

1.

Speaker Redmond: "The House will come to order, the Members please be in their seats. We will be led in prayer by the Right Reverend Albert 'Hillstad'... Bishop of the Diocese of Springfield, Springfield, Illinois.

Reverend Hillstad: "Words from the Psalm 19, beginning with the verse.

The law of the Lord is perfect and revives the soul. The testimony of the Lord is sure and gives wisdom to the innocent. The statutes of the Lord are just and rejoice the heart. The commandment of the Lord is clear and gives light to the eyes. Let us pray, O God, that found in the wisdom whose statutes are good and gracious, and whose law is the truth, we beseech You so to guide and bless our Representatives and grant them such wisdom and understanding of justice that being sensitive to the needs of the citizens of this State of Illinois they may enact such laws and pass such Bills as will please you. Redounding to the glory of Your name and the welfare of this people, through Jesus Christ, our Lord. Amen."

Speaker Redmond: "Time was when Pete Miller was in the House everytime he addressed the chamber he used to... he was in the first row, he used to turn around and face the chamber. Representative Collins will lead us in the Pledge of Allegiance and I think everybody should see his resplendent garment today, so maybe you'd like to... Representative Collins."

Collins: "Thank you, Mr. Speaker. 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. Only your own switch. Where's Representative Simms? Your own switch only. It looks like Representative Ryan's surrogate is coming down. Take the record. First Reading, Constitutional Amendments."

Clerk O'Brien: "House Joint Resolution, Constitutional Amendment #36. Resolved by the House of Representatives of the Eighty First General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next, occurring at least 6 months after the adoption of this Resolution, a proposition to amend Section 3 of Article XIV of the Constitution, to read as follows. Article XIV. Section 3. Constitutional Initiative. Amendments to this Constitution may be proposed by a petition signed by a number of electors equal in number to at least 8 percent of the total votes cast for candidates for Governor in the preceeding gubernatorial election. A petition shall contain the text of the proposed Amendment and the date of the general election at which the proposed Amendment is to be submitted. It shall have been signed by the petitioning electors not more than 24 months preceeding the general election and shall be filed with the Secretary of State at least 6 months before the general election. The procedure for determining the validity and sufficiency of the petition shall be provided by law. If the petition is valid and sufficient, the proposed Amendment shall be submitted to the electors at the general election and shall become effective, if approved, by either three-fifths of those voting on the Amendment or a majority of those



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voting in the election. Schedule. This Amendment, in Section 3 of Article XIV takes effect on its approval by the electors of this state. First Reading of the Constitutional Amendment. House Joint Resolution Constitutional Amendment #38. Resolved by the House of Representatives of the 81st General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this state for adoption or rejection at the general election next occurring at least 6 months after the adoption of this Resolution, a proposition to amend Section 2 of Article IV of the Illinois Constitution to read as follows. Article IV, the Legislature. Section 2. Legislative Composition. A. One Senator shall be elected from each Legislative District immediately following each decennial redistricting, the General Assembly, by law, shall divide Legislative Districts as equal as possible into 3 groups. The Senators from one group shall be elected for terms of 4 years, 4 years and 2 years. Senators from the second group for terms of 4 years, 2 years and 4 years and Senators from the third group for terms of 2 years, 4 years and 4 years. The Legislative Districts in each group shall be distributed substantially equal over the state. B. Two Representatives shall be elected from each Legislative District for terms of 2 years. No political party shall limit its nominations to less than two candidates for Representative in any Legislative District. If elections for Representatives, including those for nomination, each elector may cast two votes for one candidate or



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one vote for each of two candidates. The candidates highest in voting shall be declared elected.

C. To be eligible to serve as a Member of the General Assembly, a person must be a United States Citizen, at least 21 years old, and for the two years preceeding his election or appointment a resident of the district to which he is to...which he is to represent. In the general election following a redistricting a candidate from the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of his redistricting or re-election. If a resident of the new district he represents for 18 months prior to election. D. Within 30 days after a vacancy occurs it shall be filled by appointment as provided by law. If the vacancy is a senatorial seat with more than 28 months remaining in the term the appointed Senator shall serve until the general...until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If a vacancy is a Representative office and in any other senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be member of the same political party as the person he succeeds. E. No Member of the General Assembly shall receive compensation as a public officer or employee for any other governmental entity for time during which he is in attendance as a Member of the General Assembly. No Member of the General Assembly during a term for which he was elected or appointed shall be appointed to public office which shall have been created or the compensation which shall have



been increased by the General Assembly doing that term. Schedule. The foregoing Amendment to Section 2 of Article IV of the Constitution, if adopted by the electors at the general election shall apply to and govern the nomination and election of Representatives in 1982 and thereafter and to the compensation of the House of Representatives commencing with the 82nd General Assembly.

First Reading of the Constitutional Amendment."

Speaker Redmond: "Senate Bills, Second Reading, Short Debate Calendar. 203."

Clerk O'Brien: "Senate Bill 203. A Bill for an Act in relation to the study..."

Speaker Redmond: "Has the fiscal note been furnished on this? Out of the record. 313."

Clerk O'Brien: "Senate Bill 313. A Bill for an Act to amend Sections of the Juvenile Court Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

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

Speaker Redmond: "Representative Deuster, you familiar with Amendment #1?"

Clerk O'Brien: "Representative Deuster. Amends Senate Bill 313 on page 1, line 16 and so forth."

Deuster: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 is an Amendment to the Bill that was recommended by the Department of Children and Family Services. It is an Amendment that is agreed to by that Department and the Sponsor and proponents of the Bill. I would urge its adoption. What it does is to make sure that the substance of the Bill does not infringe in any way on parental rights."

Speaker Redmond: "Is there any discussion? The question is 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 carries, the Amendment
is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Does the Gentleman have leave
to have it remain on the Order of Short Debate?
Hearing no objection, leave is granted. 628."

Clerk O'Brien: "Senate Bill 628. A Bill for an Act to amend
Sections of the Illinois Air Carriers Act. 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. 907."

Clerk O'Brien: "Senate Bill 907. A Bill for an Act to amend
the Higher Education Student Assistance Law to the
School Code. 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: "Amendment #2. Hannig. Amends Senate Bill 907
as amended on page 1, by deleting line 14 thru 17
and so forth."

Speaker Redmond: "Representative Hannig."

Hannig: "Thank you, Mr. Chairman and Members of the House.
Amendment #2 is a small technical Amendment to
replace...to put back into the law those words that
were inadvertently taken out in the Senate and I
would move for its...and I would move for its adoption."

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

Clerk O'Brien: "No motions filed."

Speaker Redmond: The Gentleman...the Gentleman has moved
the adoption of Amendment 2. Those in favor say 'aye'.



'aye', opposed 'no'. The 'ayes' have it, the motion carries and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 966. Representative Woodyard. Representative Woodyard, for what purpose do you rise?"

Woodyard: "Thank you, Mr. Speaker. 966. This is Representative Braun..."

Speaker Redmond: "966, is that...okay, well... Representative Hannig has leave to have 907 remain on the order of Short Debate. Representative Getty."

Getty: "Just for a parliamentary inquiry. I wonder if Representative Hannig had intended to table Amendment #1 before adopting 2?"

Speaker Redmond: "Representative Hannig."

Getty: "It appears that 2 includes 1 and it would be a duplication."

Hannig: "Could we take this out of the record a second..."

Speaker Redmond: "It's on Third Reading now, perhaps we'd better move it back to Second Reading until we make up our mind what we should do with the Amendment. Put 907 back to Second Reading. 966. Is this..."

Clerk O'Brien: "Senate Bill 966. A Bill for an Act to amend Sections of the School Code. 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 Amendment from the floor?"

Clerk O'Brien: "Floor Amendment #2. Braun - Schneider - Woodyard. Amends Senate Bill 966 as amended in the title and introductory clause and so forth."

Speaker Redmond: "Representative Woodyard."

Woodyard: "Thank you, Mr. Speaker, Members of the House. This Amendment was going to be presented in Committee but the computer printers broke down and we didn't have



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a chance to. This is an Amendment technical in nature of Representative Braun's and I would ask that it be adopted."

Speaker Redmond: "Any discussion? The question is 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 and Amendment 2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 907 on Second Reading. Representative Hannig."

Hannig: "Mr. Speaker and Members of the House, I've talked this over with Representative Getty and it does appear that we should table Amendment #1 in that it is included in Amendment #2. So I would now move to table Amendment #1."

Speaker Redmond: "The Gentleman has moved to table Amendment #1. Wait a minute. Those in favor indicate by saying 'aye'; 'aye', opposed 'no'. The 'ayes' have it, Amendment #1 is tabled and we have adopted Amendment 2. Is that correct?"

Clerk O'Brien: "Correct."

Speaker Redmond: "Any...any other floor Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 967. This the one we've been taking out of the record? I think it is. 1061. Does Representative Hannig have leave to have 907 remain on short debate? Hearing no objection, leave is granted."

Clerk O'Brien: "Senate Bill 967."

Speaker Redmond: "That's out of the record. 1061."

Clerk O'Brien: "Senate Bill 1061. A Bill for an Act to amend Sections of the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."



Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1. Abramson. Amends Senate Bill 1061 on page 1, line 2 and so forth."

Speaker Redmond: "Representative Abramson."

Abramson: "House Amendment #1 to Senate Bill 1061, in the first part it reads, one of the paragraphs...in a sense it duplicates the Bill. In the second part it makes it applicable to the Savings and Loan Act also, which is the same as the House Bill that we previously passed here. It's by agreement with the Senate Sponsor. I move the adoption of the Amendment."

Speaker Redmond: "Any...any discussion? Representative Chapman."

Chapman: "Mr. Speaker, I wonder if the Sponsor would be willing to hold that out of the record, just for about 5 minutes, for us to have a chance to look at it."

Speaker Redmond: "Representative Abramson? Out of the record. 1104."

Clerk O'Brien: "Senate Bill 1104. A Bill for an Act to amend Sections of the Metropolitan Civic Center Support Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

Clerk O'Brien: "A motion to table Amendment #1 by Representative Giorgi."

Speaker Redmond: "My memory is we've been taking this one out consistently, so we'd better take it out again. 1146."

Clerk O'Brien: "Senate Bill 1146."

Speaker Redmond: "Representative...out of the record. 1232."

Clerk O'Brien: "Senate Bill 1232. A Bill for an Act to amend Sections of an Act in to revise the law in relation to Coroners. Second Reading of the Bill. Amendment



#1 was adopted in Committee."

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

Clerk O'Brien: "No motion filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "No floor Amendments."

Speaker Redmond: "Third Reading. 1395.

Clerk O'Brien: "Senate Bill 1395. A Bill for an Act in relation to implementation of the consolidation of elections. Second Reading of the Bill. Amendments #1, 2 and 3 were adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendments 1, 2 and 3."

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #4. Bowman - Braun. Amends Senate Bill 1395 on page 1, in line 5 and so forth."

Speaker Redmond: "Who was the Sponsor of the Amendment?"

Clerk O'Brien: "Representatives Bowman and Braun."

Speaker Redmond: "Representative Braun, on Amendment #4... should we take this one out of the record? We're going to take this one out of the record for the moment, sparse attendance... Mike. Senate Bills, Second Reading. Senate Bill 10. Representative Conti."

Conti: "Mr. Speaker, I know you're trying to expedite the Calendar. Are you moving Bills without the Sponsors here..."

Speaker Redmond: "What was this?"

Conti: "Are you moving Bills without the Sponsors here to Third Reading? The reason why I ask, last week, I think, one of those such Bills were passed and there was suppose to be an Amendment on it. And it was agreed to hold it on Second Reading, it went to Third. Now if we can't get the Sponsor to bring it back to Second we've lost our Amendment on it."



Are you moving Bills to Third Reading without Amendments? Without the Sponsors being here?"

Speaker Redmond: "Without Amendments?"

Conti: "No, without the Sponsors being here."

Speaker Redmond: "No...no you mean a Bill without Amendments?"

Conti: "Without Amendments, without the Sponsors being here?"

Speaker Redmond: "I have done that, yes."

Conti: "Without the Sponsor being here."

Speaker Redmond: "I have done that. I try...I try to play it by ear. It if looks like it's controversial I pull it out.. If I don't know it's controversial we move it along. The thing is that, you know..."

Conti: "I have a very important Amendment on..."

Speaker Redmond: "Well all you have to do is to rise and remind me and I will take care of that. I don't intend to move controversial matters but... Representative Huskey."

Huskey: "Well, I think it is..."

Speaker Redmond: "Wait a minute...wait a minute. Have we read the Bill, Mr. Clerk? Yeah. #10."

Clerk O'Brien: "Senate Bill 10. A Bill for an Act to amend Sections of the Parental Responsibility Law. Second Reading of the Bill. No Committee Amendments."

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

Clerk O'Brien: "Amendment #1 was tabled previously. Amendment #2. Beatty. Amends Senate..."

Speaker Redmond: "By whom?"

Clerk O'Brien: "Representative Beatty. Amends Senate Bill 10 on page 1, line 1 and 5 and so forth."

Speaker Redmond: "Who was the Sponsor? Is Representative Beatty on the floor? Representative Getty, you going to handle that?"

Getty: "I'm...I'm looking at one that is marked 1 on my copy and I'm told that it's 2."

Clerk O'Brien: "1 was tabled in Committee. 2 should be,



Amends Senate Bill 10 on page 1, line 1 and 5, by deleting Section 5 and each time it appears and insert in lieu thereof, Section 3 and 5 and so forth."

Getty: "All right, I'd ask leave, if it's necessary to renumber the one that's been circulated on its face to..."

Speaker Redmond: "Does the Gentleman have leave to renumber the Amendment so that it shows to be Amendment #2 on its face? Hearing no objection, leave is granted."

Getty: "All right, Amendment #2 would provide merely that the parent or legal guardian of an emancipated minor who resides with such parents would not be responsible for willful or malicious acts, only where the parent or legal guardian has engaged in a pattern of continuous neglect in the discipline of such minor. And I would move for the adoption of that Amendment. I believe that this Amendment is acceptable to the Sponsor of the Bill."

Speaker Redmond: "Representative Huskey."

Huskey: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I have to oppose this Amendment. This Amendment actually guts the Bill. You just as well have an Amendment..."

Speaker Redmond: "Representative Beatty...I mean Getty."

Getty: "Take it out of the record then, for the time being then. I think that we don't have enough attendance here and it is..."

Speaker Redmond: "Okay, we'll take it out of the record. In the meantime maybe you'd discuss it with Mr. Huskey. 32."

Clerk O'Brien: "Senate Bill 32. A Bill for an Act concerning mass, multiple and second murders. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."



Speaker Redmond: "Third Reading. 47."

Clerk O'Brien: "Senate Bill 47. A Bill for an Act in relation to abortions and to establish penalties for the violation thereof. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1. Kelly. Amends Senate Bill 47."

Speaker Redmond: "Representative Hannig. Are you familiar with Amendment 1? Well it's Kelly - Hannig on the... Out of the record. 50."

Clerk O'Brien: "Senate Bill 50. A Bill for an Act to create the Mississippi River Parkway Commission..."

Speaker Redmond: "I'll get there..."

Clerk O'Brien: "Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

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

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

Leinenweber: "Yes, this is not necessarily an Agreed Amendment but the Amendment would...I think is important. The Bill, SenateBill 50, provides for the creation of the Mississippi River Parkway Commission. And the purpose of this Commission, apparently, is to be able to garner all of the Federal Funds which might possibly be available for maintenance of a parkway along the Mississippi River. I didn't support the Bill in Committee, it came out anyway, but I put an Amendment on. The Amendment...all it does is eliminate this commissions power to issue subpoenas. For the life of me I couldn't conceive of any rational reason why a Mississippi Parkway Commission ought to be able to subpoena witnesses and



subpoena documents for all Senate... All Amendment #1 does is strike out the Section which authorizes this Commission to issue subpoenas to compel appearance of witnesses and protection of documents and I move its adoption, Mr. Speaker."

Speaker Redmond: "Is Representative McPike here? Better take it out of the record. 80."

Clerk O'Brien: "Senate Bill 80. A Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Out of the record at the request of the Sponsor. 501."

Clerk O'Brien: "Senate Bill 501. A Bill for an Act to amend the School Code. Second Reading of the Bill."

Speaker Redmond: "Out of the record at the request of the Sponsor. 619."

Clerk O'Brien: "Senate Bill 619. A Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1. Skinner. Amends Senate Bill 619 on page 1 by deleting line 1 and so forth."

Speaker Redmond: "Representative Skinner. Representative Cullerton. Representative Skinner is not here. Out of the record. 644. Cullerton isn't here."

Clerk O'Brien: "Senate Bill 644. A Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from..."

Clerk O'Brien: "None."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 659."

Clerk O'Brien: "Senate Bill 659. A Bill for an Act to amend Sections of the Environmental Protection Act."



Second Reading of the Bill. Amendment #1, 2 and 3 were adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendments 1, 2 or 3?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "No floor Amendments."

Speaker Redmond: "Third Reading. 667. It seems to me we've been taking this one out regularly. Isn't that right, Representative Giorgi? 667? Out of the record. 676."

Clerk O'Brien: "Senate Bill 676. A Bill for an Act to amend the Business Corporation 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 O'Brien: "Motion to table Amendment #1."

Speaker Redmond: "By whom?"

Clerk O'Brien: "By Representative Bullock."

Speaker Redmond: "Who?"

Clerk O'Brien: "By Representative Bullock."

Speaker Redmond: "Representative Bullock on the motion."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to table that motion, Mr. Speaker, and move onto the Amendments...clarifying Amendment."

Speaker Redmond: "You want Amendments 1 and 2 to stay?"

Bullock: "Yes."

Speaker Redmond: "Well then just withdraw the motion."

Bullock: "Withdraw the motion. That's correct."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #3. Leinenweber.

Amends Senate Bill 676 as amended in the only sentence of Section 3.3 and so forth."

Speaker Redmond: "Who's the sponsor? Representative



Leinenweber, on Amendment #3."

Leinenweber: "I move to withdraw #3."

Speaker Redmond: "Representative Leinenweber withdraws Amendment 3. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4. Leinenweber.

Amends Senate Bill 676 as amended by deleting the phrase 'determination of pregnancy' and so forth."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "I move to table 4."

Speaker Redmond: "Representative Leinenweber withdraws Amendment 4. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #5. Leinenweber. Amends Senate Bill 676 as amended on page 1, by deleting lines 1 and 2 and so forth."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "I move to withdraw 5."

Speaker Redmond: "Representative Leinenweber withdraws Amendment 5. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #6. Leinenweber. Amends Senate Bill 676 on page 1 by deleting line 1 and 2 and inserting in lieu thereof the following."

Leinenweber: "I'm going to move to adopt Amendment #6 and I would anticipate it's not agreed by the Sponsor. So... I would ask the membership to pay some attention to Amendment #6. Very briefly, Senate Bill 676 was introduced; apparently in part in response to the Sun Times series on abortion clinics. Because the Bill, as originally introduced, amended the Business Corporation Act prohibiting incorporation for the purposes of operating an ambulatory surgical treatment center, euphamistically known as an ambulatory surgical treatment center, really an abortion clinic devoted primarily to providing medical and surgical procedures for the termination of pregnancy. Unless the articles of



incorporation specified that at least one officer shall be a physician practicing in the center. Now the Sponsor of...the House Sponsor, for whatever reason, permitted that Amendment #1 to the Bill, which changes that and eliminates the necessity that an officer of an abortion clinic be a doctor licensed to practice medicine in all its branches and substitute in lieu thereof. The alternative is either an officer or a registered agent. Now I would suggest to you, if you know anything about the Business Corporation Act of this State a registered agent is for all intents and purposes a formality. It's a person or an entity which is designed solely, with the sole authority to receive the service of notice of process or any other type of document which under law is permitted to be served upon a corporation. For the life of me I cannot see how making an M.D. a registered agent for an abortion clinic, a corporation operating an abortion clinic, how that can have any salutary, any useful purpose whatsoever. It's very...I might also add that inasmuch as officers of corporations under the Business Corporation Act have only that authority which are granted to them either by the bylaws or by resolution of the Board of Directors. I really don't see how making them be an officer would have much practical effect either. However, an officer certainly is a higher category of individual than a registered agent. So Amendment #1, if the Bill had any teeth in it at all Amendment #1 absolutely totally gutted the Senate Bill 676. The other thing wrong with the Bill is that it amends the Business Corporation Act and provides that either the registered agent or the officer must be an M.D. but there's no provision for enforcement.



