

Doorkeeper: "Attention Members of the House of Representatives, the House will convene in 15 minutes... Attention Members of the House of Representatives, the House will convene in 5 minutes... All persons not entitled to the House Floor, please retire to the gallery."

Speaker Redmond: "The House will come to order. The Members please be in their seats to be lead in prayer by Jack O'Brien, the Clerk."

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

Speaker Redmond: "Pledge of Allegiance, Representative Jane Barnes."

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

Speaker Redmond: "Roll Call for Attendance, your own switch. Have all voted? Have all voted? Take the record. Representative Deuster."

Deuster: "Well, Mr. Speaker, the subject of our prayer breakfast this morning was sin, and I think you should remind us that it is a sin to push somebody else's button. I don't think there are any sinners in the chamber though."

Speaker Redmond: "It's against the rules, too. Representative Pierce, for what purpose do you rise?"

Pierce: "Speaker...Mr. Speaker, it doesn't really matter what time the House gets underway, because the Democratic task forces are already working this morning, and government is being carried on on behalf of the people of the State of Illinois."

Speaker Redmond: "Representative Pierce says there's a rumor that the Democratic task force has already engaged in moving firm to move down to the second floor. Is there any truth to that?"

Pierce: "That's right, Medley Movers is going to..."



Speaker Redmond: "Medley Movers, they are going to bring the Chicago furniture , and Boston 'Richie' will bring the Springfield furniture."

Pierce: "It really doesn't matter if we have a quorum here on the floor of the House, the task force had a quorum at 9 o'clock this morning."

Speaker Redmond: "Would you send a message to the Governor? Speaking of the Medley Movers, Representative Pierce... Page 2...Senate Bills Third Reading, Short Debate... 203...Senate Bill 203."

Clerk O'Brien: Senate Bill 203, a Bill for an Act in relation to study of the damages caused by use of salt on highways and alternatives to such use, Third Reading of the Bill."

Speaker Redmond: "Representative Ackerman."

Ackerman: "Thank you, Mr. Speaker and Members of the House, this Bill mandates the Illinois Department of Transportation to conduct a study of damage to highways caused by salt or similar sodium or potassium compounds. There is a clause in it that repeals the Act June 1, 1980. What it requires is...the Department has been asked to...for information on some of these salt studies, and they do not have the information available, so this just mandates them to get a summation of all these studies and give a report to the General Assembly."

Speaker Redmond: "Is anyone in opposition to Representative Darrow? Anyone in opposition?"

Darrow: "Mr. Speaker, Ladies and Gentlemen of the House, what we're doing here is asking the Department of Transportation to conduct a study of the damages to road surfaces caused by salt. It would seem to me that our corporations that produce salt and other chemicals would have this available information, and that the Department of Transportation could obtain it without us having added legislation. I've heard time and time



again that the statutes of the State of Illinois are now into 4 volumes and are going to be 5, 6, and 7 in coming years. I'm just wondering if this couldn't be done by resolution and I believe I also filed a fiscal note on this. I would like to know the fiscal impact. Thank you."

Speaker Redmond: "Representative Ackerman to close."

Ackerman: "This Bill was agreed to be held by the Sponsor upon receipt from the Department of Transportation of a summation of these other studies that have been done. To this point, the Department has not summarized these studies, so the Sponsor and I agree that we will go ahead with the Bill. The Department's estimated cost was \$150,000. If they would do the will of the Sponsor, it would cost less than \$2,000. And I ask for your favorable consideration."

Speaker Redmond: "The question is 'Shall this Bill pass?'. Those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Ropp."

Ropp: "Mr. Speaker and Members of the House, this is a good Bill. I think one that those of us who have automobiles realize the fact that most of the time our automobiles are taking a tremendous beating as a result of the ruts which is developed from the salt and other chemicals that are placed on the highways throughout the winter season. And I think this would be a good idea to finally bring forth, to light, what we ought to be placing on those highways so that the vehicle industry does not make a fortune on repairs and maintenance of worn out, rusty vehicles. And I urge a favorable vote on this."

Speaker Redmond: "Have all voted who wish? Have all voted who wish? Representative Daniels."

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, this certainly seems to be a most reasonable



piece of legislation that is Sponsored by this Gentleman. Certainly I think we need to have such studies made in Illinois to determine whether or not the road damages should be incurred as far as the salt damages done to those roads, and I think that we ought to give this Gentleman the support for his fine piece of legislation. Thank you very much."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 100 'aye' and 8 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 263...out of the record. 300, Representative Taylor? I saw him on the floor a minute ago. Representative Taylor, if you are in the sound of my voice, impending doom is approaching..."

Clerk O'Brien: "Senate Bill 300, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Redmond: "Representative Taylor."

Taylor: "Thank you, Mr. Speaker and Members of the House, Senate Bill 300 amends the Chicago teacher retirement firm article of the pension code...allows validation of 12 months of unpaid maternity leave for pension credit by payment thereof as in the case of unpaid sick leave. Mr. Speaker and Members of this House, this Bill has passed out of the House before and is now a Senate Bill. I solicit your support for Senate Bill 300."

Speaker Redmond: "Anyone in opposition? The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 100 'aye', 10 'no', the Bill having received the Constitutional Majority is hereby declared passed. 404, is Representative Ewing on the floor? Okay, 404."



Clerk O'Brien: "Senate Bill 404, a Bill for an Act relating to Illinois industrial development authority and the Commission for Economic Development, Third Reading of the Bill."

Speaker Redmond: "Representative Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 404 amends the Industrial Development Authority Act and the Commission on Economic Development. It increases the membership of IDA from 7 to 8, and it is supported by the Commission of Economic Development."

Speaker Redmond: "Representative Getty. ...Getty."

Getty: "Mr. Speaker, it is my understanding Representative Ewing had indicated that he was not going to go with this Bill in present form."

Speaker Redmond: "Okay, out of the record. 432."

Clerk O'Brien: "Senate Bill 432, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Redmond: "Representative Daniel O'Brien, 432. Out of the record. 455."

Clerk O'Brien: "Senate Bill 455, a Bill for an Act to amend Sections of the Surface Mine Land Conservation and Reclamation Act, Third Reading of the Bill."

Speaker Redmond: "Representative Hoxsey."

Hoxsey: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 455 authorizes the counties to regulate and restrict the location of any surface mineral mining operation and provides that if a county zoning ordinance and provisions of the Surface Mine Land Conservation and Reclamation Act concerning the location of any surface mineral mine conflict, the county zoning ordinance will prevail. This only deals with gravel deposits basically, no other..."

Speaker Redmond: "Representative Getty."

Getty: "Well, Mr. Speaker, I know we have still rather slight



attendance. I was informed by Representative Mautino, and I don't see him on the floor right now, but he has some problems he wanted to discuss with the Sponsor about this Bill."

Hoxsey: "Alright, I'll be glad to take it out of the record, Mr. Speaker."

Speaker Redmond: "Out of the record. 494. Is Representative Sharp on the floor? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 494, a Bill for an Act to amend Sections of the School Code, Third Reading of the Bill."

Speaker Redmond: "Out of the record. 565."

Clerk O'Brien: "Senate Bill 555,...565, a Bill for an Act to amend the Retail Installment Sales Act and Motor Vehicle Retail Installment Sales Act, Third Reading of the Bill."

Speaker Redmond: "Representative Marovitz on the floor? Out of the record. 617."

Clerk O'Brien: "Senate Bill 617, a Bill for an Act to amend Sections of the Revenue Act, Third Reading of the Bill."

Speaker Redmond: "Representative Cullerton on the floor? Out of the record. 628. Out of the record, request of the Sponsor. 651."

Clerk O'Brien: "Senate Bill 651, Lechowicz, a Bill for an Act in relation to banks organized specifically to serve Saving Associations, Third Reading of the Bill."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Out of the record, Mr. Speaker."

Speaker Redmond: "Out of the record, request of the Sponsor. 768. Dan O'Brien, 768."

Clerk O'Brien: "Senate Bill 768, a Bill for an Act to amend Sections of the Gas Revenue Tax Act and the Public Utility Revenue Act, Third Reading of the Bill."

Speaker Redmond: "Representative O'Brien."

O'Brien: "Yes, thank you, Mr. Speaker and Members of the House. I...768 is a Bill that...right, okay...came out of the Senate 36 to 19. It's the Bill that came out of



the House Revenue Committee with an overwhelming, I think it was 20 some votes, 16 votes. It was 16 to nothing. The Bill allows utility companies to be taxed only once on their appliances that they sell to other consumers in the State of Illinois, thus doing away with the double taxation in relation to appliances for...appliances."

Speaker Redmond: "Representative Schlickman in opposition."

Schlickman: "Well, Mr. Speaker and Members of the House, this is a Bill that was caused to be introduced by utilities to overcome a judicial decision that upheld this tax by the Department of Revenue. I would call to your attention that the cost to the state, meaning the loss of revenue to the state by the passage of this Bill would be approximately \$1,000,000, and consequently is opposed by the Department of Revenue."

Speaker Redmond: "Representative O'Brien."

O'Brien: "Yeah, Mr. Speaker and Members, this does away with the double taxation that the utility companies are presently bound by, and it's the reason we introduced the Bill, and our estimates are it will be about an \$800,000 loss, but it does away with double taxation, and I ask for a favorable Roll Call."

Speaker Redmond: "Mr. O'Brien in the light of the opposition in the rather sparse attendance. Do you desire to have me put the question?"

O'Brien: "Take it out of the record."

Speaker Redmond: "Out of the record. 871, out of the record. 975, Representative Wikoff. Representative Wikoff, do you desire to proceed? I don't understand the semaphore. Representative Polk, Signalman First Class."

Polk: "Well, Mr. Speaker, in light of the couple people having to take their Bills of the record, I just wonder if J. Ackerman's got any more Bills, because he seems to be very one on one..."

Speaker Redmond: "~~He's the only one that seems to have these~~"



with merit. Well, one of our subordinates down there in the Marine Corps...no...smoke signals. 1038, Representative Pierce."

Clerk O'Brien: "Senate Bill 1038, a Bill for an Act in relation to penalties for failing to file and for filing fraudulent tax returnings, Third Reading of the Bill."

Speaker Redmond: "Representative Pierce."

Pierce: "Mr. Speaker, I ask leave to return this Bill to Second Reading for purposes of Amendment which has been distributed."

Speaker Redmond: "Does the Gentleman have leave? Hearing no objection, leave is granted. Mr. Clerk, will you read the Amendment?"

Clerk O'Brien: "Amendment #1, Pierce, amends Senate Bill 1038 on page 14 by deleting line 9 and so forth."

Speaker Redmond: "Representative Pierce."

Pierce: "That's Amendment #1? Yes, Mr. Speaker, I would offer Amendment #1. It's a technical Amendment. It's adjusted by the Staff, and at this time I offer Amendment #1 to Senate Bill 1038."

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

Collins: "Mr. Speaker, not any discussion on the Amendment, but I think that Representative Meyer had some input on this. I don't know if he talked to Representative Pierce or not..."

Pierce: "He's got the wrong Bill. He's got the wrong Bill. 1038."

Speaker Redmond: "Yeah...1038 is the Bill under consideration."

Collins: "I happen to know that Representative Meyer wanted to... Didn't he discuss this with you?"

Pierce: "No, I think he was thinking of another Bill that I have."

Collins: "Well, if I'm thinking correct, a second reading."

Pierce: "Might be 3. I think that's the one he's interested in."





Collins: "My notes are of 1038. Would you hold it until Representative Meyer gets here? And...I'm in the dark, but I do have a note that he wanted to discuss 1038 and the Amendment with you."

Pierce: "Well, I thought it was 983 that he was interested in. It was brought back to Second yesterday."

Collins: "Well, you have me at a disadvantage. All I have is the written note, but it does say 1038."

Pierce: "Alright, sure, we'll hold it."

Collins: "Thank you. Take it out of the record?"

Speaker Redmond: "Out of the record. It's on Second Reading. We'll leave it there until Representative Meyer gets here then we'll go back to it. You want to put it back on... Okay, put it back on Third. It is easier to find if it is on Third. 1072."

Clerk O'Brien: "Senate Bill 1072, a Bill for an Act to amend Sections of the Illinois Highway Code, Third Reading of the Bill."

Speaker Redmond: "Representative Reilly. Out of the record, request of the Sponsor. 1172."

Clerk O'Brien: "Senate Bill 1172, Stuffle, a Bill for an Act to amend Sections of the School Code, Third Reading of the Bill."

Speaker Redmond: "Out of the record. 1232."

Clerk O'Brien: "Senate Bill 1232, Leinenweber, a Bill for an Act to amend Sections of an Act to revise the law in relation to coronors, Third Reading of the Bill."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "We're waiting for an Amendment on this Bill. Would you..."

Speaker Redmond: "Out of the record. On June the 20, 1237."

Clerk O'Brien: "Senate Bill 1237, Katz, a Bill for an Act to amend Sections of an Act to regulate the practice of public accounting, Third Reading of the Bill."

Speaker Redmond: "Representative Katz on the floor? Out of the record. 1342."



Clerk O'Brien: "Senate Bill 1342, Peters, a Bill for an Act to amend Sections of the Juvenile Court Act, Third Reading of the Bill."

Speaker Redmond: "Representative Peters here? Out of the record. If the record's so, Representative Walsh's in the chamber. 1423."

Clerk O'Brien: "Senate Bill 1423, Hoffman, a Bill for an Act in relation to fiscal support of counties, convalescent, and nursing homes, Third Reading of the Bill."

Speaker Redmond: "Representative Hoffman here? Out of the record. Is there any Member that has a Bill on Third Reading that wants to return it to the order of Second Reading for the purpose of an Amendment? Senate Bills Second Reading Short Debate Calendar on page 7. Representative Waddell, for what purpose do you rise?"

Waddell: "Sir, in answer to your previous statement, 278, if you have the Amendment ready on the other side."

Speaker Redmond: "Are the Amendments ready on 278? Mr. Page... Craig..."

Waddell: "I believe Madigan has one for it, and I don't know where it is."

Speaker Redmond: "The Amendment evidently isn't filed."

Waddell: "Okay."

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

Deuster: "I have a Bill on Third Reading that if...I'd like to return to Second for an Amendment..."

Speaker Redmond: "Alright, we'll have to take 278 out until we find the Amendment, Representative Waddell. What number is yours, Mr..."

Deuster: "This is Senate Bill 1364. It is on the order of Postponed Consideration."

Speaker Redmond: "On the order to Consideration Postponed appearing on page 11. Senate Bill 1364, Representative Deuster."



Deuster: "I would ask leave to return Senate Bill 1364 to the order of Second Reading for the purpose of considering Amendment #2."

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

Deuster: "I'm the Sponsor of the Amendment, and I'm the Sponsor of the Bill."

Speaker Redmond: "Representative Beatty."

Beatty: "Yeah, Amendments been distributed?"

Speaker Redmond: "Evidently it's not been distributed. Representative Deuster."

Deuster: "Well, they were distributed on this side. I...we ran into this problem yesterday. Are you sure, because yesterday you were advised that you didn't have an Amendment and you actually had it over there. I'm sorry to take the time of the House, but I didn't call this until the day the Amendment was distributed early yesterday. I think Representative Leon..."

Speaker Redmond: "Representative Leon has the Amendment. How come we... It has been distributed. If Representative Leon has it, why everybody has it. Representative Deuster..."

Deuster: "Thank you, Mr. Speaker. It is a very simple Amendment. You'll remember, this is the Bill that would allow townships to help regulate motor boat traffic on small lakes. An objection was raised, particularly Representative Bluthardt pointed out that how did we know that the property owners really wanted this? Amendment #2 says that the township ordinance concerning the regulation of motor boats on small lakes would...could only be taken upon the written petition of a majority of the owners. I think this is a safeguard that will improve the Bill and overcome objections that were raised in debate, and I would ask... I would be happy to answer any questions, but I urge the adoption of Amendment #2."



Speaker Redmond: "Does the Gentleman have leave to have 1364 returned to the order of Second Reading? Hearing no objection, leave is granted. Would you read the Amendment, Mr. Clerk?"

Clerk O'Brien: "Amendment #2, Deuster, amends Senate Bill 1364 on page 1, line 13 and so forth."

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment 2. Representative Getty."

Getty: "Will the Gentleman yield?"

Speaker Redmond: "He will."

Getty: "As I read the Amendment, it says merely the majority of the owners, so that you could have...people owning 10% of the shoreline might be a majority of the owners, but the people owning 90% of the shoreline would be opposed to it. I just wonder if you wouldn't consider making some adjustment to...also require that it be a majority of the people owning the land...the land area as well as the people."

Deuster: "I have no problem with this. Actually, Representative Getty, normally, this is just a little additional safeguard to make sure that township government would do the proper thing. It is a fine point, and since it would be an Amendment and have to go back to the Senate, I'd be apt to fix it up over there if it were necessary. It's just a little assurance that...I realize the fine point that you are making."

Getty: "Well, might I suggest you just leave it where it is. Take it out of the record, and maybe put Amendment #3 that would do just exactly that?"

Deuster: "Fine. Maybe you can help me write it. I want to make sure everybody is happy on this. Thank you."

Speaker Redmond: "Out of the record. Put it back on Consideration Postponed. ...Senate Bills Second Reading Short Debate on page 7, 983, Representative Pierce."

Clerk O'Brien: "Senate Bill 983, a Bill for an Act in relation to conservation of energy, Second Reading of the Bill."



No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Pierce, amends Senate Bill 983 on page 1 by deleting line 5 and so forth."

Speaker Redmond: "Representative Pierce."

Pierce: "Mr. Speaker, Amendment #1 is an Amendment suggested by the Energy Resources Commission which allows the state to take advantage of the Schools and Hospitals Energy Conservation Program under the Federal Energy Policy and Conservation Act of 1978. It is a mere authorization for the issuance of bonds to assist schools and other...units of local government in putting up the local match for the federal funds that will enable them to insulate and to retrofit their furnaces and to put on storm windows and storm doors. and otherwise save money through energy conservation. And I move the adoption of Amendment #1."

Speaker Redmond: "Any discussion? Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Schlickman: "The bonding that you are referring to is \$35,000,000. Is that correct?"

Pierce: "Yes, this is only the authorization. Those will be revenue bonds to be re-paid by the schools to the state, and of course, we would have to come back and appropriate the actual revenue in the fall or next year if the Governor signs it. We understand that they are neutral on it. The Institution for Natural Resources is neutral on this."

Schlickman: "You say these are revenue bonds? What would be the security underlying these bonds?"

Pierce: "The revenue...you mean, that are up for the bonds? The revenue for the bonds would be the repayment put by the schools from their energy savings...insulation and retrofitting over a five year period."

Schlickman: "But there has to be security underlying the bonds."



What is that security."

Pierce: "That revenue."

Schlickman: "What?"

Pierce: "These are revenue bonds..."

Schlickman: "I understand that, but revenue bonds have to be secured by security by personal property. What happens if there is a default?"

Pierce: "If there is a default, then the borrower can look to that school district, or he is out of money...or he's out, like any other revenue bond. It doesn't produce revenue."

Schlickman: "There's...these loans are to be made in accordance with the rules and regulations of the National Energy and Conservation Policy Act of 1978. Is that correct?"

Pierce: "The...the purpose of the...of the money being borrowed by the local schools is to put up their local match, 50% match where Uncle Sam will match 50% so they can insulate the schools, put on storm doors and storm windows and retrofit their heating and cooling systems to conserve energy and dollars over a 5 year period."

Schlickman: "As I stated, these loans shall be made in accordance with the rules and regulations of the National Energy Conservation Policy Act of 1978. I'm wondering if you could generally describe the nature and content of these rules and regulations. What criteria would be used, or would be required for the making of loans?"

Pierce: "These loans would be made to school districts who did not have sufficient funds up front available for their 50% match, and they would have to be used strictly for energy conservation approved under that Act. And I think I listed the types of energy conservation that a school would be encouraged to... first they would have an energy audit and determine how they could save money, and almost any school that



was built in the 50's and 60's especially, when energy was cheap, could save money by installing insulation, double glazed windows and doors, and by improving the quality, and nature, and efficiency of their heating units, and furnaces, and so on. So it would have to be strictly for energy conservation use."

Schlickman: "Well, you still haven't told me what the criteria would be."

Pierce: "That's the criteria. They would have to save dollars and energy..."

Schlickman: "Now, it would be..."

Pierce: "For Uncle Sam to come up with his 50% match. The criteria is, they would have to be energy con...use for energy conservation purposes approved by the Department of Energy, and I've told you the kinds of things they're looking for in schools to conserve energy."

Schlickman: "Alright, now the state would issue the bonds. Is that correct?"

Pierce: "Yes."

Schlickman: "And the state would have to pay the interest on the bonds. Is that correct?"

Pierce: "The interest on the bonds...would be paid... It would be paid by the state and reimbursed by the school districts."

Schlickman: "Well, can you explain to me why on one hand does this Bill provide that the units of local government would pay only 1% on the loans, and yet the state would have to pay the prevailing rate with respect to the issuance of bonds..."

Speaker Redmond: "Representative Meyer."

Meyer: "A question of the Sponsor."

Pierce: "Yes."

Meyer: "Oh, pardon me, Representative Schlickman indicates that he isn't finished."

Pierce: "Which page of the Amendment are you referring to, Mr. Schlickman?"



Speaker Redmond: "Representative Schlickman."

Schlickman: "Well, I was referring to Section 2 hyphen 5, on page 4, but I was looking at it very quickly, and the rate of interest would not be 1% absolutely, but 1% above the rate of interest at which the bonds were issued. So..."

Pierce: "Right..."

Schlickman: "I've answered my own question on that matter."

Pierce: "That's why I was confused there, because I didn't know what you were referring to."

Schlickman: "Just one further question, you indicate, or in that same Section it provided that these would be 5 year loans and a minimum of \$5,000, but no maximum is provided, so that, theoretically, or technically, these \$35,000,000 could go to one district. Is that correct?"

Pierce: "Well, if the bond market...technically it may be correct, but the bond market would have to buy the bonds, and I don't think they're going to...and the federal government would have to come up with 50% matching funds, and I don't think they'd come up with that kind of money for one district."

Schlickman: "Thank you."

Speaker Redmond: "Anything further? Representative Meyer."

Meyer: "Question of the Sponsor, Mr. Speaker. Representative Pierce, this is the same...the same Amendment that was offered in Committee and you withdrew, isn't it?"

Pierce: "Yes, I think it has been cleaned up a little bit, but it is basically the same Amendment that we offered in Committee and withdrew because of some confusion and some questions about your...very incisive questions about yourself."

Meyer: "In...one of my very incisive questions was that these are revenue bonds. Isn't this true?"

Pierce: "Yes, they are revenue bonds, and the state, ...I didn't have the answer to your question that day, but the state does issue revenue bonds among examples are the





Illinois Housing Development Authority bonds issued by the state. IDA bonds, they're revenue bonds."

Meyer: "Okay, and what is the security for these bonds?"

Pierce: "The security is the obligation of the school district to repay through the energy savings. That is the only security."

Meyer: "And you feel that this is a merchantable security?"

Pierce: "I'm not sure that it is. If it's not, then the bond market won't buy the bonds, and the bonds will never be issued. We're not...I'm not 100% sure that they are, but I hope that they are."

Meyer: "Well, if I may address myself to the Amendment, Mr. Speaker. Mr. Speaker, this Amendment was offered in Committee. The Sponsor realized his own folly at that time and he withdrew it. The security for these bonds is purported to be a savings by school districts of energy. Quite frankly, I don't think any bank or banker or anybody would lend money...on the secured interest being a unit of government saving money. I mean, if...if...if anything that was...would be folly, it would be that and for that...for those reasons, I believe the Amendment should be defeated."

Pierce: "I withdrew it because I had to rush home to my son's high school graduation, but you did have some questions that day, and you were very effective."

Speaker Redmond: "Representative Skinner."

Skinner: "I believe we just passed the Bill sponsored by Representative McPike which would allow schools to hold referendums in order to save energy or in order to pay energy costs. I know in my district the school district in Hebron just passed a bond issue in order to do the types of changes in the structure that you are proposing to use bonds to pay for. And I really wonder if this is needed... It seems to me that many school districts... This is an issue that people could understand, and I rather think school districts



can pass their referendums based on Hebron's experience. It is a very conservative town, and if you would expect a referendum to fail anywhere, you'd expect it to fail in Hebron."

Pierce: "Well, Hebron was our state basketball champions when you and I were boys, or maybe before you were born, and it is a wonderful town, but some school districts are at their maximum and perhaps couldn't issue the bonds. That is what we are concerned about. Those that are at the maximum of their bonding authority and would have no more authority unless the state issued these revenue bonds and the school districts paid back the state. I think that is the rationale for the Bill. You're right, some...some...districts that are not at their maximum and haven't grown probably would have some bonding authority for this purpose."

Skinner: "Well, have you done an analysis based on Representative Bullock's new increase bonding limit? Won't the bonding limits of virtually every school district in the state be higher than they were before if this legislation passes?"

Pierce: "No, we have not analyzed it against his proposed legislation, because I'm not even sure I understand his proposed legislation."

Skinner: "Neither does anyone else. Thank you."

Speaker Matijevich: "The...is this your Amendment, Dan? Representative Pierce to close."

Pierce: "Mr. Speaker, this Amendment is an attempt to help school districts raise a local match for the federal funds that are now available for energy conservation by schools. Many of our schools were built in the... in the go-go days of the 1950's and 60's when families were growing, when energy was cheap, when gas cost almost nothing, and they were not very well insulated and not very well constructed from an energy conservation viewpoint to be quite frank, because they wanted



to hold down the initial costs, and they didn't think about what the operating cost would be because energy was cheap. Now we're in an era where gas...natural gas prices, oil prices, electricity, is soaring, where our nation has a need to conserve energy. Because of this the Congress passed the School and Hospitals Program providing for federal funds to help schools become more energy conscious, to save money and to conserve energy. And all this Bill, all this Amendment attempts to do is provide a method of giving school districts the local match they need for the federal funds, because many school districts can't issue bonds on their own, and I urge the adoption of Amendment #1."

Speaker Matijevich: "Representative Pierce has moved for the adoption of Amendment #1. All those in favor signify by saying 'aye', opposed 'no'. All those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. You want to poll the absentees? This issue there are 6... 'ayes', 66 'nays', and the Sponsor of the Amendment asked for a Poll of the Absentees. Is Bill Holland here? If Bill Holland's here, come to the podium. Gary's alright..."

Clerk O'Brien: "Poll of the Absentees: Alexander, Beatty, Bianco, Birchler, Borchers, Bradley, Braun, Brummer,..."

Speaker Matijevich: "Representative Braun."

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

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

Braun: "Please change that vote to 'aye'."

Speaker Matijevich: "'Aye' for Braun."

Clerk O'Brien: "Brummer,..."

Speaker Matijevich: "The Gentleman from Randolph, Representative Birchler, for what purpose do you rise? 'Aye' for Birchler. Mugalian, 'aye'. Chapman, 'aye'. Christensen,



'aye'. Hallstrom, 'no'. Huskey, oh, you're already on though. Proceed with the Poll of the Absentees."

Clerk O'Brien: "Continuing the Poll of the Absentees, Brummer, Bullock, Catania, Currie, Davis, Doyle, Virginia Fredrick, Dwight Friedrich, Gaines, Henry, Hoffman, Huff, Emil Jones, Kornowicz, Kozubowski, Kucharski, Leverenz, Mautino, McGrew, McPike, Oblinger, O'Brien, Preston..."

Speaker Matijevich: "Preston, 'aye'."

Clerk O'Brien: "Reed, Reilly, Shoerberlein, Schraeder, Shuneman, Stanley, Stearney, E.G. Steele, Stuffle, Taylor, Terzich,...excuse me, that's Telscer, Vinson, Winchester, and Woodyard."

Speaker Matijevich: "What's the count? Reilly 'no'. Reilly. Bianco, 'aye'...'no'...Kelly...I mean Davis, 'no'. Taylor, 'aye'. Leverenz, 'aye'. Henry, 'aye'. Huff, 'aye'. Telscer, 'no'. Making it a partisan thing out it, huh, Elmer...Speaker...Frederick...Mo..."

Frederick: "Would you record me as 'no'?"

Speaker Matijevich: "'No', alright. Frederick 'no'. Skinner."

Skinner: "Obviously there is going to be a verification.

Could I please be verified? I want to go make some trouble for Lou Hill."

Speaker Matijevich: "Leave for Skinner to be verified.

Johnson, 'aye' to 'no'."

Johnson: "Right."

Speaker Matijevich: "Johnson, 'aye' to 'no'. ...Motion to adopt Amendment #1 there are 70 'ayes', 73 'nos', and Mautino is 'no'...'aye' that is. Mautino 'aye'. That's 70, 74. Brummer 'aye'. 70, 75. Stuffle, 'aye'. What? 'Ayes'...Stuffle...Oh, I'm sorry. Oh, I'm sorry. I'm putting them on the wrong end. You're right. Yeah. The good guys were ahead this time. O'Brien, 'aye'. Telscer's already on. Now what's the count? Bradley, 'aye'. Speaker, 'aye'. It has to



be verified. Leave. The good guys are ahead now, Phil. The good guys are leaving now. 76 'ayes', 73 'nos', and...and Representative Meyer asked for a verification. Proceed with the negative vote. Affirmative rather. I've got this thing twisted. Affirmative vote."

Clerk O'Brien: "Balanoff, E.M. Barnes, Birchler, Bowman, Bradley, Braun, Breslin, Brummer, Capparelli, Chapman, Christensen, Cullerton, Darrow, Dawson, DiPrima, Domico, Donovan, Ralph Dunn, Ewell, Farley, Flinn, Garnisa, Getty, Giorgi, Goodwin, Greiman, Hanahan, Hannig, Harris, Henry, Huff, Jaffe, Kane, Katz, Keane, Kelly, Kosinski, Kulas, Laurino, Lechowicz, Leon, Leverenz, Madigan, Marovitz, Matijevich, Mautino, McClain, Mugalian, Murphy, O'Brien, Patrick, Pechous, Pierce, Pouncey, Preston, Rea, Richmond, Ronan, Satterthwaite, Schisler, Schneider, Sharp, Slape, Steczo, Stuffle, Taylor, Terzich, Vitek, Von Boeckman, White...Willer, Williams, Sam Wolf, Younge, Yourell, Mr. Speaker."

Speaker Matijevich: "Representative Ted Meyer on questions of the affirmative vote."

Meyer: "What is the count? And Catania wants to be 'aye'."

Speaker Matijevich: "Mrs. Currie wants 'aye'. Thank you. Now we'll proceed with verification of the affirmative vote. John Beatty, 'aye'. McPike, aren't you on yet? 'Aye'. Alright, you're on."

Meyer: "Capparelli."

Speaker Matijevich: "Did you get McPike, 'aye'? Alright. Capparelli is in his seat."

Meyer: "Cullerton."

Speaker Matijevich: "Cullerton is in his seat."

Meyer: "Darrow."

Speaker Matijevich: "Let's have a little order. Who was that?"

Meyer: "Darrow."

Speaker Matijevich: "Clarence Darrow...I don't see him here at the moment. Take Darrow...how is he recorded, Mr. Clerk?"



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

Speaker Matijevich: "Alright, take him off. Darrow off..."

Alright, Darrow's here. Put him back on."

Meyer: "Dawson."

Speaker Matijevich: "Dawson...I don't see Dawson. How is he recorded, Mr. Clerk?"

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

Speaker Matijevich: "Take him off and put Kornowicz on 'aye'. Kornowicz, 'aye'."

Meyer: "Donovan."

Speaker Matijevich: "Donovan...I don't see Donovan in his seat. How is the Gentleman recorded?"

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

Speaker Matijevich: "Take him off the record."

Meyer: "John Dunn."

Speaker Matijevich: "John Dunn is..."

Meyer: "How is he recorded, Mr. Speaker?"

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

Speaker Matijevich: "No. You want him off, Ted?"

Meyer: "No. Farley."

Speaker Matijevich: "Farley...I don't see Farley in the back. How is he recorded?"

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

Speaker Matijevich: "Take him off."

Meyer: "How about Ralph Dunn."

Speaker Matijevich: "Ralph Dunn...is in his seat."

Meyer: "Giorgi."

Speaker Matijevich: "Giorgi...I don't see him over there. How is he recorded, Mr. Clerk?"

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

Speaker Matijevich: "Take him off."

Meyer: "Katz."

Speaker Matijevich: "Katz is in his seat."

Meyer: "Kosinski."

Speaker Matijevich: "Kosinskis's in his seat."

Meyer: "Laurino."



Speaker Matijevich: "Laurino. I don't see him. How is he recorded?"

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

Speaker Matijevich: "Take him off. And Vinson wants to be recorded as 'no'. And Winchester, 'no'."

Meyer: "Leverenz."

Speaker Matijevich: "Leverenz...I don't see him. Vinson and Winchester... Leverenz is not in his seat. How is he recorded? ...Leverenz."

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

Speaker Matijevich: "Take him off. Return Dawson...return Dawson to the roll."

Meyer: "Mautino."

Speaker Matijevich: "Mautino's in his seat. Return Donovan... to the Roll Call. Donovan to the Roll..."

Meyer: "Patrick."

Speaker Matijevich: "Langdon Patrick is in his seat."

Meyer: "Ronan."

Speaker Matijevich: "Who was that?"

Meyer: "Ronan, Representative Ronan."

Speaker Matijevich: "Big Al's in the aisle over here."

Meyer: "Sharp."

Speaker Matijevich: "Sharp...is not in his seat. How is he recorded?"

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

Speaker Matijevich: "Take him off and return Leverenz. Return Leverenz."

Meyer: "Slape."

Speaker Matijevich: "Slape...I don't see Mike Slape back there. How is he recorded?"

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

Speaker Matijevich: "Take him off."

Meyer: "White."

Speaker Matijevich: "Jesse White's in his seat."

Meyer: "Williams."

Speaker Matijevich: "Williams is in his seat."



Meyer: "Sam Wolf."

Speaker Matijevich: "Sam Wolf...Sam Wolf are you back...  
Yeah, he's in his seat."

Meyer: "I have no further objections, Mr. Speaker."

Speaker Matijevich: "Alright. Emil Jones, 'aye'. Friedrich,  
'no'. We'll have a count. On this issue there are  
77 'ayes', 76 'nos', and Amendment #1 is adopted.  
Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Pierce, amends Senate  
Bill 983 on page 1 by deleting..."

Speaker Matijevich: "The Gentleman from Lake, Representative  
Pierce."

Pierce: "I understand this is strictly a technical Amendment  
to take out language that should have been struck in  
the Senate when Senate Amendment #1 was put on the  
basic Bill which made the basic Bill a permissive  
program, and I offer the adoption of Amendment #2."

Speaker Matijevich: "The Gentleman from Lake has moved for the  
adoption of Amendment #2. All in favor say 'aye',  
opposed 'no', and Amendment #2 is adopted. Further  
Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Now I understand that the  
fiscal note is..."

Unknown: "Mr...Mr. Speaker, I object to its going to Short  
Debate."

Speaker Matijevich: "Well why don't we get that to... It's  
on Second Reading. You can object when we call it on...  
take it off... Oh, it goes to full debate automatically.  
That's right. The next Bill is Senate Bill 140."

Clerk O'Brien: "Senate Bill 140, a Bill for an Act to amend  
Sections of the Senior Citizens and Disabled Persons  
Property Tax Relief Act, Second Reading of the Bill.  
No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, ... Dave Jones, amends Senate





Bill 140 on page 1 line 11 by deleting \$15,000 and inserting in lieu thereof \$12,000 and so forth."

Speaker Matijevich: "The Gentleman from Sangamon, Representative Jones."

Jones: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment reduces the amount in...Senate Bill 140. This is the circuit breaker from 15,000 to 12,000 and the ceiling on the grants from 800 to 750 and the supplemental to 10,000 and the, of course, by deleting the total amount at the bottom of the bottom line, so I move for the adoption of..."

Speaker Matijevich: "The Gentleman has moved for the adoption of Amendment #1. Is there any discussion? The Gentleman from Cook, Representative Getty."

Getty: "Has this Amendment been distributed?"

Speaker Matijevich: "Has it been distributed?"

Getty: "Our pages..."

Speaker Matijevich: "No, no it hasn't. We'll take the Bill out of the record. House Bill...Senate Bill 93, Flinn."

Clerk O'Brien: "Senate Bill 93, Flinn..."

Speaker Matijevich: "Out of the record. Senate Bill 967, Kornowicz. Out of the record. Senate Bill 1104. Out of the record. Senate Bill 1146, Steczo."

Clerk O'Brien: "Senate Bill 1146, Steczo, a Bill for an Act to amend Sections of the election code, Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment # 1, Bowman, amends Senate Bill 1146 on page 1 and line 1 and 10 and so forth."

Speaker Matijevich: "The Gentleman from Cook, Representative Bowman on Amendment 1."

Bowman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This particular Amendment, it seems to me, is the capstan on the nursing home reform legislation that we have been working on this Session. This particular Amendment protects the franchise of voting



by nursing home residents. Basically what it provides for is supervised casting of absentee ballots by nursing home residents, and we discussed this Bill yesterday, or this Amendment yesterday. I will be happy to respond to questions, but I don't know that the House wants me to replicate my speech of yesterday. I'll just respond to questions."

Speaker Matijevich: "The Gentleman from Cook, Representative Bowman has moved for the adoption of Amendment #1. The Gentleman from Cook, Representative Getty."

Getty: "Will the Gentleman yield?"

Bowman: "Sure."

Getty: "Is Amendment #1, is that not the subject of a Bill which you sponsored, Representative Bowman, which you requested to have placed on the Spring Calendar?"

Bowman: "That is correct. It is HOUSe Bill 2738, is identical to this Amendment. It was reported favorably by the House Elections Committee and is on the Spring Calendar. I...my preference would be to move ahead at this time. The only reason I placed it on the Spring Calendar is as you all know it would have died at the midnight deadline otherwise. But if this goes through, we have it in place in time for the March primaries."

Getty: "Well, it see...it just seems to me that you may be placing this Bill, the underlying Bill, into some jeopardy. Have you discussed that with the Sponsor? Senate Sponsor..."

Bowman: "Well, Mr...Representative Getty, I have not discussed this...this with Senator McMillan. I have discussed it with the House Sponsor, however. This is the House of Representatives, and I was careful to touch base before offering this Amendment to...in the House."

Getty: "Was this Bill somewhat controversial in Committee... the basic Bill?"

Bowman: "You're asking me to advise the House as to whether this is controversial? I think everyone knows the



substance of the Bill. I am prepared to let them make up their minds as to whether it's controversial. I think it is an important piece of legislation. I will grant you that."

Getty: "Are you speaking of the underlying Bill or your Amendment?"

Bowman: "I am speaking of my Amendment. I think my Amendment is an important piece of legislation."

Getty: "Alright. Do you still have that...your Bill...so you're trying to take 2 shots at it, then one here, and hopefully again in the spring if this doesn't make it. Is that right?"

Bowman: "Well, if this doesn't...if this makes it and is signed into law, I will table the other Bill. I won't use it as a vehicle for something else if that is what you are concerned about. I would be happy to table the other Bill if this is signed into law."

Speaker Matijevich: "The Gentleman from Cook, Representative Telscer. The Gentleman from Cook, Representative Yourell."

Yourell: "Yes, I...Mr. Speaker, Ladies and Gentlemen of the House, I arise to oppose the Amendment. This Bill, Senate Bill, Senate Bill 1146 barely got out of the Senate. It is a very important election Bill, and I am told if this Amendment goes on, this Bill will be dead as far as the Senate is concerned. And I think the Gentleman had his chance with his own Bill. He decided to place that on the Spring Calendar, and I don't think it's proper that he should attach his Amendment to a very important election Bill, and I move to oppose the Amendment."

Speaker Matijevich: "Now Representative Telscer informs me that he does want to speak. Representative Telscer."

Telscer: "Well Mr. Speaker and Members of the House, I am really quite surprised there would be any opposition to the Gentleman's Amendment. We just completed



a set of Bills to which an Amendment was adopted by a Gentleman who is very much interested in that particular subject matter. Every Member of the House knows full well that the process enables us to amend Bills on the order of Second Reading. And that is the choice of Representative Bowman. I don't think that the procedural arguments which a couple of Members are making really hold any water. Representative Bowman has consulted with the House Sponsor of Senate Bill 1146. He has apparently consented to let this Gentleman offer the Amendment, and I have no doubt that the underlying Bill along with Amendment #1 will pass the House and that the Senate would concur with the Amendment. Representative Bowman's Amendment is a very critical and important Amendment. It is one which will insure honest, fair elections in all parts of the State of Illinois, and particularly certain parts of my district. I am very familiar with the problems which Representative Bowman is addressing in Amendment #1, and I want to assure every Member of the House that it is my personal opinion that this is one of the finest Amendments I've seen offered during this Session of the Assembly. This Amendment will go a long way. It will go a long way toward insuring honest, fair elections state-wide, and I sincerely hope that every Member will vote to adopt this Gentleman's Amendment, and then we'll all work together to see to it that the Bill is ultimately passed and becomes law both the substance of the Amendment and the original Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Collins."

Collins: "Well Mr. Speaker, I'm truly amazed by the smoke screen that is being raised on this Amendment. Yesterday it was alleged on this floor that this Bill... the House Bill didn't get out of Committee when in fact



it did get out of the House Elections Committee, and now we've heard the astounding statement that this Bill barely got out of the Senate. Well it barely got out of the Senate Committee 11 to nothing. And it barely got out of the Senate 54 to 1. Now I'll take that bare edge anytime on any Bill that I handle. Why don't we discuss the merit for this Bill. This would allow people who are least able to get to the polls to vote in a proper and orderly way. It sets up a mechanism for people who are confined to nursing homes and probably cannot get out especially in weather such as we had last year or maybe because of fiscal incapacity to vote in an orderly and supervised way. It sets up a mechanism whereby these people can vote and vote the day before the actual election. They are supervised by judges of both parties. It is a thoroughly reasonable Bill, and I wish that somebody who objects to this Bill would raise a legitimate objection to this Bill. This is good legislation. The reason it wasn't acted upon in the House Bill is because of the crush of the deadline. It came out of the House Committee. It was never heard on the House floor. It is imminently reasonable legislation. It speaks to a problem that exists throughout the State of Illinois who people who are in nursing homes who want to vote who may not be able to can come out and...have the election authorities come to them and vote. I can't imagine anybody being opposed to this legislation, and I would urgently urge everybody in this House to support this Amendment. Again I repeat, forget about the smoke screen, the Bill barely passed the Senate 54 to 1. I don't think we are jeopardizing anything with this very good Amendment."

Speaker Matijevich: "The Lady from Cook, Representative Willer."

Willer: "Yes, thank you, Mr. Speaker, I want to rise, too,

in support of this very good Amendment. Representative



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Collins, much to my surprise, once in a while he and I agree completely on something. His speech was excellent. I listened to it. He is absolutely right. People are being voted in nursing homes right now under terrible conditions. I know about in my own district where people go in, precinct captains go in and really take people who should perhaps not be voting because they are downright senile and say 'Here Grandma, sign here.' This will give us an orderly legal way to vote those in nursing homes who want to vote, and I think...I can't imagine why anybody's opposing it. I urge you to support this Amendment. It is a very much needed piece of legislation, and it is a good piece of legislation."

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

Bluthardt: "Thank you, Mr. Speaker and Members of the House. This Amendment is so good, makes so much common sense, and is so practical that it probably will not be adopted. The Amendment will, in my opinion, for the first time give residents of nursing homes an opportunity to vote their own convictions rather than having the precinct captain deliver the absentee ballots and vote for them. At least they will have an opportunity to vote in secret. And because it makes so much sense, I say it probably will not be adopted, and I wonder what the underlying reasons for those who will vote against the Amendment will give for their opposition to it. What are...what do they want to do? They want to maintain the status quo to make sure that they can pick up those votes from nursing homes that can be delivered the way that the precinct captain wants them delivered. Give the people in the nursing homes an opportunity to vote their own convictions. Vote 'aye' on this Amendment."

Speaker Matijevich: "The Gentleman from Wayne, Representative Robbins."



Robbins: "Mr. Speaker and Ladies and Gentlemen of the House, I am a county chairman. I know what you are talking about, and I think it is absolutely sinful the way the vote is being stole from the nursing homes sometimes. After the time that I became chairman, we asked the doctors to certify the patients within the nursing homes of who were capable of voting. We went as a Democrat and Republican together and got the applications so that they could be voted absentee. Then, at all times, we had a nurse or a representative of the hospital with us, and the people for the last 5 years in the nursing homes in our county have had their vote counted the way they want it counted. So let...let's do it all over the state. Let's have everyone get to vote the way they want to when they reach that age whenever they do need help. We pass every other kind of a Bill to help them. Why not give them the right to vote as they see fit. I think this is a good Amendment. Thank you."

Speaker Matijevich: "Representative Bowman to close."

Bowman: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I think we have had a good debate on this, and I'd like to say that this...this legislation is much needed. There are situations which I have personally witnessed where absentee ballots have been filed from nursing homes 50, 60, 70 ballots. In some cases there were mistakes on the ballots, and it was the same mistake on every ballot. Now the law as a chance don't provide for that. There is only one way that all those ballots could have been in error. We know that there are abuses going on. There is a need for corrective legislation. This provides, I think, reasonable supervision, and lastly I would point out, don't be mislead. The underlying Bill to which this Amendment is being added passed the Senate 54 to nothing. It is not a controversial Bill



itself, and so I think this Amendment is very worthy of your consideration. I ask Affirmative Roll Call."

Speaker Matijevich: "Representative Bowman has moved for the adoption of Amendment #1. Those in favor signify by voting 'aye'; those by...opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 129 'ayes', 11 'nays', and Amendment #1 is adopted. There has been a request for a fiscal note on this Amendment. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Hold the Bill on Second Reading, request for a fiscal note. Representative Collins, did you seek recognition?"

Collins: "I quesiton the propriety of the request for the fiscal note, Mr. Speaker. There is no state money involved."

Speaker Matijevich: "Representative Bowman...Representative Bowman."

Bowman: "It is quite right. Elections are financed locally. There is no state money involved, so in my opinæon, the request for a fiscal note is inappropriate."

Speaker Matijevich: "You'd have to move that the Fiscal Note Act is not applicabile. I believe that is the..."

Bowman: "I so move."

Speaker Matijevich: "The Gentleman from Cook, Representative Bowman, moves that the fiscal note is not applicabile. Those in favor of that motion signify by voting 'aye'...those...by voting 'aye'. Well, I think you need it. The Clerķ will take the record. There are 120 'ayes', 2 'nays', 1 'present', and the motion prevails that the fiscal note is not applicabile. Third Reading. Announcement...a young Lady has received permission from the Speaker's office. She is with the Illinois Savings and Loan League. She received permisison to take pictures from the gallery for a





short while, so... The Gentleman from Cook, Representative Collins, for what purpose do you rise?"

Collins: "Mr. Speaker, does Senate Bill 1146 go back on Short Debate now?"

Speaker Matijevich: "Leave to put it on...no...there is a number of people that's...it doesn't automatically go on, so...it is removed from... The Gentleman from Cook, Representative Bowman."

Bowman: "Just an inquiry of the Chair. What was the...the vote... the yeses and the nos on this?"

Speaker Matijevich: "One hundred and twenty-one to two."

Bowman: "There were only 2 nos, and it seems to me to take 9 people to knock something off of Short Debate."

Speaker Matijevich: "Well..."

Bowman: "Maybe some people voted yes or no..."

Speaker Matijevich: "Takes unanimous consent, so 2 is enough."

Bowman: "I see. Okay. Well thank you very much. I just wanted to check."

Speaker Matijevich: "Alright. You did alright. Next Bill, Senate Bill 1395, Yourell. Is that in or out? Out of the record. Senate Bill 10...wait...before we go to that, Roll Call for Attendance. Leinenweber, you want to hit your present button? Have all voted...take the record. Johnson, you want to turn...alright. Okay, take the record. Speaker's present. I always miss him. Alright, as long as we have a qu<sup>o</sup>rum, let's go on to Senate Bill 10, Huskey."

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 Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Amendment #1 was tabled previously. Floor Amendment #2, Beatty, amends Senate Bill 10 on page 1 line 1 and 5 by deleting Section 5 and so forth."

Speaker Matijevich: "Who is this... The Gentleman from Cook, Representative Beatty."



Beatty: "Yes, Mr. Speaker. My Amendment changes the concept that the...as to the responsibility of the parent. The present status of this Bill is the damages has been raised to a thousand. What my Amendment would do would be to make a parent responsible only in the situation where the parent or legal guardian has engaged in a pattern of continued neglect in the discipline of such minor. At the...the present status of the law is that if a minor does something willful, commits a tortuous act, the parent becomes responsible automatically. Well, this concept flies in the face of the wise. This concept flies in the face of the law as we have known it for a couple hundred years. So the way the law should be and the way it generally is, a person is responsible for his own tortuous acts, not for the tortuous acts of someone else. To take a parent and make that parent responsible for something that a child does when a parent may not be in the situation where he can control that child, I don't believe is good law. And I don't think the law as we have it now is good law. And I think a parent should be held responsible with a parent by his failure to properly conduct himself as a parent with regard to training, upbringing, and discipline of the child should be responsible. And that is what the purpose of this Amendment is, to put the responsibility on the parent when the parent is not doing the job. I think this is a circumstance where the parent would be responsible, and I ask for support of this Amendment."

Speaker Matijevich: "Representative Beatty has moved for the adoption of Amendment #2 to Senate Bill 10. On that the Gentleman from Cook, Representative Huskey, Sponsor of the Bill."

Huskey: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I vigorously have to oppose this Amendment. This Amendment actually guts the Bill. The Senate Bill 10,



as we...as we know it is the existing law. And all it does is raise the sealing from 500 to 1000 dollars. Now if we were...Representative...the Representative has a very fine idea, but with his idea, we have to go out and hire a lawyer and prove the...neglect of the parent, and no lawyer...and it only has \$1,000 limit. Now, can you hire a lawyer and go out and prove these points with only a \$1,000 limit..."

Speaker Matijeich: "One moment, the Gentleman from Effingham, Representative Brummer, what purpose do you rise?"

Brummer: "Yes Mr. Speaker, an inquiry of the chair. We have on the Board up there Amendment #2. I have before me what is numbered as Amendment #1."

Speaker Matijeich: "He had leave to amend that on its face to...Amendment #2. Is that right, John? That was yesterday I guess. It's in order now."

Brummer: "Okay, the Amendment we are considering is Amendment #2 which appears on our desk as Amendment #1."

Speaker Matijeich: "That's right. Proceed Representative Huskey."

Huskey: "Alright, Mr. Speaker and Ladies and Gentlemen of the House. In proceeding, I offered...I offered the same concep...conception that Representative Beatty...Representative Beatty has on the Bill, offered it to the Committee with a \$2,000 ceiling, and it was turned down by the Committee. There is no way, because it wasn't enough ceiling. The \$2,000 didn't give enough money, and they felt that it wasn't right that they except that Amendment. So the Amendment was turned down in Committee. This Amendment as it is with only \$1,000 ceiling guts the Bill. There is no...it guts the law really. It doesn't gut the Bill; it guts the existing law, and I hope that the House in its wisdom will oppose this Amendment. Thank you."

Speaker Matijeich: "Representative Beatty to close."



Beatty: "Well, I don't think that that is proper language that this guts the Bill. The Sponsor had indicated that he really felt that my idea is a good idea. He indicated that he had proposed the concept to the Committee raising that to \$2,000 and putting this concept on, but he didn't really come forward with that. He came to the Committee with an and-or proposition, and the Committee grabbed the first offer that they had just raising it to 1,000 instead of 2,000. As I have indicated before, under our system of government we should have people pay when there is responsibility, when they have done something or failed to do something. A parent is responsible for the action of a child where he does not properly discipline that child. A parent should not be responsible for a child who might be emancipated, who might not be living at home, but under the present law, if the child is not living at home, if he is under 18 years of age, if he is long gone, the parents are still responsible. This Amendment will change the concept of law and put a parent...put the responsibility on the parent where the parent has been negligent in disciplining that child. And this is the way I think the law should be and I ask for your support of this Amendment."

Speaker Matijevich: "Representative Beatty has moved for the adoption of Amendment #2. All those in favor signify by saying 'aye'. Opposed by saying 'no'. All those in favor signify by voting 'aye'. Those opposed by voting 'no'. ...You want to get me 'aye'? Have all voted? Have all voted? Have all voted who wish? The Clerk will... oh, just a minute. The Gentleman from Cook, Representative Walsh, for what purpose do you rise?"

Walsh: "To explain my vote, Mr. Speaker."

Speaker Matijevich: "Proceed."

Walsh: "Now Mr. Speaker and Ladies and Gentlemen of the House, Representative Beatty has changed...or would attempt to



change with this Amendment, the entire thrust of the Parental Responsibility Act while the feeling as we got it with the Bill that Representative Huskey and I sponsored passed the House without very much difficulty a month or 2 ago. The feeling of this House was that the Parental Responsibility Act should be strengthened and not weakened. What we did was increase...simply increase the amount that could be recovered from parents for the acts of their minor children. What this Bill does is place a tremendous burden on those who are injured by minors and require that they prove a pattern of neglect in the parents of those minors... What the Amendment does, I beg your pardon...prove a pattern of neglect which is very very difficult to do when you consider that the amount that they can recover is very small indeed. And I would urge that you vote 'no' on Representative Beatty's Amendment."

Speaker Matijevich: "The Gentleman from Sangamon, Representative Kane to explain his vote."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I would concur that this Amendment guts..."

Speaker Matijevich: "Oh, I'm sorry...That shouldn't...go ahead. Proceed, Representative Kane."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, I would concur that this Amendment guts the Parental Responsibility Act. If we want to gut the Act, we ought to vote for this Amendment. If we think that parents should be responsible for the actions of their children, then we should vote 'no', because what this does is say that the parents are responsible only if it is proved that the parent is engaged in a pattern of continuous neglect in the discipline of such minors. And there is no way of proving that, and I would urge a 'no' vote."

Speaker Matijevich: "The Gentleman from DeWitt, Representative Vinson, to explain his vote."



Vinson: "Yes, Mr. Speaker. What we are talking about is whether this Bill is going to be tabled really. This is an attempt to just kill the Bill. What the law currently does is to say that for that minor, that juvenile that you can't get any restitution for when he damages your property is that we are going to make the parents take responsibility as they should have to begin with. We impose legal responsibility on the parents to try to force them to make kids behave. It is a common sense concept. It is unusual in our law, but it is common sensical. This Amendment is an attempt to completely change that. It says a continuous pattern of neglect, one lucid interval by a parent where for one instant they created with the child properly would mean that you could never hold that parent responsible. It is terrible. It is an irresponsible thing, and it is anti-law and order. We ought to defeat this Amendment resoundingly. I think people ought to re-examine how they are voting on this."

Speaker Matijeich: "Representative Deuster from Lake to explain his vote, one minute."

Deuster: "The parental responsibility law is one that is common to most of the states, and the states do not have this requirement. Even under the common law where a young person went out on a family errand, they held the family responsible. If a young person who doesn't have a job goes on an errand or even driving a car and negligently injures some innocent victim, why the family is the economic unit that ought to be responsible. This provision...this Amendment is not found anywhere else. It would indeed destroy the Bill, and it is a law that has been promoted by Members on both sides of the aisle, Representative Luke Caldwell and Jake Wolf have worked long on this. It has been law. It is Constitutional. It is a good concept. It strengthens the family, and it encourages



parents to discipline their children. I would urge more 'no' votes."

Speaker Matijevich: "The Gentleman from Champaign, Representative Johnson to explain his vote, one minute."

Johnson: "This is an entirely new concept introduced into this Bill. Whether it is right or wrong, I suppose it is up to everybody to decide. But if we were going to change the laws totally as we are here, it would seem to me to be an inappropriate stage on Second Reading to do that. Representative Getty, or Representative Beatty had plenty of opportunity to introduce legislation that would have totally changed the thrust of the law. And I think to change it on Second Reading and changing a Bill that was simply was increasing the amount of the proposed responsibility is not a very good way to go about changing the civil law. For that reason I urge a 'no' vote."

Speaker Matijevich: "The Gentleman from Cook, Representative Huskey to explain his vote."

Huskey: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I am...actually what you are doing, you're green light effect kills the parental responsibility law. It actually makes it dead. The existing parental responsibility law, this law is no new law. All this Bill does is to increase from 500 to \$1,000 of parental responsibility. Representative Beatty's Amendment guts the Bill and absolutely kills it negates the law, so there will never...there will be no more parental responsibility if the green lights stay on this Bill. And actually I would hve no other choice than to table the Bill if the Amendment is adopted, because there is no Bill any more."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 77 'ayes', 83 'nos', and the Amendment fails. Further Amendments?"



Clerk O'Brien: "Floor Amendment #3, Deuster, amends Senate Bill 10 on page one by deleting line 1, and 2, and so forth."

Speaker Matijevich: "One moment, the Gentleman from Effingham, Representative Brummer, for what purpose do you rise?"

Brummer: "Yes, with regard to Amendment #3 I would...ask the Chair to rule whether that Amendment is in proper form. It appears to...the underlying Bill deals with the parental responsibility law. This Amendment appears amend the Juvenile Court Act."

Speaker Matijevich: "Alright, alright, is the Parliamentarian around? If he is, come on in. Hang loose for a minute. The Chair makes the ruling that the Amendment refers to the enforcement of the parental responsibility law and therefore is germane. Proceed with the Amendment, Representative Deuster."

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House, the parental responsibility law is one that is many times difficult to enforce because the most common instance of vandalism on the part of a juvenile or a young person, willful or malicious conduct, involves you coming home at night and you find your garage has been damaged or property damage done to your house. You go to the police and you find out, yes, they have arrested somebody. And you say, 'Well, will you tell us who it is so we can enforce our rights?', and the police say 'I'm sorry. It is a minor, so we can't tell you.' That is because the juvenile record under the Juvenile Court Act..."

Speaker Matijevich: "Could we hold...hold a minute now. I understand by looking at the Amendment that it amends a different Act than the one that...so let me look at that once more. I understand now. It amends a different Act than the Act that we...than the Bill amends."

Deuster: "Mr. Speaker, it is a different Act, but it is the





same subject, and the language of the Amendment says for the purposes of enforcing the parental responsibility law, any victim of the willful or malicious acts of a minor shall have the right to..."

Speaker Matijevich: "The Clerk...the Chair was not aware though that it does amend the different Acts, and I am going to change my ruling and rule that it is not germane. Hold on, alright, I'll give you a break. We'll wait till the Parliamentarian comes here. Alright. Let's take this out of the record for the moment. We'll take it out of the record for the moment, and we'll have the real Parliamentarian rule on it. The next Bill is going to be...we're going to go on to some Appropriation Bills. Senate Bill 380."

Clerk O'Brien: "Senate Bill 380, a Bill for an Act making certain appropriations and reappropriations of the Board of Trustees of the University of Illinois. Second Reading of the Bill, no Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Amendment #1 failed previously. Floor is Amendment #2, Harris-Winchester, amends Senate Bill 380 on page 3 by inserting immediately after line 33 the following, Section 7 and so forth."

Speaker Matijevich: "One moment, the Gentleman from Cook, Representative Kelly, for what purpose do you rise?"

Kelly: "Mr. Speaker, I certainly honor your wish to go to the appropriations matter. There was only about 3 more, 4 more Bills before we get to a series of those, and this one dealing with abortion, I got caught in the middle on House Bill 1202 for a month because we were working on Appropriation Bills and never did get back to some of these others. And I would appreciate any consideration you'd give to at least calling these 4 in a row."

Speaker Matijevich: "Representative Kelly, the Calendar's in good shape. We'll get back to it. The Speaker was just here and asked me to go to appropriations. So we are



doing that. Harris-Winchester on Amendment #2 is it? Representative Harris. Wikoff is not here, so let's take the Bill out of the record. 383. 383...Senate Bill 383."

Clerk O'Brien: "Senate Bill 383, a Bill for an Act to make an appropriation of the Illinois Community College Board and Board of Trustees of the State Community College of East St. Louis for fiscal year 1980. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Matijevich: "Amendments from the floor? Barnes, you want that in or out? Oh...you want to table a Committee Amendment. Is there a motion on it? Alright, there is a motion being filed by Chairman of the Appropriations II Committee to table Committee Amendment #2. Does he have leave? Amendment #1 rather. Leave. Floor Amendments."

Clerk O'Brien: "Amendment #2 failed previously. Floor Amendment #3, E.M. Barnes, amends Senate Bill 3..."

Speaker Matijevich: "The Chairman of Appropriations II, Representative Barnes, on Amendment #3."

Barnes: "Thank you very much. Mr. Speaker and Members of the House, Amendment #3 does in fact...in the fact what Amendment #1 did. The difference is that Amendment #3 would appropriate \$500,000 to the Illinois Community College Board in the area of disadvantaged students. What happened in the Senate, and I've talked with the Senate Committees on this, this was reduced inappropriately in that they would concur with putting this 500,000 back which is the level of the proposal as introduced by the Governor in the Senate. That is all Amendment #3 does. It puts it back at the Governor's level, and I would move for the adoption of Amendment #3."



Speaker Matijevich: "Representative Barnes has moved for the adoption of Amendment #3. On that the Minority Spokesman of Appropriations II, Representative Peters, from Cook."

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, we would support the motions made by the Chairman of the Appropriations Committee. The Amendments do exactly what he says they do. They do preserve for downstate the funds they need for their particular program, and it does add \$500,000 for those programs in our junior colleges for the disadvantaged. So all the way around we think it is a plus vote for downstate and for the schools in the City of Chicago, and we support the Chairman of these Amendments."

Speaker Matijevich: "The motion is to adopt Amendment #... The Gentleman from Effingham, Representative Brummer."

Brummer: "Is the Senate Sponsor in agreement with this Amendment?"

Speaker Matijevich: "Representative Barnes."

Barnes: "Yes, we worked out it...worked it out with the Senate Sponsor and the Senate Appropriations Committee Chairman. They are in total agreement of this Amendment. We had a conference with them Friday and this is the product of that conference."

Speaker Matijevich: "All in favor of Amendment #3 say 'aye'; opposed 'nay', and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. And now the Sponsor of Senate Bill 380 is here. Senate Bill 380. The Bill has been read. The Gentleman from Champaign...while we're on Amendment #2, Harris. Representative Harris on Amendment #2, is it? Jack...2"

Harris: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 appropriates \$54,700 and the purpose for this Amendment is to equalize the pay of The Dixon Springs Farm Station that is up in the north part of the state."



The difference in pay is approximately 60¢ per hour. This would make an equalization of pay. That is all this Amendment does."

Speaker Matijevich: "The Gentleman has moved for the adoption of Amendment #2. On that the Gentleman from Champaign, Representative Wikoff."

Wikoff: "Thank you, Mr. Speaker. I must rise to oppose this Amendment even though it is...Sponsor's a good friend of mine. Two or three reasons. The University Civil Service Act requires the salary rates and ranges for civil service employees be set with consideration given to rates and ranges which prevail within each region for similar employees within a private sector. If you follow the reasoning for this Amendment, salary ranges...or salary ranges do vary between Champaign-Urbana, Macomb, Chicago, Carbondale, and Dixon Springs. And if you follow the reasoning for this Amendment, mean that the ranges should be standardized between Dixon Springs, Champaign-Urbana, then they also should be standardized between Champaign-Urbana and Chicago. One of the reasons for opposition, Senate Bill 1321, by Senator Busby, creates a statewide pay plan for all university civil service employees administered by the Merit Board. This Bill will be reviewed this summer by a special Senate Subcommittee with specific attention slated to be given to the problem of regional differences and salary rates and ranges. I think we are premature on this Amendment. It has been attempted in several other Sessions of the Legislature and has either been defeated or vetoed by the Governor. It was placed...or attempted to be placed on in the House Appropriations Committee and was defeated at that time. I would urge a defeat of this Amendment."

Speaker Matijevich: "Harris to close."



Harris: "Mr. Speaker, if I may, I'd like for the Cosponsor of the Amendment to close, Representative Winchester."

Speaker Matijevich: "Representative Winchester to close."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As Representative Harris said in his introduction of the Amendment, this would appropriate \$54,700 to the...from the general revenue fund to the Board of Trustees of the University of Illinois to provide supplemental compensation adjustments for non-academic employees at Dixon Springs Agricultural Center. Representative Harris and I feel that this is discrimination on the part of the University of Illinois not to be paying all of its employees the same amount of money. We think it is only fair that the employees at Dixon Springs, which is in our legislative district work just as hard as the employees that work at the University of Illinois in Champaign. We feel that the cost of living in Southern Illinois is just as high as the cost of living in Champaign. Therefore, we are making this appeal to the House of Representatives to be fair and just to everyone by allowing this Amendment to go on to make the money available to the University to raise those salaries to equal level. We would appreciate a favorable Roll Call, Mr. Chairman...Mr. Speaker."

Speaker Matijevich: "Eric Winchester has moved for the adoption of Amendment #2 to 380. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 30 'ayes', 68 'no', 4 'present', and Amendment #2 fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Huff, amends Senate Bill 380 on page 2 line 12 and so forth."

Speaker Matijevich: "The Gentleman from Cook, Representative Huff on Amendment 3."



Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment 3 would remove \$12,000,000 in change in income...in an income fund which is budgeted for the Chicago Circle Campus. The intent of this Amendment is to eliminate the students generated income funds from tuition from the discretion of the chancellor until such time as the chancellor can give greater clarity to the admission of the school with regards to the minority students."

Speaker Matijeich: "Representative Huff has moved for the adoption of Amendment #3. On that the Gentleman from Champaign, Representative Wikoff, Sponsor of the Bill."

Wikoff: "Thank you, Mr. Speaker. I must rise to oppose this Amendment, too. As was stated, it deletes some \$12,000,000 from university income fund. This reduction is the exact amount that is anticipated at the Chicago Circle Campus for fiscal year 1980. Such a reduction causes serious problems and should not be supported for the following reasons: enrollment has been estimated for the fiscal year '80 and the campus will be receiving the \$12,000,000 in tuition and fees. This 12,000,000 will be deposited into the income fund, but would not be able to be expended unless it is appropriated. The total U of I income fund is reduced by \$12,000,000, and even though those funds are received, no expenditures could be made which would demand an increase in general revenue funds to make up the difference. Therefore, I ask for a 'no' vote on this Amendment."

Speaker Matijeich: "Representative Doug Huff to close."

Huff: "Thank you. Well to begin with, Mr. Speaker and Ladies and Gentlemen of the House, the University of Chicago Circle Campus, you must remember, is a tax supported, land grant institution in my district. Now, the chancellor has insisted on using a selective index which, according to my understanding in addition to



being totally invalidated, would cause a reduction of incoming students. As...his arbitrary use of this selective index has caused a great furor, not only with the students, but the faculty there, too. And many of the faculty who have spoken out against this now face what they call 'security employment', or unemployment. I think this isn't fair, and as a Representative of this district, I am asking for no less than what any other Member here would do if he had a problem in his district. I am asking you to support me in this. Let me take this money out, and therefore strike by means by which I'm sure the chancellor would be more amendable in coming to me as a Representative of that area trying to resolve this. In which case we will put that money back later on. I know it can be done, and for that reason I'm asking for your adoption of this Amendment."

Speaker Matijevich: "Representative Huff has moved for the adoption of Amendment #3. Those in favor signify by saying 'aye'; opposed by saying 'no'. Those in favor signify by voting 'aye'; those opposed by voting 'no'. All unauthorized persons remove yourselves from the floor. I understand there are unauthorized persons on the floor. Please remove yourself. Have all voted? Have all voted who wish? The Clerk will take the record. On this issue there are 31 'ayes', 75 'nays', and Amendment #3 fails. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Senate Bill 487... McMaster's on the floor now. I don't see Tom there. Out of the record for a moment. Senate Bill 508."

Clerk Leone: "Senate Bill 508, a Bill for an Act making appropriations to the State Treasurer. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk Leone: "No Floor Amendments."



Speaker Matijevich: "Third Reading. Senate Bill 5-4-2."

Clerk Leone: "Senate Bill 542, a Bill for an Act making appropriations to the Illinois State Scholarship Commission. Second Reading of the Bill. Amendment #1 adopted in Committee."

Speaker Matijevich: "Any motions?"

Clerk Leone: "No motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk Leone: "Amendment #2, J. Dunn, amends Senate Bill 542 on page 1 by deleting lines 5 through 33 and so forth."

Speaker Matijevich: "The Gentleman from Macon, Representative Dunn."

Dunn: "Well Mr. Speaker, Ladies and Gentlemen of the House, this is a technical Amendment that is agreed to by both staffs which would make no dollar changes, but realigns the form of the Bill, and I would urge its adoption."

Speaker Matijevich: "Representative... Representative Dunn has moved for the adoption of Amendment #2. On that the Gentleman from Champaign, Representative Johnson."

Johnson: "I have no objection to the Amendment."

Speaker Matijevich: "All in favor of Amendment #2 say 'aye'; opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Senate Bill 5-7-8, Oblinger-Swanstrom."

Clerk Leone: "Senate Bill 578, a Bill for an Act making appropriations for expenses of the Department of Aging. Second Reading of the Bill. Amendment #1 adopted in Committee."

Speaker Matijevich: "Any motions?"

Clerk Leone: "No motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk Leone: "Amendment #2, Oblinger, amends Senate Bill 578 as amended."





Speaker Matijevich: "I don't see Oblinger here. Do you want to handle that for her, Swanstrom?"

Swanstrom: "Mr. Speaker, that is Representative Oblinger's Amendment, and I think she should handle it."

Speaker Matijevich: "Alright, out of the record. Senate Bill 5-8-1, Tim Simms."

Clerk Leone: "Senate Bill 581, a Bill for an Act making appropriations for the expense of the Department of Business and Economic Development. Second Reading of the Bill. Amendments #1, 2, 3, and 4 adopted in Committee."

Speaker Matijevich: "Motions?"

Clerk Leone: "No motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk Leone: "Amendment #5, Ackerman-Vinson-Ropp, amends Senate Bill 581 as amended by deleting Section 8 and inserting in lieu thereof the following."

Speaker Matijevich: "Representative Ackerman, Gentleman from Tazwell."

Ackerman: "Thank you, Mr. Speaker. This Amendment appropriates \$10,000 or so much of that may be necessary to the Department of Business and Economic Development to study the feasibility and encourage the transformation of the Hiram Walker's Distillery in Peoria, Illinois to a facility for the production of alcohol from Illinois grown grains for use in gasohol. The Sponsor of this Amendment, or the Sponsor of this Bill has indicated he would accept this Amendment, and I ask for the adoption of this Amendment."

Speaker Matijevich: "The Gentleman has moved for the adoption of Amendment #5. On that the Gentleman from Macon, Representative Dunn."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, I would have to reluctantly rise in opposition to this Amendment. There are a number of Members of the House who have filed Bills this Spring which relate to one aspect or another of solving the gasohol problem."



Because those Bills were filed, the Subcommittee was created on gasohol in the House Transportation Committee, and the Sponsors of each of those Bills agreed voluntarily to place their Bills in Interim Study..."

Speaker Matijevich: "Could we take this Bill out of the record? There is a couple of Amendments that the Sponsors are not here. Take the Bill out of the record."

Dunn: "Fine."

Speaker Matijevich: "We are trying to clean up work that we have no difficulties with. Senate Bill 8-3-0."

Clerk Leone: "Senate Bill..."

Speaker Matijevich: "8-3-0...McAuliffe."

Clerk Leone: "830, a Bill for an Act making appropriation for expenses of the Court of Claims. Second Reading of the Bill. Amendments #1, 2, and 3 adopted in Committee."

Speaker Matijevich: "Any motions?"

Clerk Leone: "Motion to move to table...Amendment #3 to Senate Bill 830, Leverenz."

Speaker Matijevich: "The Gentleman from Cook, Representative Leverenz on the motion to table Committee Amendment #3."

Leverenz: "I would move that we table Committee Amendment #3. It would restore the funding for 5 positions that they will now fill."

Speaker Matijevich: "Leave to table Committee Amendment #3. Leave. Further Amendments?"

Clerk Leone: "Amendment #4, Simms, amends Senate Bill 830 as amended on page 1 line 8 and so forth."

Speaker Matijevich: "The Gentleman from Winnebago, Representative Simms."

Simms: "Mr. Speaker, Ladies and Gentlemen of the House, I have an Amendment to the Court of Claims to reduce the appropriation by \$20,480 by the reduction of one commissioner's position. I do this based on the premise of compacting our staff as the Court of Claims. They cannot give any indication of how much time commissioners



spend on work to the Court of Claims, and it is evident that with their lack of knowledge of the time and element that is spent on the Commission of the Court of Claims that by the reduction of one commissioner that perhaps it would be more efficient. I move for its adoption."

Speaker Matijevich: "Representative Leverenz."

Leverenz: "Would the Sponsor yield?"

Simms: "Yes."

Leverenz: "Would you indicate which commissioner you would like to see taken off?"

Simms: "I don't care."

Leverenz: "Would it be one from your county?"

Simms: "Makes no difference to me."

Leverenz: "And how much would you cut?"

Simms: "The cut is for \$20,480. That is for \$18,000 for personal services, \$1,440 for retirement, and \$1,040 for social security."

Leverenz: "And do you think then without this commissioner that they would handle, or be able to handle the tremendous backlog they have of cases? Do you have any idea of how many cases are in their backlog currently? Can you answer that question?"

Simms: "Well according to our staff and talking to the Court of Claims this morning, they have no idea exactly how many hours a commissioner does spend. It could be as less as 2 hours a week that they spend on business for the Court of Claims. And if that is all that they are spending is 2 hours a week, and we're spending \$18,000 for salary for a 2 hour a week job, very frankly I think that is a waste of the taxpayer's money."

Leverenz: "Well Mr. Speaker, Ladies and Gentlemen of the House, the Court of Claims has a backlog, I understand, of about 1500 cases in front of them. I think it is pure supposition that they might spend 2 or 20 hours a week



and eliminating \$18,000 and a few other dollars."

Speaker Matijevich: "Could we hold it...could we hold this Bill? There is one other Amendment that has not been distributed, so we are trying to move with the matters that we can complete and move to Third Reading."

Leverenz: "Would I be able then to come back to it, too?"

Speaker Matijevich: "Sure will."

Leverenz: "Thank you."

Speaker Matijevich: "Take the Bill out of the record. Senate Bill...I understand Senate Bill 5-8-0 is ready now. Is that true, Representative Ewing? I don't see Ewing on the floor. Alright... Well, we have got to hold on that anyway, so... Tom McMasters on Senate Bill 4-8-7. Out of the record. Alright. Well, let's go back to... We're going to skip Senate Bill 10 because we...we have not reached the Parliamentarian on that ruling yet. Senate Bill 4-7. Senate Bill... fiscal note has not been...oh, it has been filed. Alright. Senate Bill 4-7, read the Bill."

Clerk Leone: "Senate Bill 47, a Bill for an Act to amend the Illinois Abortion Law of 1975, Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor? The Gentleman from Cook, Representative Greiman, for what purpose do you rise?"

Greiman: "Do you...do you have the fiscal note, Mr....?"

Speaker Matijevich: "It's been filed."

Greiman: "That's the first one on Amendment 2?"

Speaker Matijevich: "That's right."

Greiman: "Okay."

Speaker Matijevich: "Further Amendments?"

Clerk Leone: "Amendment #1, Kelly, amends Senate Bill 47 on page 11 by deleting lines 29 through 33 and inserting in lieu thereof the following."

Speaker Matijevich: "The Gentleman from Cook, Representative Kelly."



Kelly: "Thank you, Mr. Speaker. I move to table Amendment #1."

Speaker Matijevich: "He leaves to table Amendment #1. Leave. Further Amendments?"

Clerk Leone: "Amendment #2, Kelly..."

Speaker Matijevich: "The Gentleman from Cook, Representative Kelly."

Kelly: "Thank you, Mr. Speaker and Members of the House. Amendment #2 to Senate Bill 47 is a...this is on the subject of abortion, and this Amendment changes the proposal substantially. It is in line with the recent ruling of the Supreme Court where a relatively large portion of our 1975 Abortion Act was ruled unConstitutional by the U.S. Supreme Court. A...certainly a substantial portion was upheld, and this...this Amendment here expands the informed consent provision. The language is much more explicit. It goes into detail about fetal pain, and there is somewhat of a reduction in the penalty classifications on the area concerning the...advising the parent or advising the spouse. And I move for the adoption of Amendment #2."

Speaker Matijevich: "Representative Kelly has moved for the adoption of Amendment #2. On that the Gentleman from Cook, Representative Greiman."

Greiman: "Thank you. Mr. Speaker and Ladies and Gentlemen of the House, I have read Amendment #2, and I really have no quarrel with it at all. I think it is put in frankly by people who are...who don't agree with Mr. Kelly, or maybe the Sponsor actually is a double agent. I don't know. It is just so unConstitutional that I think it is a ...okay. I just look on page 4 and I see for example, 'No abortion shall be performed except by a physician after he determines in his best clinical judgment that the abortion is necessary.'



Period. Now, that's just as contrary to every Supreme Court case since 1973. There are no standards for what the term 'is necessary' means, and the Bill is just hopelessly unconstitutional. Now, I don't know what one does with a Bill like that. I'm in a situation where I say to myself 'Well, I guess maybe it is a great Amendment.' I don't think it will last very long. It will probably pass out of here. The Governor will veto it, then we'll override it in the fall. And then a federal district court will enjoin it, and then in 1986 the federal court of appeals will say it was hopelessly unconstitutional. And we've done it and it is kind of a spring-time ritual for us now. But it really is a...it is just unConstitutional. That's all you can say about it, and I have a sense that...if people...who were...sensitive... It is a sensitive field, and it is a terribly sensitive thing that has created emotions...stirring and jarring the emotions of Americans at every level of our political...of our social fiber, and it just seems to me that we should perhaps...perhaps try in an effort for a Constitutional thing. Perhaps limit ourselves to that which is possible within the meaning of the Constitution and not put this kind of thing in which really kind of turns our back on any sensitive...sensitive response to the issue of abortion in our society. I can't say I'm against it because it is just so hopelessly unconstitutional. Thanks, Dick."

Speaker Matijevich: "The Gentleman from Cook, Representative Mugalian in further support."

Mugalian: "Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Mugalian: "Representative Kelly, does this make any changes in the regulations recently...the Bills we recently passed pertaining to abortion clinic we worked so hard on?"



Kelly: "No, this does not. There is at least 3 of those Bills I'm hoping, Will, and then this Bill will not stop their passage. There is 1 or 2 that wouldn't whether this Bill would have passed or whether 1202 would have passed. There was a problem on...in 1 area concerning, and I think...I'm not sure you would have a problem with that Bill. That concerns the 24 hour waiting period. I favor a 24 hour waiting period, but that is the 1 Bill in that package which is not going to go!"

Mugalian: "Well Representative Kelly, I believe that your Amendment restricts the abortions to hospitals and would thereby do away with clinics and other auxiliary medical facilities that have been performing most of our abortions. Have you read the Bill carefully?"

Kelly: "Yes I have, and I would say this that the legal staff that worked with me, the pro-life attorneys, in drafting this Amendment have been working just as closely with Representative Cullerton in trying to help guide through the 3 Bills which he and Representative Chapman and I are with. And I also told them that I want those Bills to clear, so I don't feel this Bill does that."

Mugalian: "Well, if in fact your Bill does limit the performance of abortion to a licensed hospital, would you bring this Bill back to amend that provision out?"

Kelly: "Yes, I would say so because I want that legislation passed. Abortion clinics, unfortunately, are with us. We have to learn to live with them, but at the same time I think they should be restricted as much as possible. And that package of Bills I feel is necessary, and I would be glad to work with you in making that correction if that is the problem here."

Mugalian: "Thank you. May I just speak briefly to the Bill."

Speaker Matijevec: "Alright, proceed Representative."

Mugalian: "I am just concerned about one element of the...I'll



only discuss one element of the Bill. The district court in 'Winn versus Scott' voided certain provisions of our 1975 law, and those provisions that it declared to be unconstitutional related to spousal consent and parental consent for minors, the termination of parental life for infants born alive through voluntary abortion and the giving of certain information. Now your Amendment does apparently these very things that have been outlawed. It does this. It does mandate distribution of present information to the mother."

Speaker Matijevich: "Representative Kelly to close."

Kelly: "Thank you, Mr. Speaker and Members of the House. Yes, this Amendment I feel is a good Amendment. It is somewhat lighter on some of the penalties, but at the same time it is more restrictive as Representative had pointed out. I feel there is provisions in here which are not comparable to 1975...law, and this particularly...you don't have to receive written consent from the parent or from the spouse, but there is a necessity that they be advised that an abortion procedure is going forward. And I think it is important that you are aware. It gives an opportunity for the parents or for the spouse to consult with the mother, and who knows, maybe you could save the life of the baby and maybe help the mother from having problems further down the road in mental or physical problems. So I move for the adoption of Amendment #2 to Senate Bill 47."

Speaker Matijevich: "Representative Kelly has moved for the adoption of Amendment #2. Those in favor signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair the 'ayes' have it. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Senate Bill 5-0, McPike. Senate Bill 50."





Clerk Leone: "Senate Bill 50, a Bill for an Act creating the Mississippi River Parkway Commission. Third Reading.. Second Reading of the Bill."

Speaker Matijevich: "The Gentleman..."

Clerk Leone: "No Committee Amendments."

Speaker Matijevich: "Any Amendments from the floor?"

Clerk Leone: "Amendment #1, Leinenweber, amends Senate Bill 50 by..."

Speaker Matijevich: "The Gentleman from Will, Representative Leinenweber on Amendment 1."

Leinenweber: "Yeah, very briefly, I explained Amendment #1 yesterday and then it was taken out of the record because Representative McPike was not on the floor. He does not oppose the Amendment. Very briefly, Senate Bill 50 creates the Mississippi Parkway Commission which is designed, I guess, to garner some federal funds and to kind of promote a parkway along the Mississippi River. For some reason in drafting the Bill, they gave this Commission the power to issue subpoenas for the attendance of witnesses and the production of documents. I can't for the life of me see any reason for this, and I don't think the Sponsor disagrees. So all Amendment #2 does...or 1 does is strike the paragraph authorizing this Commission, if it is created, to issue subpoenas for the...to compel attendance of witnesses and the production of documents. Mr. Speaker, I move the adoption of Amendment #1."

Speaker Matijevich: "The Gentleman has moved the adoption of Amendment #50. If there is no discussion, all in favor say 'aye'; all opposed 'nay', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. The next Bill is Senate Bill 5-8."

Clerk Leone: "Senate Bill 58, a Bill for an Act to add Sections to the unit of government."



Speaker Matijevich: "I don't see McMasters there. He's out of his seat again. Take it out. Senate Bill 80, Stanley. Senate Bill 8-0."

Clerk Leone: "Senate Bill 80, a Bill for an Act to amend the Election Code, Second Reading of the Bill. Amendment #1 adopted in Committee."

Speaker Matijevich: "Any motions?"

Clerk Leone: "No motions filed."

Speaker Matijevich: "Any Amendments from the floor?"

Clerk Leone: "Amendment #2, Yourell, amends Senate Bill 80 on page 1..."

Speaker Matijevich: "I don't see him on the floor. Out of the record. Senate Bill...McClain in his seat? I don't see him. Representative Stanley. Well, we've been taking them out. If the Sponsors of the Amendments aren't here, we're taking them out."

Stanley: "Mr. Speaker, that's not the normal policy, and you know that as well as I do."

Speaker Matijevich: "That's the policy I've had all day, and..."

Stanley: "No it's not."

Speaker Matijevich: "It's the policy I've had, and we're going to continue with it. Representative McClain is not in his seat. Senate Bill...619. Yes, the Gentleman from Lake, Representative Deuster."

Deuster: "I wanted to make a parliamentary inquiry, Mr. Speaker. If there is a Bill on Second Reading, and someone has filed an Amendment, and every time the Bill is called, the Sponsor of that Amendment is in back somewhere, or in the men's room, or in his office, would it be the policy of the Chair to never call that Bill?"

Speaker Matijevich: "No, that's only our policy this morning."

Deuster: "Just this morning. Alright, I wanted to make sure we understood that. Thank you."

Speaker Matijevich: "Alright, Senate Bill 619. Representative Conti, for what purpose do you rise?"

Conti: "I can appreciate where every Member has the right to



control his Bill. But when they blatantly sit there..."

Speaker Matijevich: "Elmer, I've done that for your Members."

Conti: "Now listen, John. When they blatantly sit there and the man's got an Amendment to offer and he sees the man is not on the floor of the House, I think it is a violation of anybody's rights and rules in this House."

Speaker Matijevich: "Well, I didn't see him. I'm sorry."

Conti: "He was sitting right in the chair."

Speaker Matijevich: "He wasn't when I called the Bill, Elmer. I've done...I've pulled out more Bills for the Republican Members than I have for the Democratic Members, and I'm trying to be fair. Representative Collins."

Collins: "Well, Mr. Speaker, you have been very fair in pulling Bills out by request, but the regular Speaker has consistently moved Bills along. If the Amendments weren't ready..."

Speaker Matijevich: "We'll get back to it. Phil, we'll get back to it. Let's move on. Senate Bill 619. No problem, we'll get back to it."

Clerk Leone: "Senate Bill 619, a Bill for an Act to amend the Revenue Act, Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor."

Clerk Leone: "Amendment #1, Skinner, amends Senate Bill 619 on page 1 by deleting..."

Speaker Matijevich: "The Gentleman's not...yes he is. Representative Skinner, the Gentleman from McHenry. Out of the record? Out of the record. Okay, the Gentleman from Cook, Representative Capparelli, for what purpose do you rise?"

Capparelli: "Mr. Speaker, I would ask leave of the House to... the appropriate rule to have the Executive Committee meet while in Session in the back room of the Speaker's office."

Speaker Matijevich: "Does the Gentleman have leave to allow the



...suspend the appropriate rule to allow the Executive Committee to meet while the House is in Session? On that the Gentleman from Cook, Representative J.J. Wolf."

Wolf: "Could I inquire as to why it is necessary? Could I make an inquiry, Mr. Chairman, why you have to meet?"

Speaker Matijevich: "I understand there are 2 matters pending."

Capparelli: "One is Art Telscer's, and the other is Kornowicz's."

Speaker Matijevich: "Leave..."

Wolf: "Are they Bills?"

Capparelli: "Yeah, they're 2 resolutions."

Wolf: "Are they resolutions or Bills?"

Speaker Matijevich: "Leave, and the Executive Committee will meet in the Speaker's office. Is that right now? The Executive Committee will meet in the Speaker's office while the House is in Session. The Gentleman from Cook, Representative Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I merely rise in defense of the Speaker and the latest action relative to Senate Bill 80. I do have Amendment #2 to that Bill, and I was in Representative Flinn's office when the Speaker called that Bill and that Amendment, and I was not on the floor, and the Speaker did not see me on the floor." When I heard the Amendment being called I rushed out here but he had already taken it out of the record. And so in defense of the Speaker, I was not on the floor. I returned but too late. I do not intend to do anything but offer the Amendment. It is not a subterfuge, it's just I happened to retire to Representative Flinn's office for a business matter, and whenever the Speaker wants to get back to that, I'm sure I'll be on the floor."

Speaker Matijevich: "...Senate Bill 6-6-7, Giorgi. Read the Bill, 6-6-7."

Clerk Leone: "Senate Bill 667, a Bill for an Act to amend the

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Metropolitan Civic Center Support Act and Cigarette Tax Act, Second Reading of the Bill. Amendment #1 adopted in Committee."

Speaker Matijevich: "Any motions?"

Clerk Leone: "No motions filed."

Speaker Matijevich: "Floor Amendments?"

Clerk Leone: "Amendment #2, Skinner, amends Senate Bill 667 on page 1 by deleting lines 1 through 4 and inserting in lieu thereof the following."

Speaker Matijevich: "This one he's ready for. The Gentleman from McHenry, Representative Skinner. Oh, now the Sponsor says out of the record. Out of the record. ...But as a whole, Zeke. The 4th...let's go back to 4-8-7. McMasters is in his seat now. 4-8-7."

Clerk Leone: "Senate Bill 487, a Bill for an Act making appropriations for expenses of the Department of Local Governmental Affairs, Second Reading of the Bill. Amendments #1, 2, 3, 4, 5, and 6 adopted in Committee."

Speaker Matijevich: "Any motions?"

Clerk Leone: "No motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk Leone: "Amendment #7, Young, amends Senate Bill 487 by inserting after the last line in Section 2 the following."

Speaker Matijevich: "The Lady from St. Clair, Representative Young on Amendment 7."

Young: "Would you take it out of the record?"

Speaker Matijevich: "Well, now...now we've got a problem because the Sponsor wants to move it to Third today."

Young: "Mr. Speaker, he's agreed to take it back to the Second when there is another Amendment there."

Speaker Matijevich: "Alright, he'll discuss it with you. Is that right, Representative McMasters? Alright. Alright, let's skip to Amendment #8 now."

Clerk Leone: "Amendment #8, McMasters, amends Senate Bill 487 on page 5 by inserting immediately after line 28 the



following."

McMaster: "Mr. Speaker, if I may, I would like to go back to Wyvetter Young's Amendment #7. I think <sup>it is</sup> wrong term in taking it out of the record. I think she wanted to table it and is preparing a substitute Amendment that I will bring the Bill back from Third <sup>Sub-Committee</sup> once we get it there, to consider her Amendment."

Speaker Matijevich: "Alright, do we have leave to table Amendment #7...withdraw Amendment #7? Leave. Alright now we're on Amendment #8."

McMaster: "Alright, Amendment #8 provides funds for strengthening economic development planning and programs. The expenditure of these funds has been appropriated in Section 7 under the federal urban planning assistance fund. The Amendment provides funds for these expenditures that are appropriated in Section 7 that was omitted from the Bureau of the Budget Appropriation Bill, and that is the purpose of Amendment #8. I think it is agreed on."

Speaker Matijevich: "The Gentleman has moved for the adoption of Amendment #8. Those in favor signify by saying 'aye'; opposed 'nay', and Amendment #8 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Representative McMasters, are you ready with Senate Bill 5-8 also?"

McMaster: "Yes."

Speaker Matijevich: "Senate Bill 5-8, read the Bill."

Clerk Leone: "Senate Bill 58, a Bill for an Act to add Sections to the Intergovernmental Cooperation Act, Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

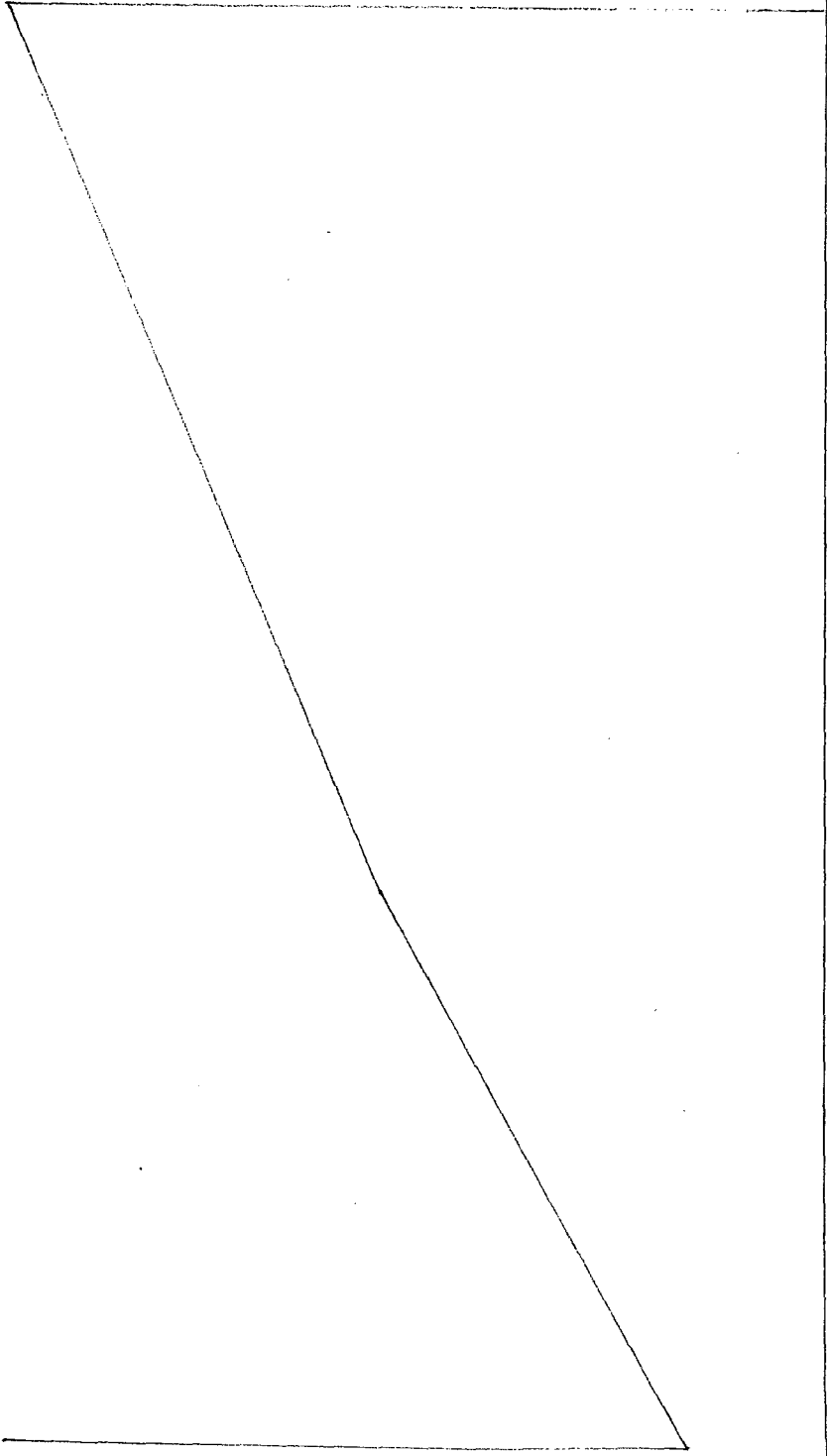
Clerk Leone: "No Floor Amendments."

Speaker Matijevich: "Third Reading. Just one moment here.

~~There may have been an Amendment. No Amendments. Third~~



Reading. Senate Bill 7-4-5, Gene Barnes, I don't see  
him on the floor. Senate Bill 7-7-5, Stanley. 7-7-5.



Clerk Leone: "Senate Bill 775. A Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Any Amendments from the floor?"

Clerk Leone: "Amendment #1. Catania. Amends Senate Bill..."

Speaker Matijevich: "I don't see her. Let's take that out for the moment. Senate Bill 883. Has the fiscal note been filed? Well, let's revert back to...we'll get back to that. Let's get back to Stanley's Bill. Senate Bill 775. The Sponsor of the Amendment is here. We're on 775. Amendment #2. Susan Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. Amendment #1 to Senate Bill 775 would say that we would have nonvoting student members on School Boards in the State of Illinois. This was in a House Bill, which got caught in the deadline crunch. It came out of the Elementary and Secondary Education Committee with a good vote. We met the objections of people who questioned what the age would be and what the stipulations about the membership would be. We provided for appointment to election by student referendum, whichever the School Board would stipulate, and that these people would be seventh-graders or older, that they would be nonvoting members, and that they would be excluded from Executive Sessions on personnel matters, land acquisition, and so forth, and I move for the adoption of this Amendment, which I believe that the Sponsor supports."

Speaker Matijevich: "All right. The Lady's moved for the adoption of Amendment #1. The Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Yes, would the Sponsor yield?"

Speaker Matijevich: "She indicates she will."

Ebbesen: "Yes, Representative Catania. Is it necessary, couldn't a local Board of Education, on their own volition, would you have a nonvoting member, really the concept is good,





but just couldn't anybody Resolution and do it themselves? Do we have to clutter up the statutes with something like this?"

Catania: "Well, I don't think that we could require that they do it by Resolution. This is to insure that they will, in fact, have one student there, as a kind of advisor, at their School Board meetings."

Ebbesen: "Well, I'd just like to address myself to the Amendment, Mr. Speaker. I, myself, would feel as though any Board of Education that would like to have student representation, which it would really be in an advisory capacity, if individual Boards were so desirous, I think they could do it without having to have it in the statutes, and for that reason I would be opposed to this, and I'd like a Roll Call vote on it."

Speaker Matijevich: "The Gentleman from Cook, Representative McCourt."

McCourt: "Could I ask the Sponsor a question on this?"

Speaker Matijevich: "She will yield."

McCourt: "Will these youngsters in either seventh or eighth grade, will they be elected by the electorate in the particular elementary district?"

Catania: "No, Representative McCourt. As you may recall when we heard the Bill in Committee, we made it very clear in the Amendment that was adopted that they would either be appointed by the School Board, or, if the School Board chose to do it, by student referendum they could designate it that way, they would not go through an ordinary electoral process."

McCourt: "Now, in other words, in Evanston, we've got an elementary district, so that means on our Board of Education for our District 65 we would have one, either a seventh- or an eighth-grader, sitting every Monday or Tuesday night at the local School Board meeting. Is that, basically, what the purport of this Bill is?"



Catania: "Yes, in an elementary school district it would be someone who was a seventh- or eighth-grader. If it was a high school district, there would be a high school student, for a one-year term."

McCourt: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I don't know how it is in downstate Illinois, but I know how it is in District 65 in Evanston, and we have, I'm sure, the same problems that many of the other districts in Illinois have. Basically, declining enrollments, trying to find some way to make the taxpayers' dollars stretch as far as possible, to provide the students within the district the best possible education. Now, this is a ludicrous Amendment. This is saying that in a school district we could take a kid that's been in class all day, and say to this child, 'Now, you go to the School Board meeting tonight, and you stay there till 1 or 2 in the morning, and you use your best intelligence to see how the taxpayers' money is being spent.' And this is a ridiculous idea, and if any I...if any Amendment should be defeated, this Amendment should be defeated, because it's crazy."

Speaker Flinn: "The Gentleman from Perry, Representative Ralph Dunn."

Dunn: "Mr. Speaker, Members of the House. I don't want to get carried away quite as much as my predecessor, but I have to agree with him in theory, and I think, too, that it's starting a precedent, and I know how we did in higher education to put a student on a Board, nonvoting, and then to want to come back and have voting membership, and then the teachers want a nonvoting membership, and then a voting membership, and we'll be coming back next year and having the fifth-graders on, instead of the seventh-graders, and then the fourth-graders, and then they're not representing the kindergarten. They should have someone on there. I kind of agree that this is a pretty silly



Amendment. It reminds me of our distinguished Gentleman from Lawrenceville, who tried to get his fifteen-year-old daughter as a member of the Library Board a few years ago, unsuccessfully, and I think this Bill should meet the... this Amendment should meet the same fate. Thank you."

Clerk Leonard: "Representative Monroe Flinn in the Chair."

Speaker Flinn: "Representative Stearney."

Stearney: "Will the Sponsor yield?"

Speaker Flinn: "Indicates she will."

Stearney: "Is this student, assuming it is a seventh-grade student who is going to be appointed to the School Board, is that student to be paid for serving on a School Board?"

Catania: "No, Representative Stearney, it doesn't say that they have to be paid. They're nonvoting, student members."

Stearney: "Well, I was somewhat appalled when I heard of this Amendment, but, perhaps, you can tell us what contribution a seventh-grade student may make to the running of a school district in which the taxpayers' funds are being expended?"

Catania: "Well, I'm delighted that you asked that question, Representative Stearney. It has been my privilege..."

Stearney: "I'm glad I asked it, then."

Catania: "...for the last several years to serve on the St. James School Board, where many of my children go to school. St. James School Board has had a student member in a voting capacity from the seventh or eighth grade, selected by student vote for several years now. Frequently, we turn to the student and say, 'What do you think about such and such an idea?', and the student is able to give us a student's viewpoint on that particular idea. The student rarely speaks on any other occasion. I can assure you that one student surrounded by adults, ordinarily, is not inclined to raise a ruckus or cause any kind of trouble. It's very similar to the kind of situation you have around a family dinner table, where the parents are discussing the welfare of the children, and they like to be free to



turn to the children and say, 'What do you think about this?' We encourage, I think, in most cases, the accepting of responsibility on the part of young people, so that they can grow up to face the world's problems, and excluding them from those kinds of discussions, and that kind of decision making, and that kind of offering of opinions, does not, in any way, further their growth, or enhance their maturity, and that's what this does. It just offers to them the opportunity to be responsible participants, and they don't even have a vote, so it's not even that much responsibility."

Stearney: "Well, thank you, Representative, for the short story, narrative answer in response to my question. Nevertheless, the explanation being very superb, I still think that Representative McCourt is absolutely right in saying this Amendment is absolutely absurd."

Speaker Flinn: "The Gentleman from Effingham, Representative Brummer."

Brummer: "I move the previous question."

Speaker Flinn: "The Gentleman has moved the previous question. The question is 'Shall the main question be put?' All those in favor say 'aye'. Those opposed. The 'ayes' have it. The Lady from Cook, Representative Catania, to close."

Catania: "Well, Mr. Speaker, I believe that the Chairman of the Elementary and Secondary Education Committee was asking for recognition. I don't really understand why you only allowed people to speak who were rising in opposition to the Amendment."

Speaker Flinn: "Let me interrupt you. I've had my Calendar laying over his light. Had he have called my attention, I would've recognized him. If there's no objections, I'll recognize Representative Schneider."

Schneider: "Thank you, Mr. Speaker and Members..."

Speaker Flinn: "I apologize to you."



Schneider: "A Bill that we'll be dealing with later would be appropriate for Representative McCourt. That one on restraints right around the wrists for my friend, Jim, who has not been so outraged since he had voted against some nursing legislation, but let me just say on the matter of my support for this Amendment. We did hear the Bill in Committee, modified it downward to include the Members that Susan has identified. I see no problem with asking the Board to include in their process an individual, a child, who might have a chance to say something about how they receive education. We've talked about how individuals respond to products and items of value in our culture. I see nothing wrong with having a child on the Board suggesting that he or she may have a response to what the Board does. There is, of course, no money involved, at any rate. There is an exclusion to the Amendment on the matters of Executive Session, which deal with personnel and with property, and all we're saying is that we respect you as an individual, we respect your point of view, we can't just pat a child on the head and tell him to go away forever. It's such a minimal thing that it's hard for me to expect any opposition. We say to our kids, 'What's wrong with you? Why are you rebellious toward what we, as adults, offer you?', and, I think, what we need to do is to give some sense of the democratic process to the individual. Remember the child on the Board is either appointed by the Board or in an elective process, as it is determined in the schoolroom, and if there's anything that has some merit in terms of experience of a teacher that I have, it's watching students function in a way that is meaningful in determining what it means to be elected to a position. A lot of times schools will have student elections, but they are, in effect, meaningless. If you give a child the role on the Board, advisory in its real sense, that we have here, I think the students



will say, 'The community respects us. The Board respects us. I think I have something to offer. Now I want my peers to elect me to that office.', and I think we'll see a better understanding of the political process by the children of the future, and I think we'll see a better response to the children by the Board in their endeavors to provide quality education, so the Amendment, to me, is really a simple one. I think it's important for a lot of reasons, and I would solicit an 'aye' vote. Thank you, Mr. Speaker."

Speaker Flinn: "Representative Catania for a short closing."

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

Representative Goodwin and I were Sponsors of the Bill which introduced this concept. It had a thorough hearing in the Elementary and Secondary Education Committee. It came out with thirteen 'yes' votes. It got caught in the deadline crunch. I ask for your support for this Amendment."

Speaker Flinn: "The question is 'Shall Amendment #1 to Senate Bill 775 be adopted?' All those in favor say 'aye'.

Those opposed. All those in favor vote 'aye', and all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Catania."

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

I would ask that people look at what we are asking for here. What we are asking for is a nonvoting student member on School Boards. This would not cost any money. It would simply be making available a student in an advisory capacity. One who could be regarded as a consultant when questions came up about what does the student think, and I would suggest that some of the students might be more well-behaved than some of the people who seem to enjoy whistling on the House floor."

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



Anderson: "Yes, I, too, Mr. Speaker, agree with this Amendment and this approach. If the schools are really for the children, and what we're doing is we're giving the Board the chance to either appoint or elect. The Board meetings are public, so a student could attend now. Why not let him sit up with the Board? If it has anything to do with personnel matters, he's excluded at the discretion of the Board from land acquisition and expulsions, so what it really is, is an honorary position that will let the student be in on some of the decision making processes of the school process, and I think it's a good Amendment, and one that should be adopted if the students are to participate in their education."

Speaker Flinn: "Have all voted who wish? Have all voted who wish? The Clerk...Representative Catania, you've already explained your vote, and you've already talked on the Bill."

Catania: "I request a poll of the absentees."

Speaker Flinn: "The Lady has a right to poll the absentees if ...regardless...take the record. Clerk will take the record. On this motion to adopt Amendment #1 there are 52 voting 'aye', and 78 voting 'no', and the Lady has asked for a poll of the absentees. After discussing this with Representative Walsh, do you still persist in polling the absentees?"

Catania: "Yes, do you know that he doesn't even let his children sit at the dinner table with him? They have to eat in the kitchen."

Speaker Flinn: "We only have a kitchen at my house. Poll the absentees."

Clerk Leone: "Poll of the absentees. Abramson. Beatty. Birchler. Bradley. Bullock. Capparelli. Cullerton. Dawson. Domico. John Dunn. Ewell. Farley. Flinn. Garmisa. Hannig. Harris. Henry. Hoffman. Hoxsey."

Speaker Flinn: "One moment. Representative Matijev...I mean Madigan, for what purpose do you arise?"



Madigan: "To request to be verified at this time."

Speaker Flinn: "There is no re...there's no request to verify..."

Madigan: "You can do...you can verify that, Mr. Speaker."

Speaker Flinn: "All right."

Madigan: "Thank you."

Speaker Flinn: "Proceed, Clerk."

Clerk Leone: "Huff. Emil Jones. Kornowicz. Kozubowski.

Leon. Mautino. McBroom. Oblinger. O'Brien. Polk.

Ronan. Ryan. Sandquist. Schoeberlein. Slape. E. G.

Steele. Stuffle. Taylor. Terzich. Van Duyne. Winchester.

Sam Wolf. Woodyard. Yourell. And Mr. Speaker."

Speaker Flinn: "On this question there are 50...Representative Yourell."

Yourell: "I'd like to change from nothing to 'aye'."

Speaker Flinn: "From nothing to 'aye'. Representative Cullerton, vote him 'aye'. Representative Beatty, 'aye'. Representative Macdonald, 'aye'. How many of 'em do you have now, Mr. Clerk? Representative Bradley, 'aye'. On this question there are 57 'ayes', and 78 'nos', and the Amendment loses. Any further Amendments?"

Clerk Leone: "Amendment #2, Bradley, amends Senate Bill 775 on page 1, lines 1 and 5 by deleting Section 9-14 and inserting in lieu thereof the following."

Speaker Flinn: "Representative Bradley."

Bradley: "Mr. Speaker and Ladies and Gentlemen of the House, all of us on the floor of the House are aware that we may have some problems in...quo refunding our formula, and when we increased the guarantee last November to 1310, at that particular time we were told that we had 300,000,000 extra dollars that we had over-appropriated and because of the formula we could not spend it and give it to our schools. Now it appears that we really didn't have that \$30,000,000 that if we had left well enough alone, we'd have probably come out just about right on the money. The Office of





Education has indicated that they will fully pay the claims this year, and I think that that is true. However, as those of us who are familiar with the School Code and the School Formula, what will happen next year or when we put in for the final claim, not the estimated claim, but the final claim, the double 0 adjustment comes in and there is a strong possibility that we will prorate on a 98...97.8 proration on the final claim. Some of the school districts, and that's what this Amendment addresses itself to, is those districts who did not gain at all when we changed the guarantee to 1310. And I am talking about the Strayer-Haig districts and the flat grant districts, and also some of the resource equalizer districts. So what this Amendment does, it says that those districts who did not gain when we changed the guarantee to 1310, that those districts who do not receive any of the new dollars will not be prorated in their final claim. They will not lose any money. Only those schools who received part of the 30,000,000 or were...or were recipients of the...of our generosity in bringing about the guarantee up to 1310, those schools would be the only schools that would be prorated. We're talking about it in Mr. Bradshaw's estimation somewhere in the neighborhood of only 400 to 500,000 dollars that the flat grant and the Strayer-Haig districts could lose...could possibly lose. And I'm just saying to you, they received nothing at all, so I think it is fair that only those who gained would be, if there is going to be a loss, that those schools lose, and the schools who get very little dollar...very few dollars anyway, and who did not gain by the guarantee, thereby bringing about the proration, those schools should not lose. And I ask for support of Amendment #2."

Speaker Flinn: "The Gentleman from DeWitt, Representative



Vinson."

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

Speaker Flinn: "He indicates he will."

Vinson: "As the Amendment goes at the problem where a school district is required to make an estimated enrollment guess and then comes back and has to make a negative adjustment downward. Is that right, Sir?"

Bradley: "That's what it addresses itself to. The...when you are talking about the estimate claim...estimated claim, what we are really talking about here is the final claim...the final claim as to what they are entitled to and then if we are prorated on the final claim, the proration will take affect in the Strayer-Haig as well as the flat grant districts."

Vinson: "When they make that final claim, because they have fully followed the provisions of the law, they sometimes lose money from the state. Is that right?"

Bradley: "Yes, that is correct."

Vinson: "And we have a process in the law now where we're trying to ameliorate the lose those districts would face. Is that right?"

Bradley: "Correct."

Vinson: "And what your Amendment does is to say that for those districts who get very little benefit in state dollars to begin with, that we're going to ameliorate just a little bit further, make sure that they get all of the...all of the money they are entitled to on that final claim."

Bradley: "Absolutely correct. And I'm not saying either with this Amendment that they won't. This cannot hurt at all if the...if nothing happens. If there is no proration, it won't affect anybody. I'm just saying in this Bill, if there is proration, it should not affect those who have not benefited."

Vinson: "And it is very conceivable with your Amendment that



there won't even be a \$1 cost to the state."

Bradley: "Absolutely correct. If we...if we would...no, there won't be any cost at all."

Vinson: "But if...we're talking about the districts that have the hardest time getting state dollars the way the formula works. Is that right?"

Bradley: "Absolutely correct. We're...there will be...make it very clear there will be no loss at all, no cost at all to the state. The only thing that this Amendment addresses itself to...only those school districts who, as you say, are the districts who get very few dollars from the state of Illinois anyway and receive none of the new dollars under the guarantee, and the Amendment says we simply do not think those schools should be into the proration. For instance, if you have a school district that may receive only \$5,000, and there are those types of districts that receive no benefits from the guarantee going to 1310 last fall which I supported and most of the Members of the House supported. Those schools are entitled to say...that school would be entitled to \$5,000. They ought to get the \$5,000 and not be involved in any proration that may take place."

Vinson: "Yes, may I speak to the Bill, Mr. Speaker?"

Speaker Flinn: "Proceed."

Vinson: "The Gentleman has come up with a very creative approach. It's not going to cost state taxpayers any money. It will help to solve a problem for those districts that get the most shortchanged by the state. Now, what he is not doing here, he is not trying to force us to completely change the state school aid formula in a way to take care of these districts that get very little. He is just trying to help them at the edge, just give them a little bit. It's just a blue plate special. He's creative on it, and we should all vote for this."

Speaker Flinn: "The Gentleman from DuPage, Representative Hoffman."



Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Let me make 2 or 3 points. Number 1, there will be no proration of the 1978-79 claims. The estimated claim, the claim that was on the print out, is going to be what all school districts get. The only impact that...the only impact that the actual claim has will be to address the level of state aid payments that will be received in 19...79-80. The print outs that some of you have looked at in regards to House Bill 513 as amended which provides for a 25% additional add on for Strayer-Haig districts. More than affect any loss that they would suffer in terms of the spread of the actual claims. Let me point out to you that there is no place to get that money except from the other school districts. Let me also point out to you that 3 out of 4 students in this state are in resource equalizer districts. It doesn't...and those districts have...3 out of 4 students are located in districts which has full access. 90% of the students in this state are included in districts other than Strayer-Haig districts. Ladies and Gentlemen of the House, Strayer-Haig districts, in terms of their ability and in terms of their number of students, have been more than fairly treated by this House. We increased the add on last year for Strayer-Haig districts up to 50%. The Bill that we have passed out of this House and will undoubtedly go to the Governor's desk provides for an additional 25% add on...to...added on to 175. Mr. Speaker, Ladies and Gentlemen of the House, this is not going to simplify a problem that has been with us for 4 years, this is going to complicate it. We have always, in the last 4 years, prorated not only actual claims, but estimated claims. For the first time in 4 years, Ladies and Gentlemen, and this House and this General Assembly is to be complimented for it, for the first time in 4 years in this school year just



ending, we are going to pay 100% of those estimated claims. Ladies and Gentlemen, this Amendment does nothing but confuse the issue. It doesn't clarify it, and for that reason I would ask that you oppose this Amendment."

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

McClain: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise as a supporter of this Amendment. I do because the amount of money is minimal, although the effect on those approximately 226 Strayer-Haig districts is pretty substantial. As you know right now, Strayer-Haig districts are growing, and the reason why we have the resource equalizer in the mean is because we had the idea to develop one resource equalizer, school aid formula, for all the school systems in Illinois. As we proceed with resource equalizer, we find out it has more pitfalls than saving features. So therefore, the Strayer-Haig districts have been growing. Now what you're faced with is in the \$30,000,000 monies for the school aid formula, those Strayer-Haig districts did not receive this money. So now with the short fall, it seems to me that they should not be penalized for benefits not accruing to them. I'm all so a resource equalizer district, my school system and other school systems in the district, but you're talking about a half of a million dollars, you're talking about a minimal amount of money, but for those 226 districts, it is pretty substantial dollars. And I would ask for your 'aye' vote."

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

Hallock: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Most Members of the House are not listening to the debate on this question, but it is probably one of the



more important issues of today to be heard. What this Bill will...this Amendment will do if passed is take away money from almost all districts in the state that filed the resource equalizer formula and give it to the Strayer-Haig districts. So I would ask those of you who should realize that you have a lot at stake in this Amendment to vote against it if you want to keep the money in your school districts instead of giving it to the Strayer-Haig districts. Thank you."

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

Waddell: "Mr. Speaker, move the previous question."

Speaker Flinn: "The Gentleman has moved the previous question. The question is 'Shall the main question be put?'. All those in favor say 'aye', 'aye'; those opposed say 'no'. The 'ayes' have it. The main question is put, and Representative Bradley is recognized to close."

Bradley: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would like to reply to a couple of statements that were made, and Mr. Hallock just made the statement about the loss of the resource equalizer. Mr. Hallock, I have 3 or 4 resource equalizer districts in my Representative district. Everybody does. I have some Strayer-Haig. I have a few flat grant districts. Last year when it was discovered after we were out of the Session 3 or 4 months that there were \$30,000,000 extra dollars that could not be spent because the guarantee was not high enough. We came back in November and raised the guarantee to 1310. That only affected and only helped some, not all, resource equalizer schools. All I'm saying with this Amendment is that if those are the only schools that benefited, that those are the only schools that should take part in the proration if there is a proration. The depart...IOE is not convinced themselves that there is going to be. All I'm saying to you is those schools who were not affected by that



new distribution, those schools should not be penalized. And they will be penalized because they will be taken into the proration the same as if they had received those additional dollars. If in fact that is the truth, then I would never have supported the 1310. I would have supported something that would have said we should have funded them at 102%...or 103%. We could have spent the \$30,000,000 that way. Then the resource equalizer out of the Strayer-Haig schools and the flat grant district schools would have been funded at only 100% their entitlement, and there wouldn't have been a loss. The...it's a fair...it's as fair an Amendment as ever been offered on the floor of the House. We're not taking away from anybody who got anything. Only those people and only those districts who received extra dollars, those schools should be prorated. Why should the school district or a boy or girl be penalized and money taken away from them that they never got? And that's what this Amendment addresses itself to. We're talking about at the most \$500,000 and an appropriation of \$1,300,000,000. We're just trying to help those schools who we help. It was said by one Gentleman who spoke that we have done a lot for Strayer-Haig schools and a lot for the...flat grant districts. Well you take a look at...when he says a lot, what a lot of money that is, and it is not very much money to those schools and to those boys and girls. Those school districts,...I hate to get off the Amendment, but it was brought up, those school districts, those people support their schools primarily at the local level with very very little state aid when we promise them in 1970 when we adopted the income tax in resource equalizer formula that more money would be going to boys and girls. We forgot to tell them only certain boys and girls would be getting more money. This is something that can be done for those boys and



girls in a Strayer-Haig district and the flat grant districts if it is necessary. If it is necessary...it is a good Amendment, and I ask for the support of the House."

Speaker Flinn: "The question is 'Shall Amendment #2 be adopted to Senate Bill 775?'. 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 43 'ayes', and 86 'nos', and the Amendment loses. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Flinn: "Third Reading." Now the Speaker has just come out and informed me that he wants me to go on priority of call. So the first Bill will be Senate Bill 292."

Clerk Leone: "Senate Bill 292, a Bill for an Act to add new Sections to the Park District Code, Third Reading of the Bill."

Speaker Flinn: "Representative Kent here? Take it out of the record. She's not on the floor at the time. Senate Bill 658. I don't see Representative Abramson there either. Take that one out of the record. Representative Piel, for what purpose do you arise?"

Piel: "Thank you, Mr. Speaker. A question of the Chair. Can you tell me please, you say you're going to the priority of call, now where we ended yesterday and where we're starting today are 2 different things."

Speaker Flinn: "We went all the way through it yesterday, completed a complete circuit, and now we're starting with the top Bill, right where the arrow is at on your special sheet, not the regular Calendar. Pick up your special sheet. You'll see the arrows on the top Bill."

Piel: "We got the last 3 done yesterday?"

Speaker Flinn: "We went all the way through the..."

Piel: "Okay, thank you very much. Thank you."

Speaker Flinn: "Okay, Representative... Representative Stanley,"





for what purpose do you rise?"

Stanley: "Point of...point of inquiry."

Speaker Flinn: "State your point."

Stanley: "Mr. Speaker, going to priority of call on Third Reading, and are we going to go back to Second Reading today?"

Speaker Flinn: "Oh yes, we most likely will. We're...we seem to be not getting anywhere. There is too many people unprepared with Second Reading, and we decided we'd get on this and try to get some business done. Okay. The next Bill is Senate Bill 291."

Clerk Leone: "Senate Bill 291, a Bill for an Act to amend an Act to regulate businesses storing personal property for compensation to repeal an Act named therein. Third Reading of the Bill."

Speaker Flinn: "That's again Representative Kent. Take that out of the record. The next one is Senate Bill 359, Representative Gaines. Read the Bill."

Clerk Leone: "Senate Bill 359, a Bill for an Act to amend Sections of the Illinois Public Aid Code, Third Reading of the Bill."

Speaker Flinn: "Representative Gaines."

Gaines: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This adds 3 more agencies to be consulted with by the Public Aid Advisory Committee. The Legislative Advisory Committee on public aid has been assigned the task of helping monitor certain agencies that deal with public aid, and we're just asking that 3 more agencies, including 1 which is a spin-off of the Public Aid Department to be added. And then there is an Amendment that Representative Telscer put on which we all discussed and was unanimously passed the other day. I'm asking your favorable vote."

Speaker Flinn: "Any further discussion? If not, the question is 'Shall Senate Bill 359 pass?'. All those in favor vote 'aye'. And 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 123 voting 'aye', and none voting 'no', and this Bill having received the Constitutional Majority is hereby declared passed. Let's back up to Second Reading to pick up one Bill that we had a problem with a while ago, and...Senate Bill 381. We're just going to move this one Bill. Read the Bill for the Second time."

Clerk Leone: "Senate Bill 381, a Bill for an Act to advise or the ordinary and contingent expenses Southern Illinois University, Second Reading of the Bill."

Speaker Flinn: "Any floor Amendments?"

Clerk Leone: "No Committee Amendments, and...Floor Amendment #1, Younger, amends Senate Bill 381 on page 1 by inserting below line 30 the following."

Speaker Flinn: "Representative Richmond,...Representative Younger's Amendment. Representative Younger."

Younger: "I guess, Mr. Speaker, I have agreed to withdraw that..."

Speaker Flinn: "The Lady moves to withdraw...asks to withdraw the Amendment, and Amendment #1 is withdrawn. Further Amendments?"

Clerk Leone: "Amendment #2, Rea, amends Senate Bill 381 on page 1 by deleting line 31 and inserting in lieu thereof the following."

Speaker Flinn: "Who's the Sponsor of that? Representative Rea... Richmond, would you handle that for him?"

Richmond: "Yes, Mr. Speaker, in discussion of this matter with Mr. Rea, he has agreed that this Amendment is going to be placed on another Bill and that it will be withdrawn. I'm sorry he's not on the floor. If it is the will of the House, I would take this Bill to Third Reading and if this is inaccurate information..."

Speaker Flinn: "There is a request to withdraw the Amendment #2. No objection, withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Flinn: "Third Reading. Back on priority of call, Senate Bill 407."



Clerk Leone: "Senate Bill 407, a Bill for an Act amending Sections of an Act to create the Commission for economic development, Third Reading of the Bill."

Speaker Flinn: "That's Representative Kent, and she's still not here, so the next one is 558. Representative Hoxsey, she is here."

Clerk Leone: "Senate Bill 558, a Bill for an Act to amend Sections of the Election Code, Third Reading of the Bill."

Speaker Flinn: "Representative Hoxsey."

Hoxsey: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I would like leave of the House to take this Bill back to Second Reading for the purposes of tabling and Amendment."

Speaker Flinn: "Does the Lady have leave to remove the Bill back to Second for the purpose of tabling an Amendment? Hearing no objections, leave is granted. The Bill is on Second Reading. This...I am advised there are no Amendments on it. Oh, she wants to move it to table the motion."

Clerk Leone: "There is a motion to move to table Amendment #1 to Senate Bill 558."

Speaker Flinn: "The Lady has moved to table Amendment #1 to Senate Bill 5-5-8. All those in favor,...Representative Totten."

Totten: "Thank you, Mr. Speaker. Inquiry, how was the Amendment adopted? Was it adopted in Committee <sup>or</sup> Floor Amendment?"

Speaker Flinn: "Representative Hoxsey, do you know that?"

Hoxsey: "...The other day."

Totten: "It was a Floor Amendment adopted by a Roll Call."

Hoxsey: "I believe so."

Totten: "Okay, then we must take it off by a Roll Call."

Hoxsey: "Mr. McBroom's Amendment."

Speaker Flinn: "Okay, all those in favor of tabling Amendment #1 to Senate Bill 558 will vote 'aye'. Those opposed vote 'no'. Yes, Representative Totten."



Totten: "I think you have to move to reconsider first, and then take it off. I believe that is correct."

Speaker Flinn: "Representative Mautino, for what purpose do you arise?"

Mautino: "Clarification, Mr. Speaker. This is the Amendment that increased the precinct size to 1,200 which affects the rural-downstate areas. And you want to take this off, right?"

Unknown: "Agreeable, yes."

Unknown: "Yeah, we want to take that one off."

Speaker Flinn: "We have a correction from the Clerk's office. Amendment #1 was withdrawn, and the motion should have read Amendment #2. Does the Lady have leave to change her motion on its face here and to make it Amendment #2? Leave is granted, so we are talking about Amendment #2. Now let's proceed. Representative Totten, I interrupted you. What was your question again?"

Totten: "Okay, then my same question, Mr. Speaker, how was the Amendment adopted. If it was adopted by a Roll Call vote on the floor, then the proper procedure would be to take it off by Roll Call."

Speaker Flinn: "Representative Getty, you were asking for the floor."

Unknown: "Yes, I would move..."

Speaker Flinn: "Representative Getty. You're up. One moment please. Will the Parliamentarian come to the podium? Parliamentarian. Either one... Mrs. Hoxsey... Representative Hoxsey."

Hoxsey: "Yes."

Speaker Flinn: "Would you change your motion one more time to say that you move to reconsider the vote by which Amendment #2 was adopted to Senate Bill 5-5-8?"

Hoxsey: "Alright, having voted on the prevailing side."

Speaker Flinn: "Alright. Let's dump this Roll Call and start over with a new motion. Alright."



Hoxsey: "I would move to..."

Speaker Flinn: "The motion is the Lady moves to reconsider the vote by which Amendment #2 was adopted to Senate Bill 5-5-8. All those in favor vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 112 'ayes', none voting 'nay', and the Amendment's being reconsidered. Now the Lady moves to table Amendment #2 to Senate Bill 5-5-8. All those in favor vote 'aye'. All those opposed voted 'no'. As soon as... let's go with a voice vote. All those in favor say 'aye'. And those opposed say 'no'. The 'ayes' have it. Representative Totten. The Amendment's tabled. Representative Totten."

Totten: "Inquiry of the Chair. I don't know whether it was adopted by the Roll Call vote, but if it was, I think you have to take it off also by a Roll Call vote. We made the motion to reconsider which is..."

Speaker Flinn: "The motion to reconsider was a Roll Call vote. Now we've reconsidered it."

Totten: "Can you take it off without a Roll Call vote, just the voice?"

Speaker Flinn: "We reconsidered the adoption of the Amendment that was taken by a Roll Call, and we reconsidered it by a Roll Call. And we just tabled it by a voice vote. The Amendment is tabled. Further Amendments?"

Clerk Leone: "No further Amendments."



Speaker Flinn: "Third Reading. Senate Bill 701, Representative Oblinger's on deck."

Clerk Leone: "Senate Bill 701, a Bill for an Act in relation to safety of persons required to enter underground sewers in connection with their employment. Third Reading of the Bill."

Speaker Flinn: "Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, this Bill requires that employers of workers who nat...normally go into sewers be provided with safety equipment and safety information, and those people who go down there on request be given the information. It passed the Senate 53 to nothing, and I would ask your favorable Roll Call vote."

Speaker Flinn: "Representative Getty."

Getty: "Just for the record, does this Bill effect home rule units?"

Oblinger: "This Bill does not effect home rule units."

Getty: "Thank you."

Speaker Flinn: "Any further discussion? If not, the question is 'Shall Senate Bill 701 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 125 voting 'aye', 2 voting 'no', and this Bill having received the Constitutional Majority is hereby declared passed. I don't see Representative Taylor on the floor. That's the next one up. Is Representative McClain here? McClain, you ready to go with...Senate Bill 88. Read Senate Bill 88."

Clerk Leone: "Senate Bill 88, a Bill for an Act to limit the activities of the state appellate defenders and state appellate prosecutors of Class X crimes and other felonies, Third Reading of the Bill."

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

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



House. Senate Bill 88 amends the State Appellate Defender Act and the State's Attorney Appellate Service Commission Act. We have an agreed Amendment on here which is promoted by the Judiciary Committee which deleted the investigative services for staff counsels for the state's attorney and the Appellate Service Commission's... And that was agreed to, the Judiciary Committee, both sides recommended it. What this Bill now provides for is the state appellate defender's office may not represent indigent clients on appeal for misdemeanor cases not involving a sentence of imprisonment. I think that it is important for you to know that if up front there is a possibility for a sentence of imprisonment, then the state appellate defender's office must represent that indigent in the appeal. However, if...if there is no imprisonment, if that is already agreed to, the state's attorney is not going to ask for imprisonment, then the indigent must provide himself with private counsel, and I would ask for an 'aye' vote."

Speaker Flinn: "Any further discussion? If not, the question is 'Shall Senate Bill 88 pass?'. All those in favor vote 'aye', and 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 123 voting 'aye', 4 voting 'nay'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 114, Representative Davis is on deck. Jack Davis."

Clerk Leone: "Senate Bill 114, a Bill for an Act to add and amend Sections of the Illinois Highway Code, Third Reading of the Bill."

Speaker Flinn: "Out of the record as a request of the Sponsor. The next one is also out of the record as a request of the Sponsor, 5-7-4. Representative Katz is not on the floor for 1 5 4. Representative Terzich on 2 5 0."



Senate Bill 2-5-0."

Clerk Leone: "Senate Bill 250, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Flinn: "Representative Terzich."

Terzich: "Yes, Mr. Speaker. Senate Bill 3...250 is similar to A House Bill that we previously passed out of the House. What Senate Bill 250 does is it adds on  $\frac{1}{2}\%$  of the payroll to be contributed toward the retirement systems... the state retirement system to reduce the unemployment liability. What this measure does is it not necessarily reduces the unemployment liability, but each year the unemployment liability increases due to the fact that the amount of contributions made by the government is sufficient to meet the current costs. What this Bill does is over a number of years will bring that up to the current cost which would freeze the unemployment liability and simply bring the state into a position that when benefits are being enacted that the state will pay for those benefits purchased during the year. This has been recommended by the Pension Laws Commission. Again, this is half the amount that was previously passed by the House, however it does give the Governor the opportunity to make this selection to bring our pensions systems on a sound funding basis, and I would urge support of Senate Bill 250."

Speaker Flinn: "Any further discussion? If not, the question is 'Shall Senate Bill 250 pass?'. All those in favor vote 'aye', and all those opposed vote 'no'. Representative Katz, you want to back up to your Bill? Okay, we'll leave it out of the record. Okay. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 119 voting 'aye', and 13 voting 'nay'. And this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 2-5-7,"





Clerk Leone: "Senate Bill 257, a Bill for an Act to amend Sections of the Game Code, