thank the prior speaker for clearing up a question which obviously I couldn't answer too succinctly. Let me simply say, Mr. Speaker, Members of the House, I sincerely believe that Amendment #2 is fair to the people who would be covered by this particular provision. It simply says that if someone takes care of their property, does a good job, and their property meets certain standards, that they would have the right to purchase insurance



and purchase it at a fair price the same way other people in the state do. And so, Mr. Speaker, Members of the House, I would appreciate a favorable Roll Call."

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment 2. Those in favor say 'aye', 'aye'. Opposed 'no'. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Clerk will take the record. On this question there's 5.62 'ayes' and 7 'no'. The motion carried. The Amendment's adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Third Reading. 2941., Representative Satterthwaite. Desires to have this returned to the Order of Second Reading. Is that correct?"

Satterthwaite: "Yes, Mr. Speaker."

Speaker Redmond: "Does she have leave? Hearing no objection, leave is granted. It's on Second Reading. Any Amendment from the floor?"

Clerk Leone: "Amendment #3, Satterthwaite, amends House Bill 2941 as amended by deleting everything after the enacting clause and inserting in lieu thereof the following."

Speaker Redmond: "Representative Satterthwaite."

Satterthwaite: "Amendment #3 now becomes the Bill. It really is not a change in the intent, but clarifies some questions about the language when the Bill was brought up for discussion before. And I ask for support of the adoption of this Amendment."

Speaker Redmond: "Is there any discussion? The question's on the Lady's motion for the adoption of Amendment 3. Those in favor say 'aye'; those op... Representative Schlickman."

Schlickman: "Would the Sponsor..."

Speaker Redmond: "She will."

Schlickman: "Again repeat the description of the Amendment please?"

Satterthwaite: "Well, Mr. Schlickman, if you were on the floor



the Bill came up I believe it was Thursday or Friday of last week and Representative Leinenweber had some questions about the term, 'clear and concise probability,' which he felt was confusing because clear and concise has a specific meaning to the legal profession. And we've simply changed the wording so that I think it now calls for 'clear and concise evidence', which appears to be less confusing."

Schlickman: "Thank you. Mr. Speaker, I would question consideration of this Amendment at this time. Copies have not been distributed on this side."

Speaker Redmond: "Page, are they? "

Schlickman: "I should say that the Leader, the Minority Leader, did not have a copy in his file."

Speaker Redmond: "Well, you haven't been keeping his book up very well."

Schlickman: "He doesn't ask me to."

Speaker Redmond: "..... have Amendment 3?"

Schlickman: "Our Clerk says he doesn't have it and hasn't been distributed."

Speaker Redmond: "Representative Johnson has it."

Schlickman: "Well, I'm not sure that he represents this side of the aisle. Let's not be personal about this."

Speaker Redmond: "Representative Johnson."

Johnson: "I realize with a good party regular like Gene Schlickman that I'm kind of a...."

Speaker Redmond: "Representative Schlickman begs pardon. He does have it. What did you say, Representative Ryan? Now the only that knows that it hasn't been.. that it has been distributed is Rodney. He's lost so much weight he's weak. Now, Representative Schlickman."

Schlickman: "I don't know that... Have you completed your explanation of the Amendment? It's probably no better than the Bill. I have no further questions."

Satterthwaite: "It is the Bill. And whether you support the



Bill or not I would like to have it considered in this form."

Speaker Redmond: "Representative Johnson?"

Johnson: "No, I..."

Speaker Redmond: "Anything further? The question's on the Lady's motion for the adoption of Amendment 3. Those in favor say 'aye, 'aye'; opposed 'no'. The 'ayes' have it. The motion carried. The Amendment's adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Third Reading. 2831? Donovan you want to do that one? 2831? It's an appropriation. You don't die on Friday. Out of the record. 3377. Page 11, 3377. Representative Mulcahey desires to return that to the Order of Second Reading. Does he have leave? Hearing no objection, leave is granted. Any Amendments from the floor?"

Clerk Leone: "Amendment #2, Steczo, amends House Bill 3377 as amended by deleting and adding paragraphs, Section 24-11 and so forth."

Speaker Redmond: "Who's the Sponsor of the Amendment? Representative Steczo."

Steczko: "Mr. Speaker, Members of the House, Amendment #2 is a clean up Amendment. We adopted Amendment #1 in Committee. We realized that it wasn't as succinct as we had hoped. Amendment #2 regarding nontenure teacher dismissals provides .. clarifies the language about a review within ten days of Board action and just stipulates .. clarifies the stipulation of procedures. And I would move for its adoption."

Speaker Redmond: "Representative Deuster."

Deuster: "I'm not sure I understand the Amendment and I'd like to ask a question of the Sponsor. It says, 'any teacher not in contractual continued service who is dismissed for any reason other than as a result of a decision of the



Board to decrease the number of teachers employed... and so forth and so on, 'shall have the right to request a hearing.' So this means... Does it, Representative Steczo, that a first year teacher who is not tenure, but just serving in the first year, other than for reasons of decrease reductions in force, is entitled to a hearing on dismissal? Is that correct?"

Steczko: "Representative Deuster, that's what the Bill originally does. It gives first year nontenured teachers... It allows them a notice and reason for dismissal. What Amendment #1 attempted to do was to tone that down."

Deuster: "But we're on Amendment #2, which I have in my hand."

Steczko: "Well, Amendment #1 was introduced, but there was a technical problem with Amendment #1, so we're adopting Amendment #2 to clean it up."

Deuster: "What's the technical problem?"

Steczko: "We were notified by staff that within Amendment #1, which I don't have in front of me at the present time, there was a problem in terms of the way the Amendment was worded. So we've just tried to.. to reclarify what was said in Amendment #1."

Deuster: "Well, I think this Bill is such a highly controversial Bill and makes such a radical change in the teacher tenure law, that until we know what Amendment #2 does that Amendment #1 didn't do, you don't have it in front of you, why don't you just leave it on Second Reading and let's take it up at a more.. a better time when you are prepared."

Steczko: "Representative Deuster, I would prefer to go ahead with it now. Simply, the question was with regard to a request that the teacher would make within ten days of a Board's action of dismissal. We have just simply made it perfectly clear that within ten day... about ten days from the request in writing, that's simply all we did. It's almost a reclarification of Amendment #1."



Speaker Redmond: "Any further discussion? Representative Anderson."

Anderson: "Yes, will the Sponsor yield?"

Speaker Redmond: "He will."

Anderson: "In the original Bill, you talked about a hearing and then in the Amendment you talk about a review. Now what are you talking about? A hearing again or a review?"

Steczo: "No. We're still talking about a review, Representative Anderson..."

Anderson: "Well maybe..."

Steczo: "As stipulated in Amendment #1."

Anderson: "Well, can you tell me, you know, what changes you made?"

Steczo: "Staff have a copy of Amendment #1? It's just really one particular Section that we didn't feel was worded properly that we simply changed in Amendment #2. According to the staff analysis 2, Representative Anderson, this Amendment clarifies the request for review must be within ten days of the School Board's action on the dismissal."

Speaker Redmond: "Representative Anderson."

Anderson: "Within ten days of the dismissal.. I think the Amendment 1 just said within ten days.. would get a review within ten days. So what you've done is from the dismissal date that you haven't changed the procedure where the individual Board has the right to set up..."

Steczo: "And we wanted to make.. to clarify that the action should be in writing. The first Amendment didn't make it clear, if review should have been within ten days, or the request should be within ten days. And this is what this Amendment attempts to clarify."

Anderson: "Does this mean then that the request or the review which is it?"

Steczo: "The request.. the request within.. shall be in writing"



within ten days of the pay."

Anderson: "By the teacher.."

Steczo: "By the teacher.."

Anderson: "And then the review will come back within.."

Steczo: "Right. Right."

Anderson: "Within how many days? Sixty days or what?"

Steczo: "The Amendment #1 and Amendment #2 are the same on that, that unless there's a collective bargaining agreement, that those procedures are set forth by the School Board and given to the teacher at the time of dismissal, at the time of the notice of the dismissal."

Anderson: "But the 30 to 60 days is still in the Amendment where the review has to come back even though the Board has the right to set up procedure?"

Steczo: "I don't think that...The 60 days is no longer in the Bill. That's the law now."

Speaker Redmond: "Anything further? The question's on the Gentleman's motion for the adoption of Amendment 2. Those in favor say 'aye', 'aye'. Opposed 'no'. The 'ayes' have it. The motion carried. The Amendment's adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Third Reading. On page two appears 2846. That move to Third? Representative Henry? Representative Henry?"

Henry: "Thank you, Mr. Speaker..."

Speaker Redmond: "2846?"

Henry: "Yes. Yes, Mr. Speaker, request leave to return House Bill 2846 to Second Reading for the purpose of an Amendment."

Speaker Redmond: "Will you repeat that, Representative Henry? I didn't..."

Henry: "Yes. I request to bring House Bill 2846 from Third back to Second for the purposes of an Amendment."

Speaker Redmond: "Does the Gentleman have leave? Representative



Schlickman."

Schlickman: "Mr. Speaker, as I understand it, this is a Bill that would exempt the employment development corporation from the Illinois state income tax and from property taxes and I think that before we act upon a motion to return it to Second Reading for Amendment, we ought to know what the Amendment is. Or else I object."

Speaker Redmond: "Representative Henry? Representative McPike?"

McPike: "Yeah, Amendment.. Amendment #1 is an investment tax credit for industry, in response to your question. Did you understand? Did you hear it? It's an investment tax credit for industry. "

Speaker Redmond: "Representative Schlickman."

Schlickman: "What is the loss to the State of Illinois?"

McPike: "Do you want to discuss the Amendment or are we on the motion to bring it back to Second Reading?"

Schlickman: "I want to know what the loss in income to the state will be before I..."

Speaker Redmond: "The question's on the Gentleman's move.."

Schlickman: "Then I object. Then I object because obviously this is going to result in the loss of income or revenue to the State of Illinois."

Speaker Redmond: "Representative McPike."

McPike: "It's his motion."

Speaker Redmond: "Representative Henry."

Henry: "Yes, Mr. Speaker. I move to bring the Bill back to Second Reading."

Speaker Redmond: "The Gentleman has moved to return House Bill 2846 to the Order of Second Reading for the purpose of an Amendment. Those in favor vote 'aye'; opposed vote 'no'. Representative Vinson."

Vinson: "Yes, Mr. Speaker, I wonder if you would examine the Amendment and determine whether the Amendment is adopted if the Bill would be properly subjected to a fiscal note request?"



Speaker Redmond: "Right at the moment, we're on the question's motion... the Gentleman's motion to return it. Representative Barnes?" Requires 89 votes. Representative Madigan."

Madigan: "Mr. Speaker, I rise to explain my 'aye' vote on behalf of the Gentleman's motion to take this Bill back to the Order of Second Reading for Amendment. The Amendment proposed to be offered to this Bill would provide an investment tax credit for industry in the State of Illinois which wishes to expand or to locate for the first time. This concept has been acclaimed by the Illinois State Chamber of Commerce, Caterpillar Corporation and General Electric Corporation as the panacea for industry in this state at this time. We have had political rhetoric entered in the record of this House within the last week that this concept is needed in Illinois if we are to rehabilitate the condition of Illinois business and Illinois industry and because of that need and because of the ability of this Amendment to satisfy that need, I wish to be recorded as 'aye' and I wish to say to those of you who decline to support this motion now, you're going to see it again and again and again."

Speaker Redmond: "Representative Bradley."

Bradley: "Well, Mr. Speaker and Ladies and Gentlemen of the House, unfortunately the Majority Leader was speaking on the Amendment not on the Gentleman's motion and I'm delighted to hear the rhetoric by the Majority Leader that he is willing to support this concept. We had quite a debate last week on a very.. on a Bill that's still very much alive, House Bill 3200, that would do just exactly as the Majority Leader suggested we should be doing and I'm happy to see that he's had a change of heart and he's come around to our way of thinking and so I will support this motion."

Speaker Redmond: "Representative Vinson."



Vinson: "Yes, Mr. Speaker. First in the event that the green lights remain in the plurality, I would request a verification. Second, in response to the distinguished Majority Leader's remark I'd like to indicate first, that he is inconsistent as Representative Bradley has said, foolishly inconsistent and second, I'd like to point out that I've heard no one argue on behalf of Caterpillar or on the floor of this House in the past two weeks that this concept as it is propounded in this Amendment is desirable or is it in any way a panacea. The only way.. direction in which that argument has been made is with regard to the replacement tax and for very good reason. The replacement tax was actually a tax increase. The income tax, on the other hand, has not been increased, not been increased since it was adopted in 1969. The Majority Leader knows that very well that knows the folly of his words. I'd urge a 'no' vote and request a verification if we have a plurality of greens."

Speaker Redmond: "Representative Henry."

Henry: "Take it out of the record, Mr. Speaker."

Speaker Redmond: "Out of the record. 2994. 2994. It's on page two. 2994, read the Bill, Mr. Clerk. It's on Second Reading."

Clerk Leone: "House Bill 2994, a Bill for an Act to amend an Act to license and regulate grain dealers engaged in the business of purchasing grain from producers. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Rea, amends House Bill 2994 on page one, line five and so on."

Speaker Redmond: "Representative Rea."

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

I have held House Bill 2994 on request of the Committee until we had reached an agreement and this agreement has been reached by the Department of Agriculture, by the Grain Dealers Association, by the Feed and Grain Dealers



in the Illinois Livestock Association. And this Amendment would in place of eliminating all of the regulations on the feed mill operation, would require a registration and would require the type of reporting system that would be workable for the Department of Agriculture and would still meet the needs of the mill, grain operation. I would ask for.. I would move to.. for a positive vote at this time."

Speaker Redmond: "Is there any question on the Gentleman's motion to adopt Amendment 1? Representative Ropp."

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

Speaker Redmond: "He will."

Ropp: "Representative Rea, do you have any idea how many incidental grain dealers there are in the State of Illinois?"

Rea: "We're talking about the feed, milling operation and there has been a projection made. There are probably someplace in the neighborhood of 50 that would fit within this size. There may be more than that, but the average as was reported when we had our Joint Committee, our joint meeting with the Department of Agriculture that the average feed milling operation averaged about \$37,000 a year and this would exempt those under \$100,000."

Ropp: "Okay. If there are any of these small feed mills that go bankrupt for any reason, what protection under this Bill is there for any person that has grain in those elevators?"

Rea: "This would.. This would be agreeable and .. that these would.. Most of these are a cash flow operation and there would be no bonding under this and if there would be a reporting, it would be required by the Department of Agriculture and this would be on a yearly basis and they would have to report what they have sold and who they sold it to and anytime the Department of Agriculture determines they are running \$100,000 or more then they



would be required to have a grain.. an incidental grain dealers license."

Ropp: "Mr. Speaker, there is no major opposition to this Bill and I urge its support."

Speaker Redmond: "Anything further? The question's on the Gentleman's ... Representative Brummer."

Brummer: "Yes, are the Feed and Grain Dealers Association in support of this?"

Rea: "Yes, in fact they were a part of the meeting along with the Department of Agriculture ..."

Brummer: "Are they in support of it?"

Rea: "Well, they helped work out the agreement. Initially they were not. Initially they testified against it in Committee, but that's the reason that we held it for the .. the meeting which I agreed to do so and then which they agreed...."

Brummer: "I understand they were in the meeting. Are they in support of this?"

Rea: "As far as I know, they are."

Brummer: "Is the..."

Rea: "The only group that is not in support was initially was the Farm Bureau which as it was originally, but they are having a meeting on the Bill tomorrow as proposed here in the Amendment and hopefully after their meeting tomorrow that they will come out with an endorsement for this Bill."

Brummer: "Okay. Thank you."

Speaker Redmond: "Representative Piel."

Piel: "Will the Sponsor yield to a couple of questions?"

Speaker Redmond: "He will."

Piel: "John, sorry, I was on the phone at the time. Did you state how many incidental grain dealers there are in the State of Illinois?"

Rea: "In terms of the.. These are under \$100,000 and are the feed mill operation."

Piel: "Approximately how many though?"

Rea: "Approximately 50.. That's what was reported I think by the



Department of Agriculture."

Piel: "The proposed form that you're talking about, Amendment, approximately how long would that be?"

Rea: "I didn't hear the question."

Piel: "The form, the form that you're talking about in the Amendment that they have to turn in to the Department?"

Rea: "The forms.. They would within 90 days at the end of the year. They would have to..."

Piel: "But how long is this form going to be? I mean, is it a situation where the Department would have to hire extra clerical help?"

Rea: "No, this would not require the requirements that they have now and as a result would help relieve the burden for the marginal feed milling operation which is a benefit to not only the feed milling operation, but also to the farmers."

Piel: "Okay. Thank you."

Speaker Redmond: "Representative Slape. Slape."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield? Jim, I just want to clarify something on my own mind. Under Amendment #1 you're removing from incidental dealers all requirements now? That right?"

Rea: "The original Bill would have relinquished all the requirements. Under this here, they would have to register. They would not be required... the \$10,000 bond. They have to register with the Department of Agriculture. They will have to fill out the forms at the end of the year in terms of the how much they have purchased and who they purchased it from. Anytime the Department of Agriculture will have the opportunity of going in there and checking the records to see that they not.. they're not going over this and that anytime they do, they would be required to obtain an incidental grain dealers license."



And the average feed milling operation again would run around 37 to maybe 50,000 dollars a year."

Slape: "Right. Do you know in what geographical area the state where most of these dealers are located at?"

Rea: "I would say that most of these would be probably in the southern third of the state. It will be the small farmers and especially the ones that are.. are raising live-stock and maybe doing grain farming."

Slape: "All right. Thank you."

Speaker Redmond: "Anything further? The question's on the Gentleman's motion for the adoption of Amendment 1. Those in favor say 'aye', 'aye'. Opposed 'no'. The 'ayes' have it. The motion carried. Any further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Redmond: "Third Reading. Announcements? Rules Committee tomorrow at ten o'clock. Representative Marovitz. Any other announcement? Marovitz? We come in at 11:00. Rules at ten. Representative Marovitz."

Marovitz: "Thank you very much, Mr. Speaker. There were some people over the course of the last couple months that asked to see the ABC special exposé on arson. If anybody wants to see it, it will be shown tomorrow at ten o'clock in the morning in room 118. It's only 20 minutes. It's the 20-20 ABC special, 20 minutes, room 118 at ten o'clock in the morning on arson. So if anybody would like to see it, please come down. We've got a recorder there with the full tape. I'd appreciate it. 118, ten o'clock."

Speaker Redmond: "Representative Bullock?"

Bullock: "Thank you, Mr. Speaker. I'd like to ask leave to use the attendance Roll Call to suspend a posting rule on Senate Bill 1340. I've spoken with the Chairman of Rules Committee and the Minority Spokesman and there's no objection to this request. I'd ask sometime earlier. Inadvertantly it wasn't posted for tomorrow. Leave to



use the attendance Roll Call to suspend the rules."

Speaker Redmond: "Does he have unanimous consent? Representative Ryan ... "

Bullock: "I spoke to Representative Friedrich."

Speaker Redmond: "What Committee is it.."

Bullock: "It's in Rules Committee, Mr. Speaker. I just want to have it posted to be heard in Rules tomorrow."

Speaker Redmond: "Does he have leave? Hearing no ... Representative Schlickman says whoops."

Schlickman: "Whoops. Could we have a description of the Bill, Mr. Speaker?"

Speaker Redmond: "What did you say?"

Schlickman: "Could we have a description of the Bill?"

Speaker Redmond: "Representative Bullock."

Bullock: "It's a revenue matter and it deals with the tax exemption, Representative Schlickman. I've spoken to your Leadership, on both sides of the aisle and I don't know of anyone the objects to it."

Schlickman: "Well, revenue and tax exemption means a loss of state revenue. I'd like to know what the consequence will be as far as the Treasury is concerned."

Bullock: "Representative Schlickman, I don't have the Bill
a before this evening. The Bill has been before the Rules Committee before. It was the only Bill at that time from the Senate. And they asked me to please hold the Bill until all Senate Bills came over. Representative Collins and Ryan and Friedrich are familiar with the Bill and I'm sure they'd be glad to give you a further explanation."

Speaker Redmond: "Does he have unanimous consent?"

Schlickman: "No."

Speaker Redmond: "Representative Schlickman objects."

Schlickman: "I'm not objecting. I'm just saying not unanimous consent."

Speaker Redmond: "You have to have it."



Schlickman: "Whatever that means. You can take me off the Roll
Call for this one if you want."

Speaker Redmond: "I can't do that. Sometimes I would, but..

Does he have leave to make the motion? He has leave to
make the motion. Make the motion, Mr. Bullock."

Bullock: "Mr. Speaker and Ladies and Gentlemen of the House, I
move to suspend the appropriate rule in order to have
Senate Bill 1340 posted for hearing tomorrow in Rules
Committee."

Speaker Redmond: "The question's on that motion. Those in
favor vote 'aye'; opposed vote 'no'. 107 votes. Have
all voted who wish? Representative Collins."

Collins: "Well, Mr. Speaker, Representative Bullock is not
asking at this time for anybody to support the Bill. But
it is a Senate Bill that was assigned to the Rules
Committee and when he came in he was present in the Rules
Committee and he asked that it be heard. We, in the Rules
Committee, said no. The crush of House Bills is too heavy.
Come back when we hear Senate Bills. So inadvertently,
it was not posted for the Rules Committee and this is
only.. only fair that we give him support on this motion."

Speaker Redmond: "Representative Birkinbine."

Birkinbine: "Mr. Speaker, I think we've got a new Guinness Book
of World Records here with the most number of votes and
the fewest number of bodies."

Speaker Redmond: "Have all voted who wish? The Clerk will
take the record. On this question there's 120 'aye' and
3 'no' and the motion carries. Anything further?
Representative Madigan. Three minutes perfunctory."

Madigan: "Providing three minutes perfunctory Session, I move
that we adjourn till eleven a.m. tomorrow morning."

Speaker Redmond: "Any questions on the motion? Those in favor
say 'aye', 'aye'; opposed 'no'. The 'ayes' have it. The
motion carries. The motion is adopted. House stands
adjourned after three minutes perfunctory till eleven



o'clock tomorrow."

Clerk Leone: "Senate Bills, First Reading; Senate Bill 1569,

Younge, a Bill for an Act to amend certain Acts therein named in relation to the State Community College of East St. Louis. First Reading of the Bill. Senate Bill 1642, Swanstrom, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Law Enforcement Commission and to various state agencies which participate in the law enforcement assistant administrative state-wide plan program. First Reading of the Bill. Senate Bill 1762, Daniels, a Bill for an Act in relation to assume corporate names amending Acts herein named. First Reading of the Bill. Senate Bill 1793, Neff, a Bill for an Act making appropriation to the Comptroller. First Reading of the Bill. Senate Bill 1624, Karpel, a Bill for an Act making appropriation for the ordinary and contingent expenses of the Pollution Control Board. First Reading of the Bill.

Messages from the Senate; a message from the Senate by Mr. Wright, Secretary, Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bills of the following titles and passage of which I am instructed to ask concurrence of the House of Representatives; to wit; Senate Bill 1505, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1579, 1581, 1613, 1622, 1632, 1684, 1709, 1729, 1747, 1752, 1805, 1813, 1815, 1817. Passed by the Senate May 20th, 1980. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills of the following titles: and the passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bill 1818, 1819, 1820, 1821, 1822, 1828, 1832, 1834, 1837, 1844, 1881, 1886, 1893, 1927. Passed by the Senate May 20th, 1980. Kenneth Wright, Secretary. A



message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills of the following title and the passage of which I am instructed to ask concurrence of the House of Representatives to wit; Senate Bill 1947, 1956, 1966, 1967, 1978, 1979, 1998, 1999, 2001, 2002, 2004, 2005, 2006, 2007, 2013, 2014, 2019, 2020, 2022, 2024, 2027. Passed by the Senate May 20th, 1980. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives, the Senate has adopted the following Senate Joint Resolution and adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Joint Resolution 99, adopted by the Senate May 9th, 1980. Kenneth Wright, Secretary. Being no further business, the House now stands adjourned."



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