The ambulatory surgical treatment centers operate under certificates authorized pursuant to the ambulatory surgical treatment center Act. So, Amendment #6 attempts to do what I think the Sponsors of this Bill originally sought to do in response to the Sun Times abortion clinics and that is to provide that in some responsible manner an M.D. a doctor licensed to practice medicine in all its branches should be involved in the operation of a corporation whose principal business is abortion. So Amendment #6 seeks to amend the ambulatory surgical treatment center by making it a condition of certification."

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

Bullock: "Mr. Speaker, I'd like to ask the chair to make a ruling on the germaneness of this Amendment."

Speaker Redmond: "...advises me it is germane. Representative Leinenweber, proceed."

Leinenweber: "Thank you, Mr. Speaker. Again, what Amendment #6 provides is, and again, to give some teeth to the original idea and that is to require a corporation, whose principal business is operation...operating an abortion clinic, to have an M.D., that is a doctor licensed to practice medicine in all its...all of its branches, in a position of responsibility for the corporations. So Amendment #6 requires, as a condition of certification, of licensure, that an M.D. be on the Board of Directors of an ambulatory surgical treatment center whose principal business is in abortion. Now, I must just point out that under the Business Corporation Act the business and affairs of a corporation are managed by the Board of Directors. The registered agent, all he is is an agent who receives documents. An officer has only those powers which are granted by the Board of



directors. The policy making body, the body with all of the power under Illinois Corporation Law is the board of directors. And if we're going to put any teeth in this, if there's any reason at all for the Bill, and I think there is, and that is to make sure that there's an M.D. running the show in these abortion clinics then they ought to be on the board of directors. And that's what Amendment #6 provides and it also provides, puts some teeth in it, so that the State Department of Public Health can make sure that an M.D. is on the board of directors. Mr. Speaker and Members of the House, I urge the adoption of Amendment #6."

Speaker Redmond: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this Amendment. I've spoken with the Sponsor of this Bill in the Senate, Senator Geo-Karis, and we have worked with the Chairman of the Human Resources Committee and minority representatives on that committee. And Amendments #1 and 2 encompass the concerns of the Members of the Human Resource Committee. This Amendment, in effect, deals with the issue of actual governance of ambulatory surgical centers. The Amendment attempts not to deal with policy making but the actual services being provided, which was not the intent and is not the intent of Senate Bill 676. This Bill originally wanted us to require an officer of the corporation to be a physician practicing in the clinic and it was seeking to insure that at least one of the corporate officers have some knowledge of the medical field. This Amendment would, in effect, abrogate that and I would urge Members of the House to vote 'no' on Amendment #6 to Senate Bill 676."



Speaker Redmond: "Representative Willer."

Willer: "Yes, will the Sponsor yield?"

Speaker Redmond: "He will."

Willer: "Representative Leinenweber, I think I heard you say the Amendment gutted the Bill. Is that correctly? The 1st Amendment?"

Leinenweber: "Amendment #1 did, yes."

Willer: "Well, is my...is the Digest accurate in its description of the Bill? Because it seems to me it originally only specifies an officer, it doesn't say Member of the Board."

Leinenweber: "Well that's one of the reasons for Amendment #6. I substitute, 'Must be of the board of directors' for either officer or registered agent."

Willer: "Well...what then...the Bill itself, as originally drafted is gutted if the original Bill only says officer. You said one of the Amendments gutted the Bill."

Leinenweber: "Well...inasmuch as an officer does have presumably more responsibility than the registered agent. By giving the alternative, a registered agent, if there was any guts in the Bill it got gutted by Amendment #1."

Willer: "Well in Senate Amendment #..."

Leinenweber: "Amendment #... Excuse me."

Willer: "I'm sorry, but in Senate Amendment #1 it does mention officer. Senate Amendment #1 says officer. House Amendment #1 also says agent or officer so I don't understand..."

Leinenweber: "Well yeah. Right now, under the law, an M.D. can be an officer, an agent, or a member of the board of directors of the abortion clinic. The question is, whether or not we ought to, by statute, mandate that an abortion clinic have an M.D. as an agent, officer or member of the board



of directors. Now the intent of the Sponsor, apparently, was to mandate something. There's really a choice of three under the Illinois Corporation Law, registered agent, an officer, board of directors or all three. Originally the Bill specified officer. That's usually... an officer has...a registered agent has no authority whatsoever under Illinois law, other than to accept a summons, a notice or any other document which may be under law served upon a corporation. That's the only function of the registered agent. Now Amendment #1 gives the out to an abortion...a corporation operating an abortion clinic to have an M.D. as a registered agent. I see no useful purpose whatsoever for that. Now if it's...if you had to have a registered agent and an officer then perhaps the original intent of the legislation might have been preserved by offering them the alternative of merely having an M.D. as a registered agent for service of process, it serves no useful purpose whatsoever in my opinion."

Willer: "Well, I think you've...I don't know, maybe you've only confused me, maybe you've confused someone else. I think that by using the term the Amendment #1 has gutted the whole...the original Bill. I don't think that's correct. The original Bill didn't have board of directors either. And I understand what you're trying to do, you just...I think you worded your argument a little bit poorly by saying the original Bill was gutted, because it wasn't. The original Bill was something, obviously, you didn't like to begin with, because it didn't say member of the board, is that not correct?"

Leinenweber: "Well that...let's put it this way, Amendment #6 would put a lot more teeth in the original Bill. I'm saying that if it had any teeth at all, and I think



most corporations, although corporation under Illinois law may delegate as much responsibility to an officer as the board of directors desires or the original incorporators desire, or as little, nevertheless, usually a corporate officer would have some authority. Now a registered agent, under law, has absolutely no authority whatsoever...except to receive summons or other notices."

Willer: "Okay, thank you."

Speaker Redmond: "Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Leinenweber: "Yes."

Brummer: "As I understand, Amendment #1 added registered agent as an alternative to officer, House Amendment #1."

Leinenweber: "Well it added it as an alternative to officer."

Brummer: "Right...right, I have it in front of me. Has Amendment...was Amendment #2 adopted?"

Leinenweber: "My...you'd have to ask the Sponsor. I think... I think it was. Maybe the Clerk could advise us."

Brummer: "Was House Amendment #2 adopted?"

Clerk O'Brien: "1 and 2 are adopted."

Leinenweber: "All right, House Amendment 2 merely applies to foreign corporations and actually it's closer to Amendment #6 than..."

Brummer: "Okay, well that's...that was my point. House Amendment #1 provides an alternative of a registered agent with regard to a domestic corporation. Yet House Amendment #2, which provides for...applies to a foreign corporation does not make the same provision with regard to the registered agent. And it appears that House Amendment #6, which you are offering, does not make any...deletes everything after the enacting clause, which would leave us without any provision with regard to a foreign corporation. Is that correct?"



Leinenweber: "Hold on a minute. No, it leaves Amendment #2 in place, I think."

Brummer: "On line 8 it deletes everything after the enacting clause and inserting in lieu thereof, the following."

Leinenweber: "Yeah, but it...okay, here it is. Under Amendment #6 we speak in corporation. We do not distinguish between foreign and domestic."

Brummer: "Okay, so, Mr. Speaker, can I speak to the Bill... the Amendment, briefly? That being the case I think Amendment #6 accomplishes two things. Number one, it provides consistency between domestic corporations and foreign corporations with regard to this issue. And number two, the sponsor of the Amendment is absolutely right with regard to the lack of involvement that a registered agent has with regard to the affairs in the business of a corporation. That individual can be someone who has nothing to do with the business of the corporation whatsoever and if the legislation is to accomplish anything the registered agent should not be...it is almost irrelevant whether or not he is a...an individual licensed to practice medicine in all its fields and I would urge the adoption of Amendment #6."

Speaker Redmond: "Representative Chapman."

Chapman: "Mr. Speaker, if I understood the Gentleman from Will correctly he suggests that there was not too much substance in the original Bill and there is not too much substance should Amendment #6 be adopted. And he may very well be right, but the Senate Sponsor was, with good intent, trying to make a contribution to improving the situation with abortion clinics. And when she came to our Committee and indicated that her intent was to see that there was a physician, a medical doctor on the premises to supervise the management of the ambulatory



surgical treatment center. I agreed with her and I supported her in getting the Bill out to the floor. There was one problem, however. And that is that for foreign corporations to be required to have an Illinois doctor as a member of their board of directors doesn't make a great deal of sense. Now I discussed with the Senate Sponsor, before the Bill came out of Committee, her willingness to accept an Amendment, which she and the House Sponsor very graciously have done. Her intent was to have a medical doctor, an M.D., managing the clinic. Now it is true that at the present time the Department of Public Health requires that the management of an ambulatory surgical treatment center, the day to day operation, be under the control, be managed by an M.D., that is in their rules and their regs. And furthermore, they require that a Committee composed entirely of M.D.'s review the credentials and are involved with reviewing the policy of the ambulatory surgical treatment center. So whether we pass this Bill in any form or not, the Department of Public Health has assured that there will be an M.D. in supervision in each of these ambulatory surgical treatment centers. What the Sponsor wanted to do was to put this into the law and I was in agreement with that. I do believe that Amendment #6, in stipulating that a Member of the Board of Directors must be an Illinois doctor, has done something which is unfair to foreign corporations. The Illinois State Medical Society supports the Bill in its present form and I hope you'll vote 'no' on Amendment #6."

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

Leinenweber: "Thank you, Mr. Speaker. Again, I believe Amendment #6 has been adequately discussed. The



question is whether or not we're going to want to have an M.D. in a policy making position. Somebody responsible in a policy making position in a corporation who's principal business is abortions. Now, apparently it was the original intent of the Sponsor, I believe, in keeping with the original intent of the Sponsor, which is to... along that line that putting an M.D. on the board of directors is far more useful than putting an M.D. as a repository of services of notices, of summonses, which registered agents sole purpose under Illinois law is. If we want the...if we want to pass legislation that has no useful purpose whatsoever then I guess you could vote against Amendment #6 and know that you haven't done anything in response to the Sun Times series on abortion clinics. I'm not saying that Amendment #6 is any kind of a panacea, but it certainly does more than the Bill, either as originally put in or as Amendment #1 is adopted. It does...it does apply to both domestic and foreign corporations. They'll be treated identically, which is something that the Bill with Senate...with House Amendments 1 and 2 does not do. It treats the foreign corporations differently than domestic ones. If we want to have some consistency, if we want to have some small bit of teeth in the Bill, if we want to do something at all then I would urge the adoption of Amendment #6."

Speaker Redmond: "The question is on the Gentleman's motion for the adoption of Amendment #6 to Senate Bill 676. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I don't think there's much I can do to turn this vote around, with the exception of saying



that Senator Geo-Karis had asked me for a copy of this Roll Call. She said that this Bill is very important and she was hoping that some of the Members on her side of the aisle would give her some support. This Amendment, in effect, kills the Bill but I'm going to take it on to Third anyway and hopefully get a vote on it because she's informed me that she'll deal with it when it gets over to the Senate. So I wish I could have some more red lights...that a way to go. I'd like to have some more red lights up there."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there are 98 'aye' and 39 'no'. The motion prevails and Amendment #6 is adopted. Any further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 745."

Clerk O'Brien: "Senate Bill 745. A Bill for an Act in relation to state contracts with small construction companies. 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: "Floor Amendment #2. Leinenweber. Amends Senate Bill 745."

Speaker Redmond: "Is Barnes on the floor? Representative Leinenweber." Leinenweber."

Leinenweber: "This Amendment to 676, wait just a second."

Speaker Redmond: "745 is the...Bill number."

Leinenweber: "Yeah. 745 creates the Illinois Small Construction Business Act."

Speaker Redmond: "As soon as we get this printed we'll be able to change that. Have you discussed this with



Representative Barnes?"

Leinenweber: "Yes, and also the Senate Sponsor. They're aware of the Amendment. I'll be pleased to hold it if you want but they're aware of it. It's my understanding they don't oppose the Amendment."

Speaker Redmond: "Out of the record but in the meantime will you discuss it with Senator Geo-Karis?"

Leinenweber: "I will be happy to discuss it with the Senator."

Speaker Redmond: "You know we're transcribing the floor debates and Representative Bullock advises me he's going to send a copy of the transcript of the discussion on..."

Leinenweber: "Mr. Speaker, I am a fearless one."

Speaker Redmond: "Representative Collins."

Collins: "Well, Mr. Speaker, it's always the innocent bystander that gets injured and I would ask for some protection over here, please."

Speaker Redmond: "775. I will not. I will not touch it."

Collins: "Representative Macdonald makes the same request."

Speaker Redmond: "Somebody will..."

Clerk O'Brien: "SenateBill 775. A Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

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

Speaker Redmond: "Who's the Sponsor?"

Clerk O'Brien: "Catania."

Speaker Redmond: "Representative Stanley."

Clerk O'Brien: "Amends Senate Bill 775 on page 1, line 1 and so forth."

Speaker Redmond: "Are you familiar with Representative Catania's Amendment? I don't know what this means. Will you read the Amendment, Mr. Clerk. Read the Amendment. You did? Representative Stanley."

Stanley: "Yeah, is Representative Catania on the floor?"



Speaker Redmond: "She's not on the floor. Are you familiar with the Amendment? Is it friendly or hostile?"

Stanley: "It's friendly and..."

Speaker Redmond: "Are you willing to adopt the Amendment?"

Stanley: "Yes, I am. And it's..."

Speaker Redmond: "So move."

Stanley: "So move."

Speaker Redmond: "Is there any discussion? Would you explain the Amendment, Representative Stanley? Can we put 775 up there? We can't do it yet, we're having a little problem."

Stanley: "Can we take it out of the record until Representative Catania comes back on the floor? It provides..it's a controversial Amendment. It provides for having a student, non voting member on school boards. So I would recommend we take it out of the record. Mr. Speaker. Mr. Speaker, can we take this out of the record until Representative Catania comes back?"

Speaker Redmond: "Well I'd be happy to do it, I don't see any necessity. As soon as we get this thing printed, why that's what our problem is."

Stanley: "Okay."

Speaker Redmond: "Representative Leinenweber broke the machine. Representative Leinenweber."

Leinenweber: "Was the machine broken before or after the Roll Call came out?"

Speaker Redmond: "We can't take the Roll Call so we won't be able to give it to Representative Geo-Karis... Senator Geo-Karis. I suspect Representative Leinenweber had something to do with it. Representative Stanley has moved the adoption of Amendment #1 to Senate Bill 775. Any discussion? Representative Stanley, to explain the Amendment."

Stanley: "Yeah...let's go ahead. What this Amendment does is,



provides for a non voting student member of the school board, which has to be in 7th grade or between 7th and the 12th grade. It was in a Bill that Susan Catania had in Elementary and Secondary Education and it was voted out of Committee and it was lost on the Calendar and she requested that the Amendment be placed on House Bill 775."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, out of respect to Representative Catania, who's not here, this is a controversial Amendment. She ought to have an opportunity to present it rather than for us to take up the cudgel over this issue in her absence. Either...either..."

Speaker Redmond: "We'll take it out of the record at your recommendation. 883."

Clerk O'Brien: "Senate Bill 883. A Bill for an Act to create the problem pregnancy health service and care Act. Second Reading of the Bill."

Speaker Redmond: "Out of the record, request of the Sponsor. 889. Out of the record. 890. Out of the record, I assume. 905."

Clerk O'Brien: "Senate Bill 905. A Bill for an Act to amend the Banking Act. 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: "Amendment #2."

Speaker Redmond: "Who's the Sponsor of the Amendment?"

Clerk O'Brien: "Representative Stuffle."

Speaker Redmond: "Is Representative Stuffle on the floor?"
Out of the record. 973."

Clerk O'Brien: "Senate Bill 973. A Bill for an Act to amend Abused and Neglected Child Reporting Act. Second



Reading of the Bill. Amendments #1, 2, 3 and 4 were adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendments 1, 2, 3 and 4?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "No floor Amendments."

Speaker Redmond: "Third Reading. 1037. Pardon me. Representative Marovitz."

Marovitz: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise for the purpose of an announcement. On the floor is one of our fine past State Senators, one of the most beloved men that we've ever had in the General Assembly, from the 12th District, State Senator Ben Palmer, down here in the front."

Speaker Redmond: "Ben Palmer was formerly heavyweight wrestling champ. Representative Kempiners."

Kempiners: "Did you just move Senate Bill 973 to Third Reading?"

Speaker Redmond: "I did."

Kempiners: "That has a potential Amendment coming to it."

I don't see the Sponsor on the floor but he indicated he would hold it on Second Reading for a week."

Speaker Redmond: "Okay, we'll move it back to Second Reading."

Kempiners: "Thank you."

Speaker Redmond: "1037."

Clerk O'Brien: "Senate Bill 1037. A Bill for an Act relating to the times for commencing prosecutions for violating certain acts and posing occupation and use taxes. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1. Bowman. Amends Senate Bill 1037 on page 6, line 17, by deleting Section 13



and so forth."

Speaker Redmond: "Who's the Sponsor of the Amendment?"

Clerk O'Brien: "Representative Bowman."

Speaker Redmond: "Representative Bowman on the floor?"

Representative Sandquist on the floor? Out of the record...we never get this way again. 1100."

Clerk O'Brien: "Senate Bill 1100. A Bill for an Act to amend Sections of the Illinois Housing Development Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any motions...out of the record. Out of the record at the request of the Sponsor. 1207. Out of the record. 1211."

Clerk O'Brien: "Senate Bill 1211."

Speaker Redmond: "Has the fiscal note been furnished on this? Out of the record. 1239."

Clerk O'Brien: "Senate Bill 1239. A Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1. Totten. Amends Senate Bill 1239 on page 1, line 1 and 5 and so forth."

Speaker Redmond: "Representative Totten on Amendment 1. Out of....out of the record? Representative Cullerton. Representative Totten."

Totten: "Mr. Speaker, I'd like to withdraw Amendment #1."

Speaker Redmond: "Representative Totten withdraws the Amendment. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1246. Third Reading on 1239. 1246. Representative Farley."

Clerk O'Brien: "Senate Bill 1246. A Bill for an Act to amend Sections of the Unemployment Insurance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"



Clerk O'Brien: "None."

Speaker Redmond: "Third Reading." 1337."

Clerk O'Brien: "Senate Bill 1337. A Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill. Amendment...No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor? A fiscal not has been requested and has not been filed. So take it out of the record. Senate Bills, Third Reading. Senate Bill 1114. Representative Vinson is recognized."

Vinson: "Yes, Mr. Speaker, I believe there are some Amendments that have been filed on 1114 that the Sponsors would like to have an opportunity to call and I was willing to bring it back to Second to do that..."

Speaker Redmond: "The Gentleman asks leave to have 1114 returned to the Order of Second Reading. Does he have leave? Hearing no objection, leave is granted."

Clerk O'Brien: "Amendment #1. Richmond. Amends Senate Bill 1114 on page 1, line 1 and 5 and so forth."

Speaker Redmond: "Representative Richmond. Here he comes."

Richmond: "Mr. Speaker and Ladies and Gentlemen of the House, this Amendment does the same thing that we put on a Bill previously. It is now in the Senate, that would require that anyone running for state office, when he does file his petition, that he would take a leave of absence if he is a state employee and would be reinstated..."

Speaker Redmond: "Representative Vinson."

Vinson: "Mr. Speaker, I've seen the Amendment and I have no objections to it."

Speaker Redmond: "The question is on the Gentleman's motion for the adoption of Amendment 1. Those in favor indicate by saying 'aye'; 'aye', opposed ho'. The 'ayes'



have it and the motion carries and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2. Campbell. Amends Senate Bill 1114 on page 1 by deleting line 1 and 2 and so forth."

Speaker Redmond: "Representative Campbell."

Campbell: "Well, Mr. Speaker and Ladies and Gentlemen of the House, this is the only Bill that I didn't get to do in the last night of the Session and we were four down from it and it simply moves from 20 to 30 thousand on the Governmental Ethics and I..."

Speaker Redmond: "Representative Vinson."

Vinson: "I have no objection to the Amendment, Mr. Speaker."

Speaker Redmond: "Any further discussion? The question is on the Gentleman's motion for the adoption of Amendment 2. Those in favor indicate by saying 'aye'; 'aye', opposed 'no'. The 'ayes' have it, the motion carries and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3. Schneider. Amends Senate Bill 1114 on page 1 by deleting lines 1 and 2 and so forth."

Speaker Redmond: "Representative Schneider."

Schneider: "Mr. Speaker, for...similar to Representative Campbell's Bill, this raises the dollar total from 20 to 30 thousand for purposes of filing statements, ethics statements. I would move its adoption."

Speaker Redmond: "Representative Vinson."

Vinson: "Mr. Speaker, I have no objection to this Amendment either and move its adoption."

Speaker Redmond: "The question is 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 carries and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."



Speaker Redmond: "Third Reading. Senate Bills...Senate Reading... Second Reading, Short Debate Calendar appears 1061."

Clerk O'Brien: "Senate Bill 1061. A Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1. Abramson. Amends Senate Bill 1061 on page 1, line 2 and so forth."

Speaker Redmond: "Representative Abramson."

Abramson: "House Amendment #1 to Senate Bill 1061 does two things, first it ~~deletes~~ redundancy in one of the paragraphs and second it makes a change also applicable to the Illinois Savings and Loan Act. It makes it identical to Senate Bill...House Bills 1128 and 29, which were passed previously by this House. It's been cleared by both staffs and by the Senate Sponsor. I move the adoption of the Amendment."

Speaker Redmond: "Is there any discussion? The question is 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 carries and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Does he have leave to have it remain on Short Debate? Hearing no objection, leave is granted. Roll Call for attendance." Is there any other Member that has a Bill on Third Reading that they want to return to the Order of Second Reading? I would suggest that we... I've got one more to bring back here. On the Order of Senate Bills, Third Reading, Short Debate,



appears Senate Bill 509. Representative Hannig is recognized."

Clerk O'Brien: "Senate Bill 509. A Bill for an Act to amend Sections of the Consumer Finance Act. Second Reading of the Bill."

Hannig: "Thank you, Mr. Speaker and Members of the House. Amendment #2 is a technical Amendment which is offered by Representative Daniels, the Minority Spokesman on the Judiciary II Committee. We would accept that Amendment and I would move for its adoption."

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

Skinner: "Yes, Mr. Speaker, at this stage in the Session I get very curious..."

Speaker Redmond: "I can't hear you."

Skinner: "I get very curious about technical Amendments. I wonder if the Sponsor of the technical Amendment could..."

Speaker Redmond: "Would you explain the Amendment a little more thoroughly and please give the Gentleman order. Representative Walsh is in the chamber. Representative Hannig, will you explain the Amendment."

Hannig: "I would yield to Representative Daniels in response to the Amendment."

Speaker Redmond: "Representative Daniels."

Daniels: "Previously we had passed legislation which set forth certain penalties for violation of this Act. We're adding them back in. This now meets with the approval of the parties that were previously in opposition to the Bill. And with the Amendment we can support the Bill because we've added back some of the penalty provisions of the legislation."

Speaker Redmond: "The question is 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 and the Amendment is adopted. Any further Amendments? Third Reading. Representative Conti."

Conti: "I heard you ask if there are any Members that want to bring their Bills back to Third Reading. I noticed Susan Catania isn't back again. She was just here a few minutes ago and that is one of the Bills that was passed to Third Reading last week without us having the opportunity to amend her Bill. I was just wondering if she would call that Bill back to Second Reading for the purpose of an Amendment."

Speaker Redmond: "What's the number of the Bill?"

Conti: "7...No, not 775. What was that Bill number, Susan? No, no that's a different Bill."

Speaker Redmond: "Yeah, I moved 509 to Third Reading."

Conti: "It's 1412, is the Bill. It's Senate Bill 1412."

Speaker Redmond: "Wait a minute now. Representative Catania is recognized on Senate Bills, Third Reading, 1412."

Catania: "Thank you, Mr. Speaker. Senate Bill 1412 was moved to Third Reading last week. I'd like to wait to hear what the Senate Sponsor would like to have done with it."

Conti: "The only thing that I'm questioning, Susan, is you weren't on the floor of the House. The House moved your Bill automatically to Third Reading. I was wondering if you can bring it back to Second Reading for the purpose of an Amendment?"

Catania: "I'll be happy to bring it back to Second when the Senate Sponsor has worked out his understanding with Mr. Rauche, who apparently is the person who's



complaining to you about it."

Conti: "All right, fine. Thank you."

Speaker Redmond: "Then we'll leave it where it is. Is that correct? 1277. Representative Hannig."

Hannig: "Mr. Speaker, I would ask leave to leave House Bill...Senate Bill 509 on Short Debate."

Speaker Redmond: "The Gentleman asks leave to have Senate Bill 509 remain on the Order of Short Debate. Any objections? Hearing none it will so remain. 1277. Representative Pullen."

Pullen: "Mr. Speaker, I ask leave to bring 1277 back to Second Reading."

Speaker Redmond: "Does she have leave? Hearing no objection leave is granted. It's on Second Reading. Any Amendments from the floor?"

Pullen: "Mr. Speaker, I move to table Amendment #2."

Speaker Redmond: "Who is the Sponsor of the Amendment? It's a Committee Amendment, is it not?"

Pullen: "No."

Speaker Redmond: "Stuffle and Steczo, is 2 a Committee Amendment or a floor Amendment?"

Clerk O'Brien: "Amendment 2 is a floor Amendment. Representative Stuffle and Steczo."

Speaker Redmond: "How was the Amendment adopted?"

Pullen: "By voice vote, Mr. Speaker."

Speaker Redmond: "We'll have to see how it was adopted, Representative Pullen."

Pullen: "Okay."

Speaker Redmond: "I think we'll leave this on the Order of Second Reading until one of the Sponsors of the Amendment gets on the floor. If you want to move it to Third it's all right but if you want a motion to table the Amendment we'd have to leave it there until one of the Sponsors are back. What's your pleasure?"



Pullen: "Well let's move it back to Third for now then until they arrive."

Speaker Redmond: "Okay. We'll put it back to Third Reading. 658. Representative Abramson."

Abramson: "Mr. Speaker, Ladies and Gentlemen of the House, on Senate Bill 658, I put on an Amendment in Committee on giving banking facilities the right to have safety deposit boxes. This Amendment has drawn some controversy and I've agreed to remove the Amendment from the Bill. So at this time I'd like to move to table my House Amendment #1, which was adopted in Committee."

Speaker Redmond: "Does the Gentleman have leave to return 658 to the Order of Second Reading? Hearing no objections it will be so returned. Representative Abramson has moved to table Amendment #1. Those in favor of the motion indicate by saying 'aye'; 'aye', opposed 'no'. The 'ayes' have it, the motion carries and Amendment #1 is tabled. Any further Amendments?"

Clerk O'Brien: "No further Amendments?"

Speaker Redmond: "Third Reading. Are there any other Members that have a Bill on Third Reading that desire to return it to the Order of Second? Consent Calendar, Third Reading, Second Day."

Clerk O'Brien: "Consent Calendar, Third Reading, Second Day. Page 16 on your Calendar. Senate Bill 442. A Bill for an Act making technical corrections in laws relating to municipal and county service occupation taxes. Third Reading of the Bill. Senate Bill 518. A Bill for an Act to amend Sections of the Dangerous Drug Abuse Act. Third Reading of the Bill. Senate Bill 536. A Bill for an Act to amend the Illinois Local Library Act. Third Reading of the Bill. Senate Bill 708. A Bill for an Act to amend the Illinois Controlled



Substance Act. Third Reading of the Bill. Senate Bill 847. A Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill. Senate Bill 1041. A Bill for an Act to amend the State Employees Group Insurance Act. Third Reading of the Bill. House Bill 1342 was removed from the Consent Calendar."

Speaker Redmond: "Any questions? The question is, shall these Bills pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 133 'aye' and no 'nay'. These Bills, having received the Constitutional Majority, are hereby declared passed. It's the intention of the Chair to go to the Priority of Call. That seems to be where we have the log jam. We will start at the Priority of Call tomorrow morning also. Representative Pullen."

Pullen: "I see Mr. Steczo on the floor. I wonder whether we could go back to my Bill."

Speaker Redmond: "Well we'll...we'll get back there. Senate Bill 1202. Representative Leverenz yields to Representative Leinenweber."

Clerk O'Brien: "Senate Bill 1202. A Bill for an Act to amend the Private Employment Agency Act. Third Reading of the Bill."

Speaker Redmond: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. Senate Bill 1202 adds about four things to the Private Employment Agency Act. The first part would delete the reference to U.S. citizenship. The second would require that the person who took a job order in an employment agency would have his name recorded on that job order and that the records would be retained for a year. Third, that any reference for an application as a



employment counselor, the reference for that individual would not have to live in the town the employment agency was located in. And fourth, that all contracts and forms signed by the employment agency client will be required to contain the name and address of the agency and any additional information required by the Department. We did put an Amendment on this that we could not allow an illegal alien to have an employment agency and I would ask for your 'aye' vote for the Bill."

Speaker Redmond: "Representative Vinson."

Vinson: "Yeah, Mr. Speaker, are we still using the June 16th Priority of Call..."

Speaker Redmond: "June 16th? That's correct. And it indicates that 1202 is the next Bill to be called."

Vinson: "Yeah, I have no objection to the Bill. I just wanted to make sure what Calendar we're on."

Speaker Redmond: "June 16, 1979. Page 1. Representative Wolf."

Wolf: "Will the Sponsor yield to a question, please?"

Speaker Redmond: "He will."

Wolf: "Ted, did I hear you say something about you're deleting some kind of a requirement for U.S. citizenship? Could you just tell us what that is again?"

Leverenz: "That is correct. It deletes, in Section 901, the requirement for U.S. citizenship. It has been held, I understand, in the courts, that it is illegal, first of all, to do it. And secondly, both the Department of Labor and the Department of Registration and Education will not, by an Attorney General's opinion, press for that requirement."

Clerk O'Brien: "Representative Monroe Flinn in the Chair."

Speaker Flinn: "Is there any further discussion? If not, the question is, shall Senate Bill 1202 pass? All those in favor vote 'aye', those opposed vote



'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 131 voting 'aye' and 5 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill... Representative Borchers."

Borchers: "I'm surprised that I made a mistake. I wanted to vote a green on that."

Speaker Flinn: "Change... Well, would you come down here and sign a slip, Representative Borchers? We've got a new rule now. You've got to come down here and sign a slip. Senate Bill 1223. Representative Marovitz."

Clerk O'Brien: "Senate Bill 1223. A Bill for an Act to amend Sections of the Physician's Assistants Practice Act. Third Reading of the Bill."

Speaker Flinn: "Representative Marovitz."

Marovitz: "Thank you...thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1223 authorizes...it amends the Physician's Assistants Practice Act and authorizes the use of physician's assistants within jails and health facilities of the Cook County Health and Hospital Governing Commission. This Bill is one of a series introduced in both the House and Senate to alleviate the fiscal problems of the Cook County Health and Hospital Governing Commission. House Bill 2225, which was sponsored by Representative James Taylor, which was identical Bill to this, was recommended favored by both...Human Resources Committees, but due to the fact it didn't get heard it's on the Spring Calendar of 1980. An Amendment was added in Human Resources Committee so that current law that no physician can supervise more than one physician assistant is in the Bill now and I would ask for your



favorable consideration of this legislation."

Speaker Flinn: "Any further discussion? If not, the question is, shall Senate Bill 1223 pass? All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 138...9 voting 'aye' and 3 voting 'no' and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1229."

Clerk O'Brien: "Senate Bill 1229. A Bill for an Act to amend Sections of the Professional Service Corporation Act. Third Reading of the Bill."

Speaker Flinn: "Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1229 would permit physicians licensed to practice medicine in all of its branches to form a professional service corporation with podiatrists. It came out of the Judiciary I Committee on a 10 to 0 vote. It passed the Senate 56 to 0 and I would like to urge your favorable adoption of this Bill."

Speaker Flinn: "Any further discussion? If not, the question is, shall Senate Bill 1229 pass? All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 137 voting 'aye' and 0 voting 'nay'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1245."

Clerk O'Brien: "Senate Bill 1245. A Bill for an Act in relation to the payment of county bills. Third Reading of the Bill."

Speaker Flinn: "Representative Yourell."



Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill provides for the delegation by the County Board of its authority to allow or disallow claims against the county. It permits the County Board to delegate such authority for some or all of the claims. It provides also that such delegation is made by Resolution to the Members of the Committee or the County Board or jointly to the County Treasurer and one of the following; the County Clerk, the County Auditor or the duly appointed County Officer responsible for fiscal management of the county. This Bill is in response to many county individuals who made a request of the Commission to study county problems and the Bill was drafted by that Commission. It has a recommendation of approval by the Illinois Association of County Treasurers, the Illinois Association of County Clerks and Recorders, the Illinois Association of County Auditors, the Illinois Association of County Board Members and the Urban Counties Council of Illinois. I urge a favorable Roll Call on Senate Bill 1245."

Speaker Flinn: "Representative Conti."

Conti: "Well I'm not...I don't rise in opposition to this but it seems to me that these people run for public office, they're elected to public office, now they want to delegate their authorities to someone else. And I...I kind of worry about a Bill like this."

Speaker Flinn: "Any further discussion? If not, the question is, shall Senate Bill 1245 pass? All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 102 voting 'aye', 29 voting 'no' and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1268."



Clerk O'Brien: "Senate Bill 1268. A Bill for an Act to amend Sections of the Illinois Drainage Code. Third Reading of the Bill."

Speaker Flinn: "Representative Woodyard. Representative Woodyard is not here. Is he in the Chamber? There...oh, there he is. Representative Barnes, would you please be seated for a moment, please?"

Woodyard: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1268 amends the Illinois Drainage Code. It permits the Clerk of the Court in each County to give notice of hearing on assessment rather than require them to do so. This Bill also carries an Amendment requested by Senator Berning that would mandate that the drainage district commissioners make a search of the assessment rolls each year. I'd be glad to answer any questions on this."

Speaker Flinn: "Further discussion? Representative Brummer...the Gentleman from Effingham, Representative Brummer."

Brummer: "Yes. I wonder if the Sponsor would explain what he meant by Amendment #1, which requires a...a search of the assessment roll each year."

Speaker Flinn: "It's my understanding that there was a problem in that particular district that involves Representative Pierce and Representative Reed. And I think possibly they can speak to this Amendment better than I. But it's my understanding there was a problem where a person buying a home had to pay for a tax drainage assessment on that home when he bought it and the assessment was 20 years old. And this Amendment evidently clarifies that the commissioners will make a search of the assessment rolls to take care of that problem."

Brummer: "Well, I wonder if the Sponsor would take this Bill



out of the record for a few minutes?"

Speaker Flinn: "You're asking the Sponsor a question...would you respond, Representative Woodyard."

Brummer: "Yes, I wonder if you'd take this Bill out of the record for just a few minutes?"

Woodyard: "Could I have Representative Reed to answer the question on this Amendment?"

Speaker Flinn: "Representative Brummer, he would like to have Representative Reed answer the question. If you don't mind we'll kind of violate the rules here for a moment. Representative Reed."

Reed: "Representative Brummer, this was a particular problem that arose in our township where there are two drainage districts and we were not assessed for over 20 years. And when people went to sell their homes they found that liens had been assessed against their property. They had not been apprised of the cost of the drainage district taxes and this Amendment simply will take care of that situation."

Brummer: "But how will it take care of the situation?"

Reed: "By requiring the drainage districts to go through their lists and send their tax bills."

Brummer: "Okay, would...I would like to ask the Sponsor of the Bill a question with regard to the substance of the Bill itself. You are removing the requirement that notice of a hearing on the assessments be sent to the individual land owners?"

Woodyard: "That's correct. It's making it permissive rather than mandating it. And, if I might add, the reason of it is in many of the smaller drainage districts, the expense of sending each individual notification now by registered mail has gone to \$1.40 per parcel. And this Bill was in response to a small drainage district that includes a town in their drainage district. And it was now costing them over 3,000



dollars to each individual parcel owner. This more or less brings it into conformity with what we have in the townships and other taxing agencies."

Brummer: "Well, would...would the Sponsor consider taking this Bill out of the record for a moment so I can look at this? Otherwise, I'm going to speak against it."

Speaker Flinn: "Take the Bill out of the record for a moment. Do we have permission to go back to... We're on Priority of Call now, I would not...I would not expect that we'd be unfair to the Sponsor. Do we have leave to go back to this when we get it straightened out? Leave? Okay. All right, Senate Bill 1274."

Clerk O'Brien: "Senate Bill 1274. A Bill for an Act to amend Sections of the Fish Code. Third Reading of the Bill."

Speaker Flinn: "Representative Kent, Mary Lou Kent."

Kent: "Thank you, Mr. Speaker. Senate Bill 1274 amends the Fish Code by increasing the daily limit on certain species of fish caught in the Mississippi River. This is in order to comply with those from Iowa who across the river from us can take this limit that we are raising this to. It affects only the large mouth, small mouth or spotted bass and walleyed, sauger and northern pike."

Speaker Flinn: "Any questions? Any further discussion? If not, the question is, shall Senate Bill 1274 pass? All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 140 voting 'aye' and 0 voting 'nay'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1320."

Clerk O'Brien: "Senate Bill 1320. 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 Flinn: "Representative Getty."

Getty: "Mr. Speaker, Members of the House, Senate Bill 1320 is a Bill which permits the Circuit Court of Cook County to raise fees for civil jury trials from 50 to 75 dollars, permits the imposition of a fee of 15 dollars for expungement petitions and a fee of 10 dollars for failure to appear in criminal and quasi-criminal cases. I would move for a favorable Roll Call."

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

Vinson: "Mr. Speaker, I wonder if the Sponsor would consent to taking this out of the Calendar at this time. Representative Johnson is not on the floor right now. had very strong objections to this in Committee. I hesitate to present those objections and would prefer to have him on the floor to present them."

Speaker Flinn: "Representative Getty."

Getty: "Representative Johnson's objections were taken care of. He put on an Amendment which removed the downstate problem. This affects only Cook County."

Vinson: "You're saying that he is perfectly satisfied with the Bill now?"

Getty: "That's right. It only applies to Cook County. He objected...I'm sorry, it was Representative Griesheimer, I believe, who did that. I yield to Representative Griesheimer."

Speaker Flinn: "Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. In Committee I raised the objection to a Cook County sponsor increasing fees for juries in the downstate area and Representative Getty agreed to remove the downstate provisions so this Bill only applied to the county...Cook County



And I believe that Representative Johnson wanted to know why we couldn't include downstate counties. And I tried to explain to him that this was not exactly a good thing for downstate counties. And when I presented the Amendment he was sitting in his chair and I don't believe he ever objected to it. So I will presume that we've sort of reached an understanding on this. I personally appreciate the Sponsor's concern for downstate counties in Illinois and the consumers applaud your efforts. Thank you, Mr. Getty. I endorse the Bill."

Speaker Flinn: "Representative Getty, do you care to close? Representative Vinson, do you want to speak again?"

Vinson: "Well, I just want to say that in that case I withdraw my objection but I wish that in...in closing Representative Getty would indicate whether this applies to both civil and criminal or just civil."

Speaker Flinn: "Representative Getty."

Getty: "Mr. Speaker, Members of the House, in closing I again would ask for your support. This provides for a raise in civil jury trial fees from 50 to 75 dollars. It provides for a 15 dollar fee for petitions filed for expungement and a 10 dollar fee for failure to appear in criminal or quasi-criminal cases. I believe that if the downstaters would like to have a Bill to take care of downstate courts I would suggest that they ought to work that out. This will not affect any downstate jurisdictions at all. It is a Cook County Bill only and I would ask for your support."

Speaker Flinn: "The question is, shall Senate Bill 1320 pass? All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record."



On this question there are 128 voting 'aye' and 3 voting 'nay'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1335."

Clerk O'Brien: "Senate Bill 1335. A Bill for an Act to amend Sections of an Act to create the Court of Claims. Third Reading of the Bill."

Speaker Flinn: "Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. Senate Bill 1335 merely is an adjustment in the salary schedule of the 3 Judges on the Court of Claims. The total impact to the State of Illinois for increases on all 3 Judges will be only 10,000 dollars a year. This Bill also makes other adjustments in single circuits in the Northeastern tier of Illinois. I would move its passage."

Speaker Flinn: "Any further discussion? If not, the question is, shall Senate Bill 1335 pass? All those in favor vote 'aye' and those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 98 voting 'aye' and 36 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1341."

Clerk O'Brien: "Senate Bill 1341. A Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Flinn: "Representative Gene Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1341 in its amended form does basically 4 things which I will briefly explain. The basic thrust of the Bill was to provide that on the Governor's Purchase of Care Review Board that we would include a private provider



of special education services as well as a consumer representative on the board along with the Director of Children and Family Services, Mental Health, Public Health, Public Aid, Bureau of the Budget and State Superintendent who's presently on it. By Amendment, at the request of Representative Dunn, we clarified the present practice of regional superintendents administering and operating alternative education programs which we recently discussed on Second Reading. By Amendment, we also clarified the identification of local school districts with regional...educational service regions on the basis of 60 percent of student population attending the school. This is for school districts that overlie county lines. At the request of Representative Hallstrom we included the identification of eligible voters for trustees of schools to be any eligible voter who lives in an elementary district over which these trustees of schools have jurisdiction. These are the four factors that are included in this Bill and I would ask for your favorable support."

Speaker Flinn: "Any further discussion? If not, the question is, shall Senate Bill 1341 pass? All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 142 voting 'aye' and none voting "nay" and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1350."

Clerk O'Brien: "Senate Bill 1350. A Bill for an Act to amend the Illinois Industrial Pollution Control Financing Act. Third Reading of the Bill."

Speaker Flinn: "Representative Barbara Flynn Currie."

Currie: "Thank you very much, Speaker Flinn and Members of the House. Senate Bill 1350 amends the Illinois



Pollution Control Financing Act. It changes the name of the agency to the Illinois Environmental Facility Financing Authority. It increases the statutory bonding authority from 900 million dollars to 1.5 billion and adds to those activities for which bond monies might be available, surface mines, land reclamation projects and utilization and conversion activities with...for pollution control purposes. I urge your support and adoption of the Bill."

Speaker Flinn: "Representative Kane, Doug Kane."

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

Speaker Flinn: "She indicates she will."

Kane: "Could you tell us why the increase from 900 million to 1 billion 500 million in bond authorization, that's about a what...75 percent increase?"

Currie: "The facility has been operating since 1972. Of its approximately...at this point 825 million dollars of its 900 million dollar authorization is already either committed, issued, or in some other way already taken care of. So if the...the authority is going to be able to go on bonding projects, pollution control projects which is it...its reason for existence, then clearly it's important to increase its ability to do so. I think the authority would have liked, in fact, no cap at all. They would liked us to have unlimited bonding authority. In the Senate that proposal was rejected and instead there was a cap and the cap they came up with was 1...was 1 billion 500 million. And that seems to me not unreasonable. I think what the authority is saying is that when there are projects that meet the definition and there is a private market out there to buy these bonds then they ought to be able to lend that money. And I think that the purpose of putting this particular cap on it was...was one that



was one that was a kind of reasonable compromise between those who said that there needs to be no cap at all and those who would just as soon not have these kinds of programs."

Kane: "How long is this extra 600 million authority supposed to last?"

Currie: "There is no time limit on it."

Kane: "How long do they expect to go with this additional authority? When will they be back asking for more authority?"

Currie: "Well, since the current 900 million dollars has been since 1972 I would think that we would have perhaps 5 more years before we hear from them again for purposes of an increase in bonding authority. As you know, the authority does come back to the Legislature for operating expenses for appropriations for its own activities. So we will be hearing from this authority at regular and frequent intervals. We will not be hearing them... from them presumably on the question of how high can their bonding authority go for at least the next several years."

Kane: "Is the state responsible for the bonds at all?"

Currie: "Moral obligation bonds, I believe, is what these are. So basically, what happens is the state says these projects are bondable under state purposes... under pollution control purposes defined by the pollution control board. The private market invests in these bonds. The reason private market people invest in them is because they get tax deductions from the Federal Internal Revenue Service. So these bonds are only available to the extent that there is a private market for them. The private market is there because there is a...a tax...an interest free tax deduction available to those who are lending



money for those purposes. So basically, it's the moral authority of the state and the state...the state says, 'Yes, this is an appropriate activity. One that the state feels is...is worthy of this kind of bonding.'

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

Friedrich: "Would the Sponsor yield?"

Speaker Flinn: "She indicates she will."

Friedrich: "I assume, from what you say, these are not full faith and credit bonds?"

Currie: "Pardon me?"

Friedrich: "These are not full faith and credit bonds?"

Currie: "I believe they're...no, they're moral obligation bonds, which are..."

Friedrich: "Well then how...what assurance does a bond holder have they're going to be repaid? Where's the revenue come from to repay them?"

Currie: "The revenue comes when the individuals who are borrowing the money pay them back."

Friedrich: "Okay, what kind of projects then are these used for."

Currie: "These are used for non-productive pollution control installations and facilities. When we decided in this state that we wanted a clean, safe, healthy environment we decided that it would be helpful for us to put the moral backing of our state behind the opportunity of those people who are meeting our requirements in non-productive ways that are not earning money for them, for business and industry, to meet our requirements so that they could borrow money at lower interest rates in order to meet our requirements."

Friedrich: "That sounds like a bureaucratic approach, but if the bonds defaulted would you assume the state would have to pay them? Or would pay them?"



Currie: "The state would not."

Friedrich: "Then who would?"

Currie: "Pardon me?"

Friedrich: "Then who would, if the state wouldn't, if it's a moral obligation of the state?"

Currie: "The bond holders themselves would be at risks. The reason they're willing to take the risks is because they're getting tax breaks from the Federal Internal Revenue Service."

Friedrich: "Thank you."

Speaker Flinn: "Representative Meyer. Representative Meyer."

Meyer: "Thank you, Mr. Speaker. The security for these bonds is the asset, which is pledged by the borrower. An example would be a public utility which has to put on a scrubber at a cost of, let's say, 20 million dollars, would go into the market place and borrow the money at 10 percent interest. The lender, bank, or financial institution, of course, when they got the interest back, would have to pay Federal Income Tax with this. What they could do is...what the borrower could do is go the Illinois Pollution Control Financing Authority and ask the state to ask the Pollution Control Financing Authority to issue 10 million dollars worth of bonds which the security for the bonds would be the asset, namely the scrubber and the...the financial institution would buy these bonds. They are not subject to Federal Income Tax. They are tax exempt from Federal Income Tax. There is state income tax but it's paid on the interest due and owed. There is absolutely no obligation on the part of the State of Illinois to pay...pay for these bonds in the event of a default. There isn't even a moral obligation. It seems that the state isn't a person. And additionally, well this is a good Bill and I hope it is passed."



Speaker Flinn: "Any further discussion? Representative Huff."

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

Speaker Flinn: "He indicates he will."

Huff: "Representative Currie, when you mentioned the word, risk, with regard to the bond holders, are you not talking about tax shelter structures?"

Currie: "I'm talking about those...those tax breaks which the Federal Internal Revenue Service makes available to private bonders for these kinds of purposes. It's not tax dollars that we're talking about risking, we're talking about private money in the private market."

Huff: "I understand that, but the question was raised with regard to risks in the event that there was a default on the bonds and you said that the risk is carried by the bond holder. Then that would...that would suggest to my mind that these investors are engaging in what...in what the I.R.S. would call a tax shelter, where clearly the risk is solely on them and no one else. Is that correct?"

Currie: "I'm not quite sure how the word...how the term 'tax shelter' fits these people. It's like any other bonds, they are lending money for these purposes and, as Representative Meyer pointed out, what they have for security is the facility that they are actually lending the funds for."

Huff: "That was my next question. Are there facilities involved...or their place involved?"

Currie: "Yes, yes. There are...this is basically a program for devices for facilities for machinery for those kinds of things that a company must buy in order to meet pollution control requirements to the extent that those pieces of machinery, those scrubbers, those various kinds of things are not productive..."



do not produce revenue profits for the company then they are bondable under this program."

Huff: "Thank you. I would like to speak in behalf of Representative Currie's Bill. As Representative Meyer has pointed out, this is basically a tax shelter structure, absolutely no risk to the state. The...the bond holders are simply purchasing the bonds simply for a tax shelter and possibly the depreciation of the structures. In any event of a default there would be no obligation whatsoever to the state under the I.R.S. ruling providing for the sales of this type of structure in the first place. I think it's a good Bill and it's deserving of our full cooperation."

Speaker Flinn: "The Gentleman from Bureau, Representative Mautino."

Mautino: "May I...Thank you, Mr. Speaker. May I address a question to the Sponsor?"

Speaker Flinn: "Yes, you may."

Mautino: "Representative Currie, isn't it the full intention of the legislation through past history that the full faith and credit of the State of Illinois is always the security under any bonding program in the State of Illinois, contrary to what Representative Meyers said?"

Currie: "My understanding about this program is that they are revenue bonds with some moral sense of the state behind them. But I'm not sure what happens in a court of law should the bond holder find that there has been default. But he...Representative Meyer is absolutely right, what the bond holder has for security is the facility that those bonds... the...the machinery, the actual physical things that those bonds were lent to buy. Beyond that it isn't..."



Mautino: "But the bonds are issued under the auspices of the State of Illinois."

Currie: "That's right."

Mautino: "Okay, if..in that particular vein then, this type of bonding authority, which is very similar to the revenue or industrial bonding at the local level.."

Currie: "This is...this is revenue bonds."

Mautino: "Okay... Then become...then become paramount in the overall structure and the bond rating of the State of Illinois, even though you say that full faith and credit is not involved. I find that hard to believe, that anytime the State of Illinois would issue bonds for any...any proposal whatsoever, that our full faith and credit would not have to stand behind those bonds."

Currie: "My understanding is that it is not in this case."

Mautino: "Do you know of any defaults that have ever occurred?"

Currie: "I do not. I have statistics here about the monies that have been bonded, the money that's been lent under the program and it's impressive how many different parts of the state have had businesses? industries coming in asking for help under this program and at this point it looks to me as if everything looks as if it's in good financial state."

Mautino: "Okay, two final questions. We passed legislation, as well, from Committee, delegating scrubbers, for example, on Central Illinois Public Service or CILCO, etc. Now, we were also informed at that time that those facilities would have to, of course, pass the costs on for those scrubbers to the users of the services. Are we not in fact then giving them also additional dollars with the full faith and credit of the State of Illinois behind it,



yet they will still, on a long, broad haul be charging users. Isn't that kind of double jeopardy?"

Currie: "I think not. What happens is, that the scrubbers will be bondable under the fact and in fact the Amendments to the Bill, as originally introduced, make it clearer that scrubbers are one of those bondable things. To the extent that the utilities do pollution control work, those activities are part of the rate base. There's no getting away from that. On the other hand, if it's costing them less to do it because they're able to borrow interest rates under this kind of program. It is therefore a lower part, a smaller amount, that's added to the rate base. But yes, you're right, they still have that cost to the rate base but I think you're wrong, the fact that it will cost the utilities less to add that machinery since there will be a saving to the rate payer."

Speaker Flinn: "The Gentleman from Madison, Representative Sam Wolf."

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

Speaker Flinn: "The Gentleman moves 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 and so the main question is put so we'll close with the Sponsor, Representative Barbara Flynn Currie."

Currie: "This program has been on the books since 1972. It's been doing an excellent job. The proposal before you today is to increase the amount of money that can be lent under this bonding authority to increase the number of projects for which bond money will be available. So that surface lands, reclamation projects, for example, may be covered so that conversion and utilization devices for new energy



producing sources may be covered. It is a good program. I appreciate the help I've had from Representative Meyer, Representative Huff, various other people from various parts of the state who fully support the ideas behind this program, who support what it is the Industrial Pollution Control Financing Authority has been doing. I urge your support."

Speaker Flinn: "The question is, shall Senate Bill 1350 pass? All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', 28 voting 'nay', and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1357."

Clerk O'Brien: "Senate Bill 1357. A Bill for an Act in relation to certain taxes on motor fuel use in connection with transporting students to and from school. Third Reading of the Bill."

Speaker Flinn: "Representative Richard Kelly."

Kelly: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1357 is a Bill, as amended, which provides tax relief to the schools of Illinois. Under this Bill the bus carriers are exempt from paying the 7½ cents per gallon motor fuel tax and it also exempts them from paying the R.T.A. gas tax. We did adopt an Amendment in the Committee which assured that any savings accrued from this program would be passed directly on to the schools and not, you might say, enjoyed by the carriers. And it did pass the Revenue Committee and I ask for your support."

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



Schuneman: "Thank you, Mr. Speaker. A question of the Sponsor."

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

Schuneman: "Representative Kelly, you said this Bill provides tax relief for school districts. Where do the school districts get their money? Don't they get the money from taxpayers?"

Kelly: "Yes, they do get it from taxpayers. But at the same time the cost of education is...is there and I think it...it provides a little added, you might say, available money for education, which is, I think an important area, at least a number one priority in my own mind".

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

Speaker Flinn: "Proceed."

Schuneman: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill came before the Revenue Committee. I opposed the Bill in Committee and I rise in opposition to the Bill now. All of us have heard about the drains on the Road Fund in the State of Illinois. We've heard about diversions of the Road Fund and I, for one, came down here this Session to try to do something about that problem. Now we have a Bill which would take away from the Road Funds of the State of Illinois. Now admittedly it would give that benefit to our school districts. And there may be some justification in doing that, however, I think we should realize that to the extent we may save some money for taxpayers of school districts we're going to put a greater burden on other taxpayers in this state at a time when editorials throughout the state are being run advising us to protect the Road Fund, to not take money unnecessarily out of the Road Fund, and that's precisely what this Bill is going to do. Now one of the greatest beneficiaries of good roads in Illinois are our



school districts. And what we're going to be doing by means of this Bill is taking the money away from the Counties and cities and townships who are charged with the responsibility of maintaining good roads and getting the benefit of that tax break to school districts who, to a great extent, have been given the number one priority in this Legislature in the past. I think this is a bad Bill. I think it should be opposed and I urge you to vote against it."

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

Friedrich: "Mr. Speaker, I rise to oppose this Bill. I guess this could be called the big shuffle. We put it out of one pocket into the other. There's no one complains to me more about the poor country roads and streets than the school people who have to drive their school buses over them. The schools are already getting a third of the total state budget. And now out of that there's 5 cents paid on gasoline and they're getting a third of that. Now then they want to say, 'Okay, we want good roads and we want all the money and we don't want to pay any gas tax. Now you can't have it both ways, either you've got to have schools, or roads, or both. But this way we'll just have schools and no roads to drive the buses over. I think this is another diversion and I think it's wrong. We've got too many diversions already."

Speaker Flinn: "The Gentleman from Cook, Representative Greiman."

Greiman: "Mr. Speaker, Ladies and Gentlemen of the House, if I understand this I will be able to add this Bill to my ever expanding list of those people who



are entitled, who are being granted exemptions from taxation. And now we are going to grant an exemption along with foreign insurance companies that we did last week, railroad companies, fancy eating clubs, decreased out of state truck fees, and out of state printers, all of whom we gave exemptions last week to and now we start this week off with giving it to private bus carriers. Now, usually we say, 'Well, they'll go out of state and they'll move their business out of state.' But businesses that... bus companies are in the business of transporting Illinois school children can't move out of state if we don't give them this benefit. They've got to stay here and transport Illinois school children in Illinois. That's the way it works. So I think we ought to maybe just hold the line and not grant just this one exemption. I'm sure there are plenty of exemptions we'll be granting for the next two weeks. But maybe hold the line on this one, I'm going to vote 'no'."

Speaker Flinn: "Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I haven't got too much of a problem with the concept of the Bill but what bothers me is the administration of this Bill. There are going to be private companies contracting with the schools and they'll be able to claim the exemptions and then use the fuel for other purposes other than transporting students. I think that's where the big problem's going to lie and there's no way that they'd be able to administer this Bill. And for those reasons I'm going to ask everybody to vote 'no' on this Bill."

Speaker Flinn: "Representative Huff. Representative Doug Huff."

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



the House. I...somewhat reluctant to say I'm getting up to support this Bill. But I think it is worthy of some consideration in view of the fact that in several of the counties that are...that are involved in the R.T.A. experiment, even though they contribute to the overall cost at the pump, still do not have transportation services, per se, in their own counties. I think that what Representative is trying to do is create a quid pro quo situation based solely on this fact. And as I understand this Bill it's simply to reimburse, particularly, the school districts that have to have transportation, particularly where they have none other under the R.T.A. concept."

Speaker Flinn: "Representative Anderson, the Gentleman from LaSalle, Representative Anderson."

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

Speaker Flinn: "He indicates he will."

Anderson: "Yeah, Representative Kelly, let's say that I run a parochial school and I contract for bussing. Now, you say under your Amendment this will be returned to me, this...this tax. How is that going to be administered?"

Kelly: "Well it's a...it would be administered by...by guaranteeing that it would be given back to them. Under their present program, each one of these bus carriers has a record of what they're paying and what they're being contracted for. And it... I...I've been told it would be reflected directly in a savings to the school district."

Anderson: "Well then, what you're saying is if I use, say 20...20 gallons of gas a day for the 176 days I would get 176 times 20 times 7 and a half cents back at the end of the year?"

Kelly: "You would get back the savings in your contract for



the...the coming year based upon the experience. . . .
7 and a half cents a gallon, what's your...if
you're in the R.T.A. district, whatever the 5 percent
R.T.A. tax would amount to."

Anderson: "No, I'm not in the R.T.A. district."

Kelly: "I know."

Speaker Flinn: "The Gentleman from McHenry, Representative
Skinner."

Skinner: "Unfortunately I failed to ask for a fiscal
note on this Bill. Could you please tell us
how much it's going to take from the Road Fund and
how much money it's going to deprive the Regional
Transportation Authority if enacted?"

Kelly: "I don't know. I've just been told that it would
be about 15 thousand. But I would think it would
be more than that but I understand it's a minimal
figure."

Skinner: "15 thousand from the State Motor Fuel Tax Fund?
How about million? Would that be closer?"

Kelly: "I don't...I don't have that figure in front of me
and it hasn't come up, Representative."

Skinner: "Well frankly, Representative, it seems to me you
ought to take this out of the record and get the
answer to that question because I think if it's
a minimum amount you'll have a much better chance
of passing it. And if it's a larger amount there
may be people that might not want to vote for it,
that might just be voting 'present' this time because
they don't know what it is."

Speaker Flinn: "Representative Kelly."

Kelly: "Well I don't know. I guess I could take it out
of the record for that figure. There was plenty
of time for anyone in the House to ask for a
fiscal note and...will... Will we be getting back
to this Bill, Mr. Speaker?"



Speaker Flinn: "Does the Gentleman have leave to go back to it once he gets the answer to this question? Is there any objection? No objections? Representative Piel, for what purpose do you arise?"

Piel: "Thank you, Mr. Speaker. Maybe I can answer that question. When this was brought up before the Revenue Committee I had some bus companies from my district down here and we had discussed this. They did a synopsis trying to figure out exactly what it would cost...different districts in...or different school districts in my legislative district and the average was running between 10 and 15 thousand dollars per high school district."

Speaker Flinn: "Representative Polk."

Polk: "Would the Sponsor yield to a question?"

Speaker Flinn: "He indicates he will."

Polk: "So, Mr. Kelly, I think we've come up to the point that it could be between 10 and 15 thousand per school district. And do you have any idea how many school districts we have in the state?"

Kelly: "I don't know. I think there's...what, close to a couple hundred? I don't know some of the education people can..."

Polk: "A thousand...Kelly, it would be a thousand and I do believe then 15 million is probably a little closer to the field. The second thing I ask, when you asked about the administration of this, did you get an answer from the department? Are they going to administer it or will the school districts administer it themselves and send in their forms?"

Kelly: "I'll tell you what, let's take it out of the record..."

Speaker Flinn: "Do we have leave to go back to it once the questions are answered?"



Kelly: "No, that's all right, just leave it out of the record."

Speaker Flinn: "Leave it out of the record, period. Okay. Senate Bill 1364."

Clerk O'Brien: "Senate Bill 1364. A Bill for an Act to amend Sections of an Act to revise the law in relation to township organization. Third Reading of the Bill."

Speaker Flinn: "Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 1364 only applies to 2 counties in the State of Illinois, Lake County and DuPage County, because of the population provision in the Bill. What this Bill does for Lake and DuPage County is to allow the townships to regulate motor craft operation on small, private, non-navigable lakes. The reason for this Bill is that, as a matter of fact, I live on one of these small lakes that would benefit from this. There's no cost involved but it would allow a township to adopt some regulations concerning the use of motor boats on these little lakes that really cannot protect themselves. Possibly the township might adopt either a curfew or a speed limit, or some other control of the lake. This would enable our local government, that is closest to the people, to adopt some regulations that would protect the integrity of their small lakes. The Bill has been amended in a way so it does not affect any lake that might be regulated by any municipality. And the way that the Bill would work, very simply, is the township would adopt a regulation concerning either curfew or speed or something as to motor boat traffic, then the residents of that lake could simply call the sheriff if anyone was violating



the rules concerning their lake. It's an important Bill that is needed in just a small area of the State of Illinois, Lake County, where possibly in my district I might have 90 lakes, not all of them are private, but it's important to the residents of these small lakes. I'd be happy to answer any questions and I would urge you support for Senate Bill 1364."

Speaker Flinn: "The Gentleman from Lake, Representative Griesheimer."

Griesheimer: "I would just like to add my encouragement to the House to adopt this. We have a very serious problem in Lake County with certain small lakes lying in unincorporated areas. The homeowners around those lakes have no means of protecting themselves at the present time. And one incident that I was personally familiar with and looked into, a gentleman had a 280 horsepower boat on a very, very small lake for the purpose of pulling skiers. This lake was really a very, very tiny lake. In the process, one boy got killed and another one lost 2 of his...both of his legs. And the only way we can do anything about this is to have some sort of regulations. The Department of Conservation doesn't have the manpower to do it. And hopefully, if we have the regulations passed by the local townships then the sheriff's office can enforce them. I think it's a very good Bill."

Speaker Flinn: "The Gentleman from Cook, Representative Totten."

Totten: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Flinn: "He indicates he will."

Totten: "Representative Deuster, can you answer for me, why can't the counties do this now if the sheriff is going to be the final enforcement party? Why



can't the counties adopt the regulations for these lakes?"

Deuster: "The answer, Representative Totten, is all of these lakes are...are different. Some of them are small. Sometimes the residents on the lake, on one lake might like the particular use by motor boats and other lakes might not. It's just not feasible for there to be a countywide ordinance. And it's much better to have the local unit of government, closest to the people, adopt a tailor made regulation for that particular lake that might need it and want it. But to have one regulation for all of these lakes is very hard to do and the county, to my knowledge, is not interested in doing it."

Totten: "Does the county now regulate bigger lakes?"

Deuster: "Well, our Lake County Sheriff's Police does have a patrol out on the Chain-O-Lakes, which is a navigable body. But they don't do anything on the..on the smaller lakes."

Totten: "Is the size of the lake defined in the Bill?"

Deuster: "No. It says non-navigable. But it...it also must lie entirely within a township and it...not in any municipality where they're regulating it."

Totten: "All right, thank you, Mr. Speaker."

Speaker Flinn: "The Gentleman from Cook, Representative Bluthardt."

Bluthardt: "I wonder if the Sponsor would yield for a question or two?"

Speaker Flinn: "He indicates he will."

Bluthardt: "Where a...when one owner owns all the land around the lake, owns the lake itself, would this also authorize the township board to regulate that private lake?"

Deuster: "Representative Bluthardt, I understand the concern that you might have. The answer is yes. That's



something if there were a way to amend it out of the Bill I would and I would also assure you, for whatever it's worth, that this law or this authority would give any problem to any private land owner or any lake owner I'd be the first one to run in here and have it repealed. If there were some way to eliminate that kind of a lake I'd be happy to do it."

Bluthardt: "Let me ask another question. Would it authorize the township to prohibit the use of any motors, any outboard motors on the lake?"

Deuster: "Well, it says regulate and control. In the case of my own lake, 'Silvin Lake' where I live, I think...we have no motor boats, we don't want them and if somebody came in with one we would like out township to be able to...to ban them. My assumption, Representative Bluthardt, is the township would do what the people around that lake want it to do and..."

Bluthardt: "The township would do what the politicians that run that township want to do. If they want to prohibit the sole owner of a parcel of land that includes the lake from the enjoyment and use of his lake, the enjoyment of use of boats, then they would be able to do it. I think this is a poor Bill, it's a poor concept. I think we're authorizing the township board to control the total enjoyment and use of private lakes and other lakes that aren't necessarily private but the rules may be contrary to the wishes of the people who have homes on those lakes. I think the Bill is bad and I think it ought to be defeated."

Speaker Flinn: "The Gentleman from Cook, Representative Mahar."



Mahar: "Thank you, Mr. Speaker, will the Sponsor yield for on question?"

Speaker Flinn: "He indicates he will."

Deuster: "Yes, I..."

Mahar: "Don, what machinery does the township government now have to take on this additional responsibility? And how will they fund it?"

Deuster: "The way I...the way I think it would operate in my own township is very simple. The people on 'Silvin Lake' or some other lake would come in and say, 'We'd like you to consider adopting a regulation.' They would have a regular meeting, they would adopt a regulation and then where somebody is abusing our lake I could pick up the phone and call the sheriff and the sheriff could come out to the enforce the law. Right now there's nothing that they can enforce."

Mahar: "Can the sheriff enforce township ordinances or whatever? In municipalities the sheriff doesn't enforce the municipal ordinances, it's done by the local municipal officials. Now, as I understand it the townships don't have any constables anymore or any people like that to do the job, so it seems to me there'd be really no method of enforcement."

Deuster: "Well, Representative Mahar, I said earlier and I would state again that the sheriff would have the authority to enforce this. Right now, if we have any kind of a violation of the criminal law going on in our unincorporated area we call the sheriff, they come out and enforce the law. It's of my opinion they would be able to enforce this."

Speaker Flinn: "The Gentleman from Cook, Representative Yourell."

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



Speaker Flinn: "He indicates he will."

Yourell: "Representative Deuster, do all lakes in Illinois.. are all lakes in Illinois in the corporate political boundries of a township?"

Deuster: "Are all lakes in Illinois within a township?"

No. I can think of Lake Michigan and...I've got a map here of Lake County. A lot of lakes aren't covered by this Bill."

Yourell: "With the exception of Lake Michigan, do all lakes in Illinois, are they in the political boundries of a township?"

Deuster: "Well I'm trying to...to get the gist of your question. I guess the answer is yes. But they don't lie wholly within the township. And the Bill says, 'lying wholly within the township.' We have, for example, I think Diamond Lake that straddles Libertyville and Freemont Township. This Bill only affects a lake..."

Yourell: "My final question, Sir. How many lakes are we talking about in Illinois?"

Deuster: "I would imag... Did you want the answer? I haven't counted them all. Maybe there's 7, maybe there's 15. We're trying to write the Bill to solve a local problem. It doesn't affect Cook County, it doesn't affect any county except Lake and DuPage."

Speaker Flinn: "Any further discussion? Representative Bradley."

Bradley: "I had a question but I think he just answered it. He said it only affected two counties? Lake and DuPage?"

Deuster: "It only affects Lake and DuPage."

Bradley: "Fine. Thank you."

Speaker Flinn: "Representative Deuster, do you wish to close?"



Deuster: "No. I think adequate time has been spent on...on the Bill and everyone understands it. If there's any way that it can be improved I'd be glad to do that but I present it to the House of Representatives at this time. And if this Bill or this law would provide trouble for anybody I'd be the first one to come back and repeal it. But I live on a lake, I think it will help the people who live on lakes. And I have confidence in township government and I think they would do the right thing for the benefit of the people who own and live on lakes whether there be one, two or many and I urge your favorable consideration. Thank you."

Speaker Flinn: "The question is, shall Senate Bill 1364 pass? All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 62 voting 'aye', 39 voting 'nay'. Representative Deuster."

Deuster: "Well I'm sorry to take the time of the House but I would ask for a poll of the absentees. And I might say that since...since it's 62, I would like to get it at 70 so perhaps I could sit down with somebody and the Bill can be salvaged. It's very important to the people that I'm conscious of and that's why I make this request."

Speaker Flinn: "What if we dumped the Roll Call and you got up to 70, would that be fine? Would you dump the Roll Call? The question is, shall Senate Bill 1364 pass? All those in favor vote 'aye', those opposed vote 'no'. He's looking for 70 votes. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 76 'aye', 30 voting 'no'. Representative Deuster moves to put it on Postponed Consideration. Senate Bill 1404."



Speaker Flinn: "Senate Bill 1404."

Clerk O'Brien: "Senate Bill 1404. A Bill for an Act to amend Sections of the Environmental Protection Act. Third Reading of the Bill."

Speaker Flinn: "Representative Mulcahey."

Mulcahey: "Thank you Mr. Speaker and Members of the House. House Bill... or Senate Bill 1404 provides that the Pollution Control Board shall not adopt regulations which require municipalities with less than 10,000 inhabitants to chloridate their public water supplies. Now, this exemption, of course, is only permissible indeed in the areas in the municipalities where they have proved that the water supplies indeed do not need chlorination. This is done in many, many communities on a daily basis. It's done in many communities on a weekly basis and, of course, is required by the state on a monthly basis. Strictly permissive legislation and I ask a favorable Roll Call."

Speaker Flinn: "Representative Polk."

Polk: "Mr. Speaker and Ladies and Gentleman, I hope all those people from downstate were really listening. I don't think it's going to affect Cook County too much but those of us downstate who have small communities in our, in our legislative districts who have had problems with EPA for the last 12 years should know what's really in this Bill and it says it's permissive thing which allows them not to go into chlorination. I've received tons of letters from my district. I serve... I suppose most of the people downstate have so as well. I think it's time that we brought this thing to the, to EPA, let them know exactly how we feel about it, recognize the Bill sponsor on the other side of the aisle. I still think it's a great piece of legislation and I would recommend an aye vote."

Speaker Flinn: "Representative Rigney."

Rigney: "Well Mr. Speaker and Ladies and Gentlemen of the House. I rise to support what I feel is an excellent Bill that my colleague is handling. There are two



communities in the 35th Legislative District that have been carrying on quite a battle with the EPA over this very issue. Those two communities of Orangeville and Oregon both have a deep well source of water. They have had absolutely no problem with, with anyone's health. There has been absolutely nothing that has happened in the, the last hundred years, I guess, as far as a, a pure source of water is concerned in those communities. They simply do not want to add this particular product to their water source. They don't like the taste of the chlorine and furthermore; they don't like the expense of having to add this to their water supply when they feel that it isn't needed. I urge everyone to give an aye vote to Senate Bill 1404."

Speaker Flinn: "The gentleman from Macon, Representative Borchers. Borchers."

Borchers: "Mr. Speaker, first of all, I'd think Representative Rigney's read the Bill wrong. I want to say something about this. If you read it says very clearly and I'm on that Committee, it says amends the Environmental Protection Act to provide that the Board may not require certain municipalities to chlorinate the water. Maybe I misunderstood you perhaps. OK. I was under the impression you may have read it wrong. Anyway, I want to speak in support of this Bill. Is that what you did? OK. I want to speak in support of the Bill myself. Now we have a..."

Speaker Flinn: "Proceed."

Borchers: "... Macon County that would be affected by this and I am not, none of us are in that township but the water is perfectly alright. I know where it comes from and I feel for one that the EPA has no right to interfere with the water of a township or anyone else as long as the people themselves are satisfied with it and they have never had any trouble with disease or contagion of any source. And it could have cost some of these townships



or water districts. Will have to have a hired engineer and will have to go to unnecessary expense to maintain the water if the EPA steps in and requires certain rules and regulations which they will do. So I certainly urge the support of this Bill."

Speaker Flinn: "Gentleman from Kane, Representative Waddell."

Waddell: "Move the previous question."

Speaker Flinn: "Gentleman has moved the previous question."

All those in favor of putting the main question vote aye, say 'aye', those oppose. The ayes have it. Representative Mulcahey to close."

Mulcahey: "Mr. Speaker and Members of the House, I would ask for a favorable Roll Call."

Speaker Flinn: "Question is shall Senate Bill 1404 pass?"

All those in favor vote aye, those oppose vote no. Representative J.J. Wolf to explain his vote. One minute. Timer's on."

Wolf: "Yes Mr. Speaker, Members of the House. I too would urge some more green lights. I believe this is the concept that was introduced a couple of years ago by former Representative Harold Adams and I would certainly urge some additional green lights to further this concept."

Speaker Flinn: "The gentleman from DuPage, Representative Schneider to explain his vote. One minute. The timer is on."

Schneider: "Well Mr. Speaker I'm reluctant to rise in opposition since nobody wants to oppose the Bill. I think it's important that we understand what's happening is that if the EPA cannot deal with water sources even though the cities and the communities that affect Representative Mulcahey and Rigney are involved I would say across the board we've got to be very cautious about dealing with water supplies. Representative Rigney has argued, 'Well for the past 100 years there's been no problem': Times are changing in terms of what goes into our soil. What kinds of chemicals. What kinds of pollutants. I suggest



that a lot of damage is going to be done if we don't keep an eye on it. I don't know of any better source than the expertise of the EPA rather than leaving it in the hands of a small, inexperienced community that doesn't have the facilities nor the skill to do the job. This is very serious legislation. You ought to think twice before you put your green light on there. I would encourage a no vote."

Speaker Flinn: "The gentleman from Bonn, Representative Watson to explain his vote. One minute. The timer is on."

Watson: "Thank you Mr. Speaker. While I question the, the EPA's credibility here but anyway many communities in the state have hard water which contains magnesium. And chlorine contains a chloride, ion, which reacts with the magnesium to form a residue. Magnesium chloride. This residue ends up in the water and many people, of course, think it's contaminated. Also, the magnesium as a metal will react with the chlorine to eat away metal parts of pumps and any piping or anything else so, as a result, there's a problem it ends up with the chlorine in the water that they don't necessarily have. I urge a favorable vote and hope that more people will get green lights up there."

Speaker Flinn: "The lady... lady from Cook, Representative Currie to explain her vote. One minute. The timer's on."

Currie: "Thank you. I received and I'm sure most of the rest of you did too lobbying letters from various villages, municipalities asking us to support this legislation. I wasn't impressed. I wish I had one of the letters to read to you, the point the village authorities made was that it's all very well for us not to have to chlorinate our water because so far, no one has yet died. Seems to me that's not accurate reason for having green lights up on that board. I think we should exercise due caution restraints. I urge a no vote."



Speaker Flinn: "The gentleman from Cook, Representative Bluthardt to explain his vote. One minute. Timer's on."

Bluthardt: "Thank you Mr. Speaker. I've heard the story and the sad tale of woe by the mayor of the town of Orangeville for a number of years. He's brought the Pollution Control Board to the mail ever since they have required that the water of Orangeville be chlorinated. I asked the mayor whether he would agree, also; that if we remove the mandate of chlorination that they also remove, remove the mandate of floridation. He said 'No', he said that's good to prevent teeth cavities and he didn't see anything wrong with that, but he said they've never had an epidemic in his recollection, and I agree with the lady who spoke just prior to my taking this microphone, the fact that they haven't had an epidemic in the past is no assurance that they might not have one. I think it's much more, much more important that we require chlorination that protects the health of the people, especially the children, much more important than that we have that than we protect just the teeth of children. I think this is a bad Bill and I would hope that it would be defeated."

Speaker Flinn: "The gentleman from Marion, Representative Friedrich to explain his vote. One minute. The timer's on."

Friedrich: "Mr. Speaker, Members of the House. Apparently some Members seem to think that the passage of this Bill would preclude the use of chlorine. Actually, it makes it optional. We've got a lot of towns in my area that use well water and the ingredients of that well water such when you put chlorine in it you've really got a problem. The town of Germantown has really been messed up ever since they've had to use chlorine. So leave this up to the local communities. They're certainly more in favor of protecting their people as much as you are."

Speaker Flinn: "The gentleman from Cook, Representative Meyer's



to explain his vote. One minute. The timer is on."

Meyer: "Thank you Mr. Speaker. As I understand the function of government, it is, it is to protect those who individually can't protect themselves. Ladies and Gentlemen, this deals with public water supply and it deals with epidemics in cholera, in typhoid and Ladies and Gentlemen, I can't imagine anybody who wouldn't, who wouldn't want to have their water supply protected. I urge defeat of this Bill."

Speaker Flinn: "The Gentleman from Effingham, Representative Brummer to explain his vote. One minute. The timer's on."

Brummer: "Yes, I think one thing that is important in here is that this exemption is allowable only when that municipality has demonstrated an ability to provide water that is safe for human consumption without chlorination. That decision is going to be made by the EPA who is, who is the agency charged with the, overseeing the safety of the water supply. So if we pass this Bill this allows the EPA to grant, to not allow, not require chlorination when there has been satisfactory demonstration of the ability to provide safe water in the first place. It appears that this is a good Bill and ought to be passed."

Speaker Flinn: "The gentleman from LaSalle, Representative Anderson to explain his vote. One minute. The timer is on."

Anderson: "Yes, Mr. Speaker. I rise against this Bill because what's so magic about the number 10,000. Why... you know, if we don't want to chlorinate the water, why don't we give the option to the whole State of Illinois. I think that chlorination is necessary. It will knock out any bacteria that may come into the water from leaks in sewer systems, things such as this so I think it's a health necessity for all the people of the State of Illinois that water in municipalities be chlorinated."

Speaker Flinn: "The gentleman from Lake, Representative Deuster to explain his vote. One minute. The timer is on."



Deuster: "Representatives may not realize that the water supplies are inspected and sampled so that a municipality a small municipality under 10,000 that might have not the financial ability nor the desire on their people to have this chemical put in the water they're going to learn about it if some bacteria gets in there. I introduced similar legislation on the subject of flouride I happen to live in a small community that's unincorporated that still is regulated by the state. We have a hard time coming up with the money to put flouride in much less chlorine and we've had this water supply providing good, clean, safe water since 1924. And I think that we ought to allow a small local unit of government to make their own decision and have some confidence in local government and the people in the locality and I urge more green votes."

Speaker Flinn: "The gentleman from Cook, Representative Williams to explain his vote. One minute. The timer's on."

Williams: "Thank you Mr. Speaker, Members of the House. I had sort of mixed emotions whether I was going to speak on this, you know, or not. Several good points actually have been made by previous speakers. I can fully have empathy with the small communities who think this is a big, you know, we'll say imposition on them. I don't think it's necessarily the question of the water being of a good source, we'll say, or quality. But we all know what can happen when that system fails and the system can actually be contaminated from within. If you have a drop in any of the pressure or if you have a breakdown you do need that chlorine in there for the protection of all the citizens and for that reason I would oppose this Bill."

Speaker Flinn: "The lady from DuPage, Representative Reed to explain her vote. One minute. The timer's on."

Reed: "Lady from Lake, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House. I'd like to make the observa-



tion that it will take only one typhoid epidemic to show the error of this Bill. I hope we'll defeat this legislation."

Speaker Flinn: "The gentleman from DeWitt, Representative Vinson to explain his vote. One minute. The timer's on."

Vinson: "Yes sir, Mr. Speaker. Right now I'm recorded as green up there. I'm going to change my vote to present not because I think chlorination's good, I think it's bad. I think we ought to get it out of the water, but we ought to get it out of the water of the communities of every size in the state and we ought to force this Bill onto Postponed Consideration and give the sponsor a chance to take it back to Second Reading to amend it so that it takes chlorination out of all the water in this state."

Speaker Flinn: "The lady from Cook, Representative Macdonald to explain her vote. One minute. The timer's on."

Macdonald: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I, too, reluctantly rise to speak against this Bill. But I will say that for nine years the Environmental Protection Agency and the Pollution Control Board have attempted to find viable alternatives to chlorination and so far it is the only safe way to treat water. I would say that with the possibility of ground water pollution which can happen in a very short period of time that it is indeed very, very dangerous and the process itself takes far too long to activate to take the chance of having the people who are served by chlorination of small communities to have to wait for that incident to happen. So I urge your no vote on this Bill."

Speaker Flinn: "The gentleman from Wayne, Representative Robbins to explain his vote. One minute. The timer is on."

Robbins: "Well, this Bill really doesn't affect a lot of communities except a lot of the smaller communities downstate and a lot of independent people. I, I wish to



state that I have a well out there that I have been drinking out of. I know it's not pure. There's very little pure water. I don't, I suppose I should die today but I think that you should give the people, a community the right to put this poison in or take it out. I don't think that you should require a person to take poison into their body if they don't want to and this is what you are requiring."

Speaker Flinn: "The lady from LaSalle, Representative Hoxsey to explain her vote. One minute. The timer is on."

Hoxsey: "Yes, Ladies and Gentlemen of the House. I don't believe some of the conversation I've heard here today. What you're dealing with is the small communities that mostly get their water from deep wells. Now you're... the mandate is that they put chlorination in that water. What guarantee do we have that chlorination isn't a problem and a health problem? Nobody's given me that guarantee. It should be, as long as the water is tested periodically let me tell you that if the state says there's something wrong with the water, that people that are using it are going to be the first ones to do something about it. I suggest an aye vote on this Bill."

Speaker Flinn: "The lady from DuPage, Representative Dyer. to explain her vote. One minute. The timer's on."

Dyer: "Mr. Speaker, Ladies and Gentlemen of the House. There's saying when you travel to an undeveloped country that's largely rural don't drink the water. When you travel in highly industrial company, country don't breath the air. Now if we take this giant step backwards and pass this Bill, you will not be able to drink the water in our country either."

Speaker Flinn: "The gentleman from Winnebago, Representative Mulcahey is to explain his vote. One minute. The timer's on."

Mulcahey: "Well Mr. Speaker I think, I think there's an awful lot of people here who are missing the point entirely."



Missing the point. This is permissive legislation which affects communities under 10,000 only when they have demonstrated to the EPA which we know isn't worth a damn 90% of the time anyway where they can demonstrate to the EPA and to their own local communities that their water is, the water is good. These tests are taken weekly. They're taken monthly. It's required by law. And these small communities when they determine through this testing that the water is bad or it's getting bad or looks like it's getting bad, they'll be the first one to chlorinate. A case in Orangeville right now, three years ago the EPA says you shall chlorinate your water. The mayor over there told them to take a long walk on a short pier. He's in violation right now with state, with state law. But that water is just as fine today as it was three years ago when the EPA said chlorinate. It is permissive. And these small communities with their village boards and the city councils will take care of the situation if it calls for it. We don't need the EPA telling everybody in these areas what's right and what's wrong."

Speaker Flinn: "The, Representative Emil Jones. One minute to explain your vote. Timer's on."

Jones: "Yes, thank you Mr. Speaker, Ladies and Gentlemen. Once again I must rise up to help protect the people in the southern Illinois. As the previous speaker pointed out, this is the reason why we should vote this Bill down. He said, he stated that is the water is tested once a week or once a month you can get a break in your water main line and it doesn't take but a few hours for the bacteria to seep into the water that could contaminate all the people downstate. This Bill should be defeated because chlorine is the only thing that you're going to put in the water that's going to kill the bacteria and it must be tested on an hourly or semi-hourly basis. So therefore; once again, I'm rising up to help my friends downstate who refuse to help themselves."



Speaker Flinn: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 85 ayes, 62 nays and Representative Mulcahey asks for Postponed Consideration. Postponed... Not... What are you asking for? Representative Mulcahey. Poll the absentees. Sorry about that. Clerk will poll the absentees."

Clerk O'Brien: "Abramson. E.M. Barnes. Bowman. Dawson. Domico. Ewell. Goodwin. Henry. Huff. Kozubowski. Kucharski. McBroom. Schlickman. Schoeberlein. And Vitek."

Speaker Flinn: "Now, Mr. Mulcahey asks for Postponed Consideration. Correct?"

Mulcahey: "Yes, Mr. Speaker, put it on Postponed Consideration please."

Speaker Flinn: "Postponed Consideration." Senate Bill 1424."

Clerk O'Brien: "Senate Bill 1424. A Bill for an Act to amend Sections of an Act to revise the law in relation to counties. Third Reading of the Bill."

Speaker Flinn: "Representative Dyer."

Dyer: "Mr. Speaker, I wonder if we could take this Bill out of the record for now but get back to it later? Maybe take it out of the record for now but get back to it later in the day."

Speaker Flinn: "Does she have leave to go back to this when she gets the problem straightened out? Hearing no objections we'll go back to this without going around the whole order of business. Senate Bill 17."

Clerk O'Brien: "Senate Bill 17. A Bill for an Act to amend Sections of the Minimum Wage Law. Third Reading of the Bill."

Speaker Flinn: "Representative Dawson."

Dawson: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 17 would exempt employees of an organized camp or non-profit educational center from the overtime provisions of the Illinois Minimum Wage Law."



Speaker Flinn: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Mr. Speaker and Ladies and Gentlemen of the House, I rise as a Joint Sponsor with Representative Dawson on this Bill. The Bill arose by a situation in Winnebago County where a Girl Scout Camp was faced with the possibility of having to close because they could not afford to continue to pay the minimum wage. I might point out that under the Federal Minimum Wage Law, Girl Scout Camps, Boy Scout Camps and so on are exempt. This Bill only applies to the Illinois Minimum Wage and would exclude from that law, Civic Camps, Girl Scout Camps and other non-for-profit camps. I believe it's a good Bill, it will help these camps keep in operation and be able to afford their costs and I ask for your support."

Speaker Flinn: "The Gentlaman from McLean, Representative Ropp."

Ropp: "Will the speaker yield?"

Speaker Flinn: "He indicates he will."

Ropp: "Does this have to do with military camps? That's organized, isn't it, or..."

Hallock: "No, they're not organized."

Ropp: "I thought they were."

Hallock: "They're disorganized."

Speaker Flinn: "Any further discussion? If not, Representative... Representative Griesheimer. Leinenweber, I'm sorry."

Leinenweber: "Mr. Speaker, we all look alike. I just have one question for the Sponsor. Were there any floor Amendments put on this Bill or is the only Amendment the one that was put on by Committee?"

Hallock: "Committee."

Leinenweber: "Thank you."

Speaker Flinn: "Any further discussion? If not, the question



is, shall Senate Bill 17 pass? All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 149 'aye' and 1 voting 'no' and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 76."

Clerk O'Brien: "Senate Bill 76. A Bill for an Act to amend Sections of the Agricultural Fair Act. Third Reading of the Bill."

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

Slape: "Thank you, Mr. Speaker. Senate Bill 76 is a Bill that would add aid to the County Fairs and to Agriculture Extension Clubs. The money will come from the Agricultural Premium Fund and I'd ask for a favorable Roll Call."

Speaker Flinn: "Any discussion? If not, the question is, shall Senate Bill 76 pass? Representative Skinner."

Skinner: "Yes, I have my perennial question. I'd just like to know how much it's going to cost? Do we have some clue from the Sponsor?"

Speaker Flinn: "Turn Representative Slape on."

Slape: "Yes, Representative Skinner, the total increase over the 1974 Agriculture Act is 389 thousand 290 dollars. It comes from a raise in premiums at the fairs of 2,000 dollar raise in fair premiums and our 4-H Membership rates and F.F.A. Fair increasement."

Skinner: "Thank you."

Speaker Flinn: "Representative Kane."

Kane: "Would the Sponsor yield to a question?"

Speaker Flinn: "He indicates he will, yes."

Kane: "Does...does this Bill have the same provision that a previous Bill had, and that is that a cost a living increase that's built into this formula year after year?"



Slape: "No, there's no cost of living increments in this Bill, Representative."

Kane: "Thank you."

Speaker Flinn: "Representative Giorgi."

Giorgi: "I'd like to ask Slape a question, for the record."

Slape: "Yes, Sir."

Giorgi: "Representative Slape, do you think that the use of gambling dollars to help the Agricultural Extension Clubs, Vocational Agricultural section of the fairs stunts the growth of the kids from participating in that program because of the gambling dollars effect?"

Slape: "Stunts the growth? I don't think so, no."

Giorgi: "Does it stunt their growth, their attendance at bible classes?"

Slape: "Not to my knowledge, Representative."

Giorgi: "Very good, for the record."

Speaker Flinn: "Representative Vinson."

Vinson: "Will the Sponsor yield for a question, Mr. Speaker?"

Speaker Flinn: "He indicates he will."

Vinson: "What did you indicate the cost of this would be to the state?"

Slape: "It's an increase of 389 thousand, 290 dollars over the 1974 Agricultural Act."

Vinson: "And where does that money come from?"

Slape: "It comes from the Agricultural Premium Fund."

Vinson: "And what happens to money in the Agricultural Premium Fund that is not spent?"

Slape: "Well there will be a 40 million dollar transfer in FY 80 from that to the General Fund."

Vinson: "It would go to the General Fund?"

Slape: "Yes, Sir."

Vinson: "And there would it be available for expenditure on such things as education?"

Slape: "Yes."



Vinson: "And if we effectively, as some of us hope, terminate diversion from the Road Fund to the General Fund, will this be a much tighter General Fund situation for the next year than we currently expect?"

Slape: "No."

Vinson: "There won't be?"

Slape: "Representative, in 1979 there was no transfer from the Agricultural Fund to the General Fund."

Vinson: "Yes, and Mr. Speaker, may I address the Bill?"

Speaker Flinn: "Proceed."

Vinson: "Yes, I would urge defeat of this Bill for two reasons, first of all there's other better legislation on the topic that's already passed the House and secondly, and far more importantly, what we have right now that has caused some people to, including myself, to vote somewhat loosely on the status of the General Fund is a healthy General Fund. That situation can change very markedly if in fact money that we are now budgetting for the General Fund is transferred to the Road Fund as a method in diversions for improving the Road Fund, for improving highway construction. This money could go into the General Fund if we don't spend it here. It could be available for shcools all over downstate Illinois, Chicago and everywhere in this state. Therefore, I would urge defeat of this Bill."

Speaker Flinn: "The Gentleman from Bond, Representative Slape, to close."

Slape: "Thank you, Mr. Speaker, I...first of all address Representative...the previous Representative's remark, if the money taken from the Agricultural Fund is put in the General Fund all this simply has done is just created a diversion from the Agricultural Fund to the General Fund and trying to stop the diversion



from the Road Fund. When the Agricultural Premium Fund was first initiated under the Horse Racing Act it was initiated it was initiated for agricultural purposes. It's in this fund that we have went to try to bring an increase for our county fairs and I would ask for a favorable Roll Call."

Speaker Flinn: "The question is, shall Senate Bill 76 pass? All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Just a minute. Don't take the record, I didn't recognize Representative Bradley."

Bradley: "Yes, Sir, Mr. Speaker, I'd like to explain my vote."

Speaker Flinn: "Proceed."

Bradley: "In explaining my vote, the Agricultural Premium Fund, when it became originally enacted was enacted to do just exactly what this Bill is attempting to use those funds for. I don't believe that we enacted the Agricultural Premium Fund Act to get a certain percentage of the dollars from race track betting to put it into the General Revenue Fund as might be suggested. We all realize that that's what, on occasion, does happen and we have had Governor's who have counted on those dollars from the Agricultural Premium Fund to go into the General Revenue Fund. But the real purpose of the General Revenue Fund is to take care of county fairs and those activities that go hand in hand with the county fairs as we know them in downstate Illinois. I've had Bills in here to use the Agricultural Premium Fund on occasion for very distinct advantages to county affairs and other related agencies to the county fairs and I think it's a very fair Bill. It's



what the Agricultural Premium Fund was designed to do. It does it, it's one of the few programs we can look at and say, 'This is what we intended for it to do and we are successful in the Agricultural Premium Fund doing just what it was designed to do.' And we need one more vote and it's a good piece of legislation that Representative Slape has come up with and I'm proud to stand up and support it."

Speaker Flinn: "The Gentleman from Randolph, Representative Birchler, to explain his vote. One minute, the timer is on."

Birchler: "Thank you, Mr. Speaker. I don't know how many of you folks have been 4-H Club Leaders and watched these rural youths work their projects to take to the fair. We need this money increased in this particular fund to help those particular projects. Those are educational projects associated with our schools and with the local community. And I ask that you people give an 'aye' vote to this particular Bill."

Speaker Flinn: "The Gentleman from Wayne, Representative Robbins, to explain his vote. One minute. The timer is on. Representative Robbins. Robbins, you're on the air."

Robbins: "We need...we needed this...we need this Bill voted out and I want to thank you fella's for coming green."

Speaker Flinn: "The Gentleman from DeWitt... Representative Vinson, I think you talked in debate, didn't you?"

Vinson: "Yes, I just asked for recognition to request a verification if this gets over 89."

Speaker Flinn: "All right, we'll get to you when we get there. Representative from Bureau, Representative Mautino. One minute to explain your vote."



Mautino: "Thank you, Mr. Speaker. I want to thank, first of all, all those Legislators from the Metropolitan Chicago area because they're giving support to this good downstate Bill. This is the basis for all of your County Fair and extension programs. If, in fact, you don't pass this legislation with that 40 million dollars that's left over in the Ag. Premium Fund you downstaters might find that this would be going back to the McCormick Place or the Metropolitan Fair. Now I'd recommend that everybody get on this Bill because it helps downstate and we thank the Chicago delegation for their help on it."

Speaker Flinn: "The Gentleman from McLean, Representative Ropp, to explain his vote. One minute. The timer is on."

Ropp: "Yes, Mr. Speaker and Members of the House, I actually, truly support the concept here, though I'm voting 'no' because I think we've already passed the Bill out and it provides for greater help through, not only 4-H but the F.F.A. and the County Fairs. And I thought to do this we're doing less than what we had...our original intent from last week or a couple of weeks ago when we passed a Bill out that provided much more money, giving greater opportunities to youths of rural and also Cook County areas. And that's why I'm voting 'no' on it, because I think we already have that taken care of."

Speaker Flinn: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 99 'aye' and 46 'no' and Representative Vinson asks for a verification of the Affirmative Roll Call and I suppose the Sponsor requests a poll of the absentees. Poll of the absentees according



to Representative Slape. The Sponsor requests a poll of the absentees. Rep...A poll of the absentees according to Representative Slape."

Clerk O'Brien: "The Clerk will poll the absentees."

Clerk O'Brien: "E.M. Barnes. Bowman. Ralph Dunn. Epton. Ewell. Katz. Kozubowski. Kucharski. McAuliffe. McBroom. Peters. Reilly. Schlickman. Schoeberlein. Schuneman. E.G. Steele. Stuffle. Waddell. Wikoff."

Speaker Flinn: "Bluthardt... Representative Bluthardt, for what purpose do you rise?"

Bluthardt: "Mr. Speaker, I'm...I'm quite sure the Bill is going to pass and in order to avoid a verification please change my 'no' vote to 'aye'."

Speaker Flinn: "Bluthardt from no to aye, any further changes before we get started with the Affirmative Roll Call? Representative...Representative Tuerk. Change him from 'no' to 'aye'. Any further changes before we go to the problem of all the way through the 'ayes'? Representative Jones, 'aye'. Jones, from 'present' to 'aye'. J. Jones...J. David. Representative Vinson."

Vinson: "To avoid any delay in the House's activities, I withdraw the verification."

Speaker Flinn: "The Gentleman withdraws his request for a verification. Give me the number of the votes. On this question there are 102 voting 'aye' and 44 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 147."



Speaker Flinn: "On this question there are 102 voting 'aye', and 44 voting 'no', and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 147."

Clerk O'Brien: "Senate Bill 147, a Bill for an Act to amend Sections of the Public Community College Act, Third Reading of the Bill."

Speaker Flinn: "Representative Getty."

Getty: "Mr. Speaker and Members of the House, Senate Bill 147 is a Bill which would establish state wise tenure for public community colleges. It provides for dismissal... dismissal procedures for probational...probationary faculty. At present, there is no statutory provision concerning the establishment of tenure for community colleges. As a result, 29 such community colleges provide for it and 10 do not. The provisions of the Bill would provide for a three year tenure period which may be extended to four and after that would set out a procedure whereby teachers could be terminated. I would ask for your support."

Speaker Flinn: "The Gentleman from Cook, Representative Walsh."

Walsh: "...Mr. Speaker and Ladies and Gentlemen of the House, this is indeed one of the worst Bills in the entire Session. It does for junior college professors what has been done for teachers and has been regretted by many for...for teachers. It provides for tenure. Now in the first place, college professors, junior college professors ought to be treated in the same way that other college professors are. That was certainly the intention of the Legislature. It was the intention of those people who were interested in forming the state-wide community colleges. They intentionally did not at that time in 1965, provide for tenure. They have not since then, and this is simply a ploy by the Teacher Union to do something because they have done



just about everything else. And I suggest to you that it is not right. The administration of junior colleges is entirely different from that of elementary and secondary schools. Junior colleges are not nearly as structured. Therefore, a tenure period of three years with a probation period of one year is simply too little time. In the collective bargaining agreements in universities, traditionally, the tenure probation in the collective bargaining agreements is seven years. For us to lock in three and possibly four is all wrong, now, this Bill does something more than that. In addition to the tenure provision and for the provision for dismissing teachers, it goes to the question of economics of... dismissals for economic reasons or for reductions in the enrollment. That, too, is an extension that has just been done now in a Bill that Representative Schneider passed the other day, and hopefully will be vetoed, that has just been done for elementary and secondary schools. So to do it now for junior colleges is absolutely wrong. Now I would urge you, Mr. Speaker and Ladies and Gentlemen of the House, do not pass this Bill. It is not well thought out, and I might add, also, that it is not an IEA Bill. I know that many of you if the IEA says jump, you really go. Well, it is not an IEA Bill. You can vote 'no' on this, and I don't think you'll get into a whole lot of trouble with the Illinois Education Association. Don't tell them I told you that, but I don't think you will. So I urge you to vote 'no'."

Speaker Flinn: "We won't tell them. Representative Hoffman."

Hoffman: "Thank-you, Mr. Speaker, will the Sponsor yield to a question?"

Speaker Hoffman: "He indicates he will."

Hoffman: "First, what is the typical tenure policy at state universities such as Illinois State, University of Illinois, places like that where you find teachers



teaching on the freshmen-sophomore level?"

Getty: "I believe it varies. This Bill does not speak to that."

Hoffman: "Basically the tenure policy at state universities usually runs between seven to nine years. It seems to me that this is a fairly comparable number. Let me ask you this question. Under this Bill, will teachers who have taught four or more years be automatically tenured in?"

Getty: "Yes."

Hoffman: "In other words, that there will be no probationary period provided in this Bill. So if someone has taught, they will be automatically tenured in. Alright..."

Getty: "The purpose of Amendment #1, which was offered in Committee, was to clarify just exactly that position. That if they had been already teaching for four years, they would be tenured in."

Hoffman: "Alright, let me just reflect and point out that when the present tenure law was adopted for elementary and secondary school teachers, that at that time it provided that at least one of the years that was included for tenure was prospective, and therefore there was a year to make an evaluation on that basis. How will this Bill affect community colleges that already have tenure programs?"

Getty: "Well, there are 29 community colleges which have tenure programs. If their tenure was for a period of more than the three or four years as is provided in the Bill, it would shorten their tenure period. If their tenure period was for less, then it would have no effect on the existing tenure provision."

Hoffman: "Alright, how is a...how do we define a full-time employee in this Bill? In other words, if tenure is to apply to full-time employees, what constitutes a full-time employee?"

Getty: "I believe you'd just have to look at the statute and determine whether it was a full-time teaching position or not a full-time teaching position."



Hoffman: "Let me suggest to you, Mr. Sponsor, that there is no definition in the statute of what constitutes a full-time employee, and that that...that fact alone I think leaves a significant hole in the Bill. Let me ask you one other question. How is cause defined?"

Getty: "Would you repeat that?"

Hoffman: "How...you say a person may be dismissed for just cause. What is just cause?"

Getty: "Just cause is something that as with most other usages of that word would be interpreted on a case by case basis. It is best left to that sort of thing, because we can't statutorily set down language that would cover every possible situation."

Hoffman: "I would suggest to the Sponsor that as far as tenure and just cause is concerned for elementary and secondary schools, that it is defined, and there are specific causes for which people can be dismissed. I think for that reason that you open up a lot of people to hazards. One, in terms of what cause can be defined at. Number two who in fact is going to be included under this program? I think because of the responses that I've had to these questions, which I think are sincere and honest answers, but will be extremely difficult for me at least at this time, under this particular program to support this legislation."

Speaker Flinn: "The Gentleman from Adams, Representative McClain."

McClain: "Thank-you very much, Mr. Speaker. Would the Gentleman yield?"

Speaker Flinn: "He indicates he will."

McClain: "Mike, in my community we have what we call consortium. That is a junior college district where they purchase services from a lot of other junior colleges both from Missouri and Illinois. Would a faculty member as defined in this Bill include faculty



members that are on contract with this consortium, but not exactly employed by the college?"

Getty: "No, I would...I would not believe that it would include anyone who was not an employee of the community college."

McClain: "Well, but they are indirectly by being employed on a contract with the institution."

Getty: "I would...it would be my interpretation that they would not unless they were a full-time employee of the institution, and I don't believe if they are on a contract basis that that would qualify."

McClain: "So like in a community like our community in Quincy where it's a consortium, and all we basically have are advisors, supervisors, and counselors, they wouldn't be affected by this Bill at all."

Getty: "Well, I don't know about the individual titles, but it would appear to me that a person who was merely serving on a contract basis, not an employee, would not be covered."

McClain: "So supervisors...administrators are not covered?"

Getty: "Well, when you say supervisors, it clearly excludes supervisors, administrators, or clerical employees."

McClain: "All right. Do you have the same provision in here for seniority dismissal? Dismissal would be on a seniority basis?"

Getty: "That's correct."

McClain: "Okay. Thank you."

Speaker Flinn: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Speak...Mr. Speaker, I'm waiting for someone to make a case for need. I haven't heard anyone indicate why we should impose this mandated local problem on community college boards. The system seems to be working fairly well, and at the present time it seems to me with enrollment projected to decrease as the



baby boom disappears, that there will be numerous lay-offs at junior colleges. I see no reason whatsoever to limit the junior college board's decision of...on who they should keep...on whom they should keep and on whom they should fire. Why shouldn't they be allowed to keep the most competent teachers? There's one other thing that is missing in this Bill it seems to me. I've heard the elementary school teachers and the high school teachers throughout the state suggested that if they got collective bargaining they wouldn't need tenure. Well, a good many junior colleges now have collective bargaining, so they don't need tenure. They have procedural due process in firing. There has to be a good reason for getting rid of community college professors. I'm waiting, and as I hope every...as I hope a majority of my colleagues are waiting for somebody to come out with a convincing argument. It hasn't come yet. There's one other thing that ought to be taken into consideration. There are different strategies on how to choose professors for a junior college. If...one can either opt for a large percentage of full-time professors, or one can opt for a larger percentage of part-time professors and a smaller percentage of full-time professors. The part-time professor route is infinitely cheaper. Well, not infinitely cheaper, but much, much cheaper, because you don't have to pay all the employee benefits that a full-time teacher gets. And, yet because that profe...that...that part-time teacher may want very much to teach and develop a reputation that might lead to further part-time teaching in another local junior college, the quality of teaching by the part-timer may be better than the quality of teaching by the full-timer. It seems to me this is an extremely significant Bill, and I would reiterate the need has not been made for why we should vote in favor of this Bill."



Speaker Flinn: "Representative Schneider."

Schneider: "Thank you, Mr. Speaker and Members. Once again, the question of due process has been raised. A question of competency has been raised. One of the problems with the argument about competency that is offered by Representative Skinner, nobody knows about competency, because the community colleges probably don't take the time to evaluate the teachers. One of the things that tenure has going for it, whether it's in elementary, or secondary, or in the community college level is that there's a requirement that you at least evaluate a teacher before you can declare them incompetent. A teacher ought to know if he's being successful or unsuccessful, but if administrators are not doing that kind of job, and in Higher Ed Committee I recall asking that question. There was no affirmative response that they weren't doing it. What it really means is that they don't evaluate their teachers. So, it comes the time when they want to get rid of the person. They say, well we need to get rid of you for a variety of reasons. Possibly, you're not a good teacher. Possibly, we don't have enough money. Possibly, that kind of class has folded. But, you don't know if that's the authentic and legitimate reason, and a teacher, and a class, and a school has no way of preparing for an adjustment in a program. Secondly, I would argue that the publish or perish concept, which is evident probably more in higher ed, could be another reason why teachers shouldn't teach. What the schools may want is that they research and publish to bring some kind of distinction to that university or community college. I think that's a fallacious way to approach education. Certainly, they're in the building to teach. They're there to instruct. They're there to prepare students and adults for a world beyond the



classroom, and if they tie themselves to publish or perish I think that's a failure. As to the matter of distinctions about just cause, there...the comments deal with incompetency in the school code, and, of course, I've spoken to that. They deal with immorality. They deal with negli...negligence, and brutality, or some form of physical violence. Three of those four do not take...are strong evaluation of my judgment. Incompetency does. I don't think community colleges do it now. Ten years away can make the Community College Board respond. Ten years away to make a teacher sure that if he's doing the right job, he can be certain that in the future years, beyond the tenure years, that he'll have a job, and he'll be doing it properly with the sanctions of the school's trustees and within their boundaries as he and they see it. I solicit an 'aye' vote."

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

Christensen: "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 Cook, Mr. Getty, to close."

Getty: "Mr. Speaker, Members of the House, the basic question here is a question of fundamental fairness. This is a question that is raised in every important piece of legislation we have before us. A community college is given three years in which to evaluate the qualifications of a teacher. They can dismiss that teacher at any time during that three year period. If they're still not quite sure, they can give them a notice and extend that for an additional year. Four years. I think that is more than sufficient to protect the legitimate interests of the community college in



evaluating the teacher. What this will do is protect teachers who work very hard...very hard at being proficient, are working on a typically lesser pay scale than our high-priced colleges and universities, teachers who need this protection from the arbitrary and sometimes capricious actions of some and only some community colleges. This is needed protection so that a man or woman, who's dedicated many years of teaching honorably doesn't all of a sudden find himself with a \$22,000 a year job being cut so that community college can hire two for 11,250. This is fundamental fairness, Ladies and Gentlemen of the Assembly. If you believe in fundamental fairness, if you believe that a teacher can be evaluated after three or four years and be certified and given tenure, vote for this Bill. If you're against teachers being able to maintain an honorable consistency in their teaching, vote against it. I ask wholeheartedly that every one of you support what I think is a very, very important piece of legislation. Please vote 'yes'."

Speaker Lechowicz: "The question is, 'Shall the House pass the Senate Bill 147?' All in favor vote 'aye'. All opposed vote 'nay'. The Gentleman from Cook, Mr. Huff, to explain his vote. Timer's on."

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In explaining my 'aye' vote, clearly this Bill is...is a Bill that deals with liberating teachers from a sort of..demagogical servitude. Clearly, no one can believe, no one can believe that the teachers tenure or condition of employment depends on the capricious and sometimes transitory excuses of the chancellor, can believe that true education is taking place. This may explain why the reading scores in the junior college system is no better than those in elementary. It is a good Bill. It is time to give these people a kind of security they need, and I...solicit your 'aye' vote."



Speaker Lechowicz: "Thank-you. The Gentleman from Cook, Mr. Conti, to explain his vote. Timer's on."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, again this is another Bill that we passed this morning. We...every governmental agency, every taxing body on the State of Illinois is a creature of the General Assembly. We ask for people to vote these people into office, and then all of a sudden we take their powers away from them. They're not knowing...if they're doing the wrong thing, if they're arbitrarily and capriciously firing school teachers, they have to answer and be responsive to the people in their respective districts when they run for re-election. Why don't we just go home next November and get elected to the Illinois General Assembly and then delegate all of our powers to a commission to either approve or disapprove Bills in this House, and we can stay home and let the Commission do our work for us. This is exactly what you are asking us to do. We're a creature of the General Assembly. We elect these officials, and then we take these powers away from them so that they can run the school the way they want to run it."

Speaker Lechowicz: "The Gentleman from Coles (sic), Mr. Stuffle to explain his vote. Timer's on."

Stuffle: "Yes, Mr. Speaker and Members, this has been well debated. I think Representative Getty hit upon some excellent points in his argument. I think it is a fair Bill that speaks to a means and a mechanism of dealing with these dismissals in a way that will take away the arbitrary and capricious nature of some of the activities in the community college districts that do go on, and have gone on, and will continue to without this element being in the statute. I think the Bill deserves a green light. It deserves our attention, it is a very important Bill for the reason Representative Getty cited. If someone is spending



much of their time of their life devoting their time to teaching and working with students and then being arbitrarily cut out. It is a fair Bill that deserves our support."

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

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I think that if we're going to put a tenure system into a junior college system, we ought to put in a tenure system that is much similar to the university system rather than to elementary and secondary. What this Bill would do is say simply by the passage of time that a teacher in a junior college system will receive tenure. In the university system, that time usually takes six to seven years and the person in order to get tenure, has to be recommended by a Committee of their peers, and then that goes to the administration, and then up to the board of trustees. And I think that that protects the liability and the competence of the college, and I think that that is the kind of system that we ought to go to if we are going to go to a tenure system at junior college level. And I would urge that we not vote for Senate Bill 147 at this time."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 92 'ayes', 56 'nays'. The Gentleman from Cook, Mr. Conti."

Conti: "Would you verify this Roll Call?"

Speaker Lechowicz: "Mr. Getty asked for a Poll of the Absentees. Poll the absentees, please."



Clerk O'Brien: "E.M. Barnes. Bianco. Bowman. Capuzi. Ralph Dunn. Ebbesen. Ewell. Dwight Friedrich. Gaines."

Speaker Lechowicz: "Gaines 'aye', please."

Clerk O'Brien: "Goodwin. Katz. Kozubowski. McBroom. Meyer Peters. Satterthwaite. Schlickman. Schoeberlein. Swanstrom. Totten."

Speaker Lechowicz: "Totten, 'no'."

Clerk O'Brien: "And Williams...and Mr. Speaker."

Speaker Lechowicz: "The Gentleman from Winnebago, Mr. Swanstrom, for what purpose do you seek recognition? Kindly record Swanstrom as 'no'. McAuliffe. Change McAuliffe from 'aye' to 'no'. What's the count, Mr. Clerk, 92? We're starting off with 92. Kindly proceed and verify the affirmative vote."

Clerk O'Brien: "Alexander. Balanoff. Jane Barnes. Beatty. Bell. Birchler. Boucek. Bradley. Braun. Breslin. Bullock. Capparelli. Catania. Chapman. Christensen. Cullerton. Currie. Daniels. Darrow. Dawson. DiPrima. Domico. Donovan. Doyle. John Dunn. Farley. Flinn. Gaines. Garmisa. Getty. Giorgi. Greiman. Hanahan. Harris. Henry. Huff. Jaffe. Johnson. Emil Jones. Keane. Kelly. Kempiners. Kornowicz. Kosinski. Kucharski. Kulas. Laurino. Lechowicz. Leon. Leverenz. Madigan. Mahar. Margalus. Marovitz. Matijevec. Mautino. McClain. McGrew. McPike. Mugalian. Mulcahey. Murphy. Oblinger. O'Brien. Patrick. Pechous. Piel. Pierce. Polk. Pouncey. Preston. Rea. Richmond. Ronan. Sandquist. Schneider. Sharp. Slape. Stearney. Steczo. Stuffle. Taylor. Telcser. Terzich. Van Duyne. Vitek. Von Boeckman. White. J. J. Wolf. Sam Wolf. Younge and Yourell."

Speaker Lechowicz: "Mr. Conti, do you have any questions of



the affirmative vote?"

Conti: "Jane Barnes."

Speaker Lechowicz: "Jane Barnes is in the chamber."

Conti: "What chamber?"

Speaker Lechowicz: "The Lady is in the chamber, in the back.
Don't worry, Elmer, I'll never give you a short
count."

Conti: "Beatty."

Speaker Lechowicz: "Who? Beatty? How is the Gentleman
recorded?"

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

Speaker Lechowicz: "Take him off the Roll Call."

Conti: "Chapman."

Speaker Lechowicz: "Mrs. Chapman is in the chamber."

Conti: "Daniels."

Speaker Lechowicz: "Daniels. Is the Gentleman in the
chamber? Mr. Daniels? Remove him off the Roll
Call."

Conti: "Domico?"

Speaker Lechowicz: "Domico is in the chamber."

Conti: "Donovan."

Speaker Lechowicz: "Donovan is here."

Conti: "Doyle's always in the back. Farley."

Speaker Lechowicz: "Farley is in the chamber."

Conti: "Flinn."

Speaker Lechowicz: "Monroe Flinn. Monroe Flinn. He
just went in his office. Take...Mr. Flinn... How
is the Gentleman recorded?"

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

Speaker Lechowicz: "Take him off the record."

Conti: "Zeke Giorgi."

Speaker Lechowicz: "Put Monroe Flinn back on."

Conti: "Giorgi."

Speaker Lechowicz: "Mr. Giorgi. He's in the chamber.
He's right here, Elmer."



Conti: "Johnson."

Speaker Lechowicz: "Johnson, Tim Johnson?"

Conti: "Johnson...Tim Johnson."

Speaker Lechowicz: "Is Mr. Johnson in the chamber? How
is the Gentleman recorded?"

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

Speaker Lechowicz: "Take him off the record."

Conti: "Mr. Kane."

Speaker Lechowicz: "Kane is here."

Conti: "Keane.."

Speaker Lechowicz: "Oh, Keane, I'm sorry, he's here too."

Conti: "He's right there in the chair."

Conti: "Kosinski."

Speaker Lechowicz: "Kosinski is in his chair."

Conti: "Kucharski."

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

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

Speaker Lechowicz: "Take him off the record."

Conti: "Marovitz."

Speaker Lechowicz: "Mr. Marovitz. He's here."

Conti: "Matijevich."

Speaker Lechowicz: "He's here."

Conti: "McGrew."

Speaker Lechowicz: "McGrew. Mr. Dunn. Just move over.

How is the Gentleman recorded?"

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

Speaker Lechowicz: "Take him off the record."

Conti: "McPike."

Speaker Lechowicz: "Put Daniels back on the record."

Conti: "McPike."

Speaker Lechowicz: "McPike is in the chamber."

Conti: "Murphy."

Speaker Lechowicz: "Who?"

Conti: "Murphy."



Speaker Lechowicz: "Laz? He's always here."

Conti: "Patrick."

Speaker Lechowicz: "Patrick. He's in his chair."

Conti: "Pierce."

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

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

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

Conti: "Polk."

Speaker Lechowicz: "Polk?"

Conti: "Ken Polk."

Speaker Lechowicz: "Ben Polk."

Conti: "Ben Polk, rather."

Speaker Lechowicz: "How is the Gentleman recorded?"

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

Speaker Lechowicz: "The Gentleman is recorded as voting
'aye'."

Conti: "Preston."

Speaker Lechowicz: "Is Mr. Preston in the chamber? How
is the Gentleman recorded?"

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

Speaker Lechowicz: "Remove him."

Conti: "Rea."

Speaker Lechowicz: "Jimmy Rea's here." He's right in front
in the back."

Conti: "Stearney."

Speaker Lechowicz: "Mr. Johnson,..put back on? Put
Johnson back on the Roll Call. Tim Johnson."

Conti: "Stearney."

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

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

Speaker Lechowicz: "Take him off the record. Put Ben
Polk back on."



Conti: "Taylor." Did you take Stearney off? Taylor."

Speaker Lechowicz: "Mr. Taylor is in the chamber."

Conti: "All right. Von Boeckman."

Speaker Lechowicz: "Von Boeckman is in the chamber."

Conti: "Sam Wolf."

Speaker Lechowicz: "Sam Wolf. He's in the back of the chamber."

Conti: "That's all, Mr. Speaker. Thank you."

Speaker Lechowicz: "Mr. Hannig, for what purpose do you seek recognition? Hannig, please."

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

Speaker Lechowicz: "How is the Gentleman recorded?"

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

Hannig: "Could you please change my vote to 'yes'."

Speaker Lechowicz: "Kindly record Mr. Hannig as 'aye'. The Gentleman from Cook, Mr. Epton."

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

Speaker Lechowicz: "How is the Gentleman recorded?"

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

Epton: "Mr. Speaker, Ladies and Gentlemen, although I had some misgivings about the number of years I'm changing my vote to green."

Speaker Lechowicz: "Kindly record him as 'aye'. The Gentleman from Cook, Mr. Grossi, for what purpose do you seek recognition?"

Grossi: "Mr. Speaker, I wish to be recorded as 'aye'."

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

Is John Dunn taken off the Roll Call or is he on?

Okay. On this question there are 89 'aye', 56

'nay'. This Bill, having received the Constitutional

Majority, is hereby declared passed. Senate Bill

278. Elmer, never...never argue with the Clerk.

89. Senate Bill 278."

Clerk O'Brien: "Senate Bill 278. A Bill for an Act to amend Sections of the Illinois Horse Racing Act. Third



Reading of the Bill."

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

Waddell: "Mr. Speaker, as a courtesy to the other side would you take this out of the record?"

Speaker Lechowicz: "Did you ask to take it out of the record, Sir?"

Waddell: "Please."

Speaker Lechowicz: "Thank you." Senate Bill 296."

Clerk O'Brien: "Senate Bill 296. A Bill for an Act to amend Sections of the Illinois Housing Development Act. Third Reading of the Bill."

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

Younge: "Mr. Speaker and Members of the House, Senate Bill 296 is a Bill to amend the Illinois Housing Development Authority Act. And would require the Illinois Housing Development Authority to establish a branch office in Springfield, Illinois and East St. Louis, Illinois. This Bill has passed the Senate and the stage where the branch office would be established in Springfield. It has been amended to include the East St. Louis office. We, as a Subcommittee, during the last two years a considerable amount of evidence and testimony was taken all over Illinois deciding the need for a Housing policy and the need for new housing units. The past Director of the Illinois Housing Development Authority testified that in the East St. Louis area there was a need for some 400...4,000 additional units of housing. There is a tremendous need for housing in Southern Illinois in addition to that and I ask for your support of this matter."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Mr. Speaker, this is not a new Bill, it's not new for the House of Representatives. We debated



this Bill previously and the Senate Bill is no better than the House Bill, although the Senate Bill in the House is worse than the Senate Bill as it left the Senate. As it left the Senate Senate Bill 296 merely sought to add additional IHDA, Illinois Housing Development Authority offices in Springfield as well as the on that's maintained in Chicago. The amend...the Bill was amended in Committee, unfortunately, to provide for three offices; one in Chicago, one in Springfield and one in East St. Louis. I would merely add that the Fiscal Note provided for IHDA for House Bill 703 which the Representative handled earlier in this Session did point out that total start-up cost for furniture and equipment was approximately 15 thousand dollars. The estimated cost of operating a branch office for salaries and whatever would be another 104 thousand so you're talking about approximately 119, 120 thousand dollars for the Springfield office in addition to the money that we spend in Chicago. Now, with the Amendment #1 I would imagine we could at least double that cost up to perhaps a quarter of a million dollars. Now I would point out that the Illinois Housing Development Authority is not like, say the Public Aid Office, where people walk in off the street and come up with the money to build low income housing. Illinois Housing Development Authority is in a position to...to actually guarantee funds or to make loans or to guarantee loans to rather large developers for rather...rather large developed housing developments. Now, people get these because they come up with plans which they can show DA that will enable them to run a development successfully so they can pay back the loans. If they can't pay back the loans then IHDA



is not going to make the develop...or not going to approve the development. By adding another office we're not going to be increasing the amount of loans, we're not going to be directing where they're going to be built, this is done by IHDA itself through its policies. All we're going to do by creating another office is by expending taxpayer's money for a needless purpose. Again, the developers who are in line for these particular loans are extremely sophisticated. They don't have a problem finding the IHDA office. They can get on the phone and make an appointment and go in and present their plans for approval. So, all we're going to be doing, if we pass Senate Bill 296, and unfortunately if we pass this it will be pretty close to final action although there is the single House Amendment, we're going to be sending this on to the Governor. Now, I would hope that the Governor, if it does go to him, would veto it. However, it's rather poor legislative practice to leave all of this upon the back of the Governor. I think we ought to stop this right now. Stop it in its tracks. Defeat Senate Bill 296. Save the taxpayers a quarter of a million dollars and let IHDA go on and continue in operation the way it has since its inception. I urge a 'no' vote on Senate Bill 296."

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

Jones: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of 296 because it would establish an office in Springfield, where all the other government agencies are and there's a lot of inner workings between the various agencies of the state government and also the cost of the people that...that have an interest in working on this...these projects, will have the cost of going to Chicago and now the cost by transportation is from 2 to 300 dollars with



an overnight stay and that's the cost of the... operating the office would save the people of downstate by establishing an office in Springfield and I urge your support."

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

Hudson: "Thank you, Mr. Sponsor...Mr. Speaker and Ladies and Gentlemen of the House. Would the Sponsor yield to a question?"

Speaker Lechowicz: "She indicates she will."

Hudson: "Wyvetter, can you give me any idea of how many employees the IHDA currently has?"

Younge: "Yes, the IHDA currently has 80 employees. It has a budget of 3 million, 500 thousand dollars. And all of those employees are located in the City of Chicago. But it has 80 employees."

Hudson: "80...80?"

Younge: "80 employees. 8-0."

Hudson: "Do you have any idea of how many employees an additional branch office would mean?"

Younge: "I think it would mean very few. I think that a branch office could possibly be opened up with two employees. With one person who would coordinate the activities in the particular branch and a secretary. I...I think that that gets to the very reason for the Bill. Because right now all the rest of the state outside of Cook County has to call up to Chicago and somebody is sent out in between two and six months. There is a tremendous housing need in downstate Illinois and downstate Illinois is entitled to full time service. And...and I think there is a...there are...there is a regional office building where the branch office could be located. So, we're not talking about any additional rent or equipment. And we're talking about a very small staff to coordinate the activities and get the program



going where the housing is needed."

Hudson: "Well thank you. May I address the Bill, Mr. Speaker?"

Speaker Lechowicz: "Please, proceed."

Hudson: "Representative Leinenweber, I believe, has covered many of the points in opposition to this measure. And I must add my voice in opposition as well, at the same time, with all due respect to the very fine Sponsor of the measure. It has been noted that House Bill...or Senate Bill 296 is almost identical or very same...very similar at least to House Bill 703, which was thoroughly debated, calls for essentially the same thing, and was placed on the Spring Calendar. Now, contrary to the Sponsor's allegation and going back to the fiscal note prepared for House Bill 703, it does seem that there will be additional start-up costs. Representative Leinenweber mentioned this. Just for office expense alone, 15 thousand. 104 thousand for yearly operating costs and we don't know where it would go from that point, of course. But it seems to me that the most telling point against the Bill is that the IHDA itself sees absolutely no reason for a branch office. They do not want a branch office. They feel that it would be duplicative and I am looking at the Digest under the fiscal note and with your indulgence, here is what the IHDA came up with. It says that the IHDA does not deal with the general public but rather with housing developers, financial institutions and the Department of Housing and Urban Development. Therefore a basic assumption is made that central office activities must be duplicated to provide any meaningful service. The authority does not believe, however, that such duplication would be efficient or desirable. And the..."

Speaker Lechowicz: "Would the Gentleman kindly bring his



remarks to a close?"

Hudson: "Yes, I will, Mr. Speaker." I think it would be foolish to add this expense on the backs of the taxpayers when the authority itself does not want...does not see any need for it. I would suggest that we go along with House Bill 290...with 703, which is already on the Spring Calendar and let this one go down to defeat."

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

Younge: "This Bill would not cause the taxpayers any additional expense. There is already present in the Illinois Housing Development Authority Budget sufficient money to open the branch office. The purpose for establishing this agency was to create housing for low and moderate income people. That purpose has not been implemented. IHDA is, at the present time, building houses predominately in Cook County and not in the rest of the state where the severe housing need is. We, as a state, pick up cost for...for problems one way or another. If people are poorly housed, as they are in downstate, with some areas as much as an 80% dilapidation rate. If people are poor house...poorly housed then they get more sicknesses. There is over crowding, there are more people going to the penitentiary, there is a poor image. And I think that this Bill would give the Members of this General Assembly an opportunity to say to IHDA that we want the resources and the purposes of your agency implemented statewide. And I think with the Federal Housing Administration moving out of Springfield, Illinois, there is an additional reason for there to be additional state resources downstate. The statute was set up for IHDA to assist



neighborhoods and not for profit and limited dividend groups to implement their housing needs. This Bill will assist these groups in getting the kind of staff assistance that they need and I ask for your cooperation and support for the passage of this matter."

Speaker Lechowicz: "The question is, shall the House pass Senate Bill 296? All in favor vote 'aye', all opposed vote 'no'. The Gentleman from Cook, Mr. Henry, to explain his vote. The timer is on."

Henry: "Yes, Mr. Chairman, I think some truths should be laid out here about tax money. I think it should be told that the real law on the authority is to direct and assist. And I heard a Gentleman say a few minutes ago, a worthy Gentleman from the other side of the aisle, he said, 'Let it continue as it has.' Do we want in Southern Illinois to continue the way it has been continuing over the last few years? That's the answer, that's why we should put green on the board. Thank you."

Speaker Lechowicz: "Have all voted who wish? The Gentleman from Cook, Mr. Madigan, to explain his vote. The timer is on."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, I cannot understand the large number of 'no' voted on this particular piece of legislation. Certainly all of us realize that the Illinois Housing Development Authority was designed to provide housing in areas where it is greatly needed. And to say that we recognize the purposes of the agency, but on the other hand to deny that the agency should locate an office in an area of the state which certainly does need housing is difficult to understand. East St. Louis is an area which has suffered economically and because of the economic woes of the



economic woes of the area, is in need of government subsidy for housing. This is a Bill which certainly deserves to be passed and many of those people who are voting 'no' should vote 'aye'."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 71 'aye', 69 'no', 7 recorded as 'present'. The Lady asks leave to put the Bill on Postponed Consideration. Leave is granted. Senate Bill 307."

Clerk O'Brien: "Senate Bill 307. A Bill for an Act to amend Sections of the Illinois Administrative Procedure Act. Third Reading of the Bill."

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

Yourell: "Thank you, Mr. Speaker and Members of the House. Senate Bill 307 is an important piece of legislation that will give to the Joint Committee on Administrative Rules an additional tool for dealing with agency rules which violate or ignore the statutory authority of the agency. This Bill would initiate a system which has worked well in the State of Iowa and has been upheld as not violating the separation of powers between the branches of government. Based on the experience in Iowa, I believe this same system will also work well in Illinois. Let me briefly explain how the system would work. The Joint Committee's operation would change very little. We would continue to review each new proposed rule for compliance with statutory authority and legislative intent. We would continue to issue an objection to rules which violated or ignored the intent of the Legislature. And agencies could still refuse to modify or withdraw their rules. However, under the procedures Senate Bill 307 would establish agencies which refuse to modify or withdraw their proposed rules in response to an objection by the Joint Committee



would face a more serious threat of having their rules overturned by a court. In any court challenge of the agency's rules, the agency would be required to prove that the rules were not unreasonable, arbitrary, capricious or otherwise beyond authority delegated to the agency. The agency would be required to prove to the court that the Joint Committee's objections were wrong. This is a fair and balanced approach. Agencies were more responsive and will change rules that they do not believe they could defend in court. The Joint Committee's primary function will still remain advisory. And perhaps, the greatest balancing involved in this system is that it would only come into play when an affected individual challenged the agency's rule in court. This system is directly tied to the harm done to the public by improper agency rules. The basis of the Bill is simple. Rules which Members of the Legislature find objectionable should not be accorded the basic presumption of the validity that courts give to agency rules. The court will still be free to either uphold or overturn the rules based on the evidence presented. Professor Bonfield, an administrative law expert called this system in operation in Iowa..."

Speaker Lechowicz: "I'm sorry, Sir."

Yourell: "...a system that avoids the pitfalls of an unlimited Committee Veto, but still provides sufficient teeth as to effectively protect the public against improper agency rulemaking agencies. Senate Bill 307 maintains a better balancing of power between the Legislature and administrative agency, but it also gives the Legislature an effective means of dealing with agency rules which completely ignore our legislative enactment. It's about time we made our impact on agency rules effective



During the past year the Joint Committee reviewed over 500 proposed rules. It's been amazing just listening to some of the agency bureaucrats attempt to defend rules which are exactly the opposite of what we intended when we passed the Act which the rules are based in. And in many cases agencies simply ignore the clear intent of the law. Senate Bill 307 is a step in the right direction. It helps restore to us, as the elected Representatives of the people, control over the law which agency bureaucrats are making. Senate Bill 307 represents a balanced, reasonable approach which has worked well in other states and I would urge an 'aye' vote."

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

Leinenweber: "Now, Mr. Speaker, lest I be misunderstood, I'm no lover of bureaucrats. I don't have a great deal of faith in many of our bureaucrats. However, I do feel that we, for better or for worse, have adopted this system of government, including a Executive, Legislative and Judicial Branch. I supported, also, the creation of the Joint Committee for review of administrative rules because I believe in the idea that there ought to be somebody that took upon himself to review what the Executive Agencies are doing with the rulemaking power extended to them by this legislative body. However, it was always understood that the Joint Committee's function should be advisory. Now, I would just point out to you that Senate Bill 307, we are taking a step beyond advisory. We are giving this Committee a tremendous amount of power. Some people have termed this another power grab by a Committee seeking more and more power to the extent that



they may become the actual legislative body of this state and we would be advisory to the Joint Committee. I don't feel that Senate Bill quite goes that far but it's a start in that direction and there were several other efforts put forth by this Committee during this Session of the Legislature which fortunately haven't made it, I believe they're on the Spring Calendar, which would probably go that far to relegate us to a Sub-Committee of the Joint Committee. However, if we pass Senate Bill 307 we are permitting a small group of this House and the Senate, and I believe there's 18 all together, the Sponsor could correct me on that, of which a quorum I believe, is 9 or 10. So...a quorum I've been told is 9, so that 5 Members would... could be all Senators, could take the steps...in effect activating this particular legislative provision so that the House Members wouldn't even have a say in it. This is an extraordinarily far reaching effort to change the rules of evidence in our courts of law, at least the...to change the burden of proof. As most of you know, rules have the force of law because they are enacted pursuant to statutory authorization of this General Assembly, including the House and the Senate. We are permitting a small group of Members, if we pass Senate Bill 307, as low as 5, which could again be all Senators, to take a position that the rule adopted by an executive agency is in effect unreasonable. Then at a later time in court it would be up to the agency to prove that in effect it was reasonable, which changes the burden of proof which has been around for a long period of time. This is a power grab. Unfortunately, one that I cannot support. I... Again, I do not want to say that I am coming down



four square on behalf of the bureaucrats because I certainly do not intend to do so. However, I do think we have a...we have three separate branches of government, each with its own peculiar station to perform. We ought to leave it at that. We shouldn't invade the Executive nor should the Executive invade ours. Just because some other agencies have in the past invaded our prerogatives, two wrongs don't make a right. I urge a 'no' vote on Senate Bill 307."

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

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

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

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The situation that has been referred to by one of the previous Speakers as to the separation of powers was tested in court relative to the Iowa statute and found not wanting. This is not a power grab by the Joint Committee, this just gives the Joint Committee an additional tool to enforce the will of the Legislature instead of having the bureaucrats in the agency do what we're supposed to do relative to rules and regulations. Now, we've discussed this on many occasions. This Bill came out of the Senate without a dissenting negative vote. And I would ask a favorable Roll Call."

Speaker Lechowicz: "The question is, shall the House adopt Senate Bill 307? All those in favor vote 'aye', all opposed vote 'nay'. The Gentleman from Cook, Mr. Greiman, to explain his vote. The timer is on."



Greiman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I am a Member of the Joint Commission and as a matter of fact was one of the three original Sponsors of legislation, and yet I oppose Senate Bill 307 for many of the reasons that Representative Leinenweber outlined. But primarily because it places an absurd burden on those people who are litigating. Sometimes there are three or four or five rules that may be involved in a piece of litigation before a court. It would mean we would have to go behind each rule to find out...well, the state has the burden on this one but the individual has the burden on that one and we'd go back and forth. It would wreak havoc out of the trial of the case in the Circuit Court that have been appealed from an administrative agency. It is a...it is just a foolish, unnecessary rule. The Commission has

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plenty of leverage and the bureaucrats live in terror of us on that Committee, and maybe they should, but they do. We have plenty of power. We don't need anymore power."

Speaker Lechowicz: "The Gentleman from Macon, Mr. Borchers, to explain his vote. The timer is on."

Borchers: "Mr. Speaker and fellow Members of the House, as you...maybe a month ago, I told you the story of the Decatur High School and the burying of those bricks. And its on millions of good, valuable bricks that was buried by...made to be buried by a rural Environmental Protections Agency. Now, I'm not jumping on the Environmental Protection Agency, I just want you to remember that this kind of a Bill will certainly help correct that kind of a situation. A foolish rule that is in force against ordinary, common sense. And I propose again, as an example, that the burying of a solid block, three story high, brick walls, interior walls, by rule, under the law, is a ridiculous thing to happen. And this kind of a Bill could help correct that kind of a situation. So I'm going to vote 'aye'."

Speaker Lechowicz: "The Gentleman from Morgan, Mr. Reilly, to explain his vote. The timer is on."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to support Representative Yourell as the Chairman of the Joint Committee on Administrative Rule. If this is a power grab for anyone, it's a power grab for the Legislature of the State of Illinois. All we're saying is, that in those cases where the agencies come before us and are clearly in violation of the law, yet clearly refuse, in spite of our objections, to change that the burden of proof



should be on them to prove that they are right. Representative Yourell and the Committee have worked very hard to represent the whole House and the whole Senate. Actually, the House Members have been by far the most active Members of the Committee. I ask for a favorable Roll Call."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 104 'ayes', 44 'nay's, 11 recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 11, Senate Bill 1424, Mrs. Dyer."

Clerk O'Brien: "Senate Bill 1424..."

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

Collins: "Well, Mr. Speaker, I rise to object to your arbitrary handling of the Chair. Not only was my light on, wishing to be heard on that last Bill, but there were a number of others, I'm told, from behind me. Now I protest this kind of treatment. This is arbitrary and totally unfair."

Speaker Lechowicz: "Senate Bill 1424."

Clerk O'Brien: "Senate Bill 1424. A Bill for an Act to amend Sections of an Act to revise the law in relation to counties. Third Reading of the Bill."

Speaker Lechowicz: "The Lady from DuPage, Mrs. Dyer."

Dyer: "Thank you, Mr. Speaker, for coming back to this good Bill. All the questions have been answered. Senate Bill 1424 is a Bill that was introduced at the request of DuPage County by Senator Bowers. It has bipartisan support of all the Legislators from DuPage County. What Senate Bill 1424 does is to give the counties an authority that is now given to municipalities. It refers to the five counties in the...served by the



Northeastern Illinois Metropolitan Planning Commission. It...with the exception, it does not apply to Cook County. It does not apply to home rule counties. The first sentence of the Bill tells very clearly what the Bill does. Whenever a county resolution or ordinance requires the installation of water mains, sanitary sewers, drains or other facilities for sewers and drains as a condition for the approval of the final map of a subdivision, the county may, in its wisdom, ~~is~~ permissive, reimburse the subdivider for truck lines that are going to serve people outside of that subdivision. Then this will be recorded with the recorder of deeds and then when new homes are built outside the subdivision the subdivider will be...the money will be reimbursed by the tap-on fees of the people outside of the subdivision. It's an excellent Bill for urban counties where there's rapid development. It will help prevent the proliferation of septic tanks and be sure that people can be served with sewer and water. I urge your favorable vote."

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

Mugalian: "Will the Sponsor yield?"

Speaker Lechowicz: "She indicates that she will."

Mugalian: "Why is this Bill limited to these specific counties?"

Dyer: "Probably, Representative Mugalian, because these are the counties where you have the most rapid growth coming out of the metropolitan area, where you have the most new subdivisions being built. Presumably, that's the reason." It is a permissive Bill. Other counties can get into the act if they want to pass this kind of..."

Mugalian: "Why isn't it applicable to Cook County?"

Dyer: "It is not applicable to Cook County because the Sponsor



did not...in the Senate did not include such counties."

Mugalian: "Well, why is it not applicable to Champaign County or to Madison County, which are fast growing counties?"

Dyer: "Representative Mugalian, my assumption is that it was just felt that the five collar counties are the counties that would need this kind of Bill the most. They are the most urban counties."

Mugalian: "May I speak to the Bill?"

Speaker Lechowicz: "Please, proceed, Sir."

Mugalian: "I've...my..."

Speaker Lechowicz: "Would you give the Gentleman some order, please? Please, give the Gentleman some order." Please, proceed, Sir."

Mugalian: "Thank you, Mr. Speaker. I'm not sure that I rise in strong opposition to this Bill, but I really have some questions about it. Why it's applicable to only five counties is something unclear to my. My district includes three of the five collar counties, plus suburban Cook. And I would suggest that if development is to be...is to progress in urban areas that counties are the least qualified units of government to develop subdivisions. I think that new subdivisions should be developed in municipalities and not by counties. My experience is that when subdivisions are developed in counties that they lack many of the amenities and are usually selected by a subdivider or developer because restrictions are very slight in counties. It's only when you have a municipality that you have subdivision ordinances that require, not only orderly development, but development of the necessary amenity and also give consideration to local school districts, libraries parks and so forth. This tack on type of procedure for development of public improvements is not..is not unheard of in certain areas



but I question that it should be applicable only to counties and only of these specific counties. I'm concerned that perhaps a few giant developers would like to build some cheap subdivisions and be free of municipal requirements. So I'm going to be voting 'present' on this."

Speaker Lechowicz: "The Lady from Sangamon, Mrs. Oblinger. The Gentleman from Lake, Mr. Deuster."

Deuster: "Actually, Mr. Speaker, I was rising on a point of inquiry on the Bill immediately preceeding this. I was going to ask for a verification. And I...I realize you were very anxious to move along with the order of business. But my light was on and I hope that in the future...I didn't scream or yell or jump up and down or throw paperclips or anything but I was seeking recognition and I...I hope..."

Speaker Lechowicz: "You want me to verify this Roll Call, is that what you're saying?"

Deuster: "No, I don't."

Speaker Lechowicz: "Okay, fine. The Lady from DuPage, Mrs. Dyer, to close."

Dyer: "Thank you, Mr. Speaker. In response to the point raised by Representative Mugalian. As everyone in this chamber knows, there are many occasions on which we exempt Cook County as a home rule county in legislation. There are many cases in which we classify counties according to population. And deal with them according to whether they have urban problems or rural problems. Is...what this Bill does, is simply to give to the County Board of five urban counties in the metropolitan area the same authority that municipalities in those...in that area now have. In other words, to see that there is orderly development and that a sub...it's the practical, businesslike thing to do. When a developer



is going to develop, say 100 homes in a subdivision and is going to lay trunk lines for a sewer anyway, if the county can contract with that subdivider for him to lay those lines out so that other future customers can come into it, it is a way to prevent hundreds of just septic systems springing up in urban areas. It's a...it's a product of careful thinking by our county planning department. It's the kind of Bill Representative Mugalian should be for. I do urge your favorable vote."

Speaker Lechowicz: "The question is, shall the House pass Senate Bill 1424? 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 109 'ayes', 114 'no', 18 recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Are there any announcements? The Gentleman from Cook, Mr. Laurino."

Laurino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Election Committee that was scheduled for tomorrow morning has now been rescheduled for Thursday morning at the same time on the agenda. It's at 9:00 and it will cover both of the matters that we were scheduled for today and Thursday."

Speaker Lechowicz: "Do you want to repeat that, Bill?"

Laurino: "The Election Committee that was supposed to meet tomorrow morning has now been rescheduled for Thursday morning and both matters that were scheduled for Tuesday and Thursday will be heard Thursday."

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

Matijevich: "Mr. Speaker, Members of the House, a reminder to Members of the Appropriations I Committee, that we do meet at 9:00 a.m. in the morning. 9:00 a.m. in Room 114."

Speaker Lechowicz: "That's Appropriations I and II, John?"



Matijevich: "Appropriations I."

Speaker Lechowicz: "And Appropriations II meets at the same time?"

Matijevich: "I...well, let me look. Appropriations II meets tomorrow in Room 118."

Speaker Lechowicz: "Okay. Mr. Van... Mr. Van Duyne."

Van Duyne: "Yes, that's right, Mr. Speaker, thank you.

I also would like to have leave of the House to suspend the posting requirements to hear Senate Bill 389, Sponsored by Representative Barnes in the Appropriations II Committee tomorrow."

Speaker Lechowicz: "Has it been cleared with the Minority Spokesman and the Minority Leader? It has? The Gentleman asks leave to hear Senate Bill 389 in the Appropriations Committee tomorrow. Use the Attendance Roll Call? Leave is granted. Any further announcements? Agreed Resolutions. I'm sorry. Wait a minute, there's more announcements. The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Would you ask Representative Ronan to stop by my desk to talk about golf, please?"

Speaker Lechowicz: "What?"

Vinson: "Would you ask Representative Ronan to stop by here to talk about golf, please?"

Speaker Lechowicz: "He refuses to stop by. If you want to come buy and see him. The Gentleman from Hardin, Mr. Winchester."

Winchester: "Thank you, Mr. Speaker. It's my understanding that there's a softball game at 6:00 in Iles Park between the Legislators and the Democrat and Republican secretaries. So, everyone is welcome to attend. 6:00. Iles Park. Tonight."

Speaker Lechowicz: "Mr. Totten wants to know if it's touch ball or what? Agreed Resolutions. Agreed Resolutions."

Clerk O'Brien: "House Resolution 375. Balanoff. 376, Bower. 377, Waddell."



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

Giorgi: "Mr. Speaker, 375 honors James Patrick Fitzsimmons, 376 tells about the President of the University of Illinois' Alumni Association, 377 tells about a 50th Wedding Anniversary and I move for the adoption of the Agreed Resolutions."

Speaker Lechowicz: "The Gentleman has moved the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye'; 'aye', opposed? Agreed Resolutions are adopted. Further Resolutions."

Clerk O'Brien: "House Resolution 374, Ewell. House Resolution 378, Donovan."

Speaker Lechowicz: "Committee on Assignment. Any further announcements? The Gentleman from Cook, Mr. Madigan."

Madigan: "There being no further announcements, I move that we adjourn till 12:00, Noon, tomorrow."

Speaker Lechowicz: "The Gentleman has moved that the House stand adjourned until 12:00, Noon, tomorrow. All in favor signify by saying 'aye'; 'aye', opposed? The House stands adjourned until 12:00, Noon, tomorrow."



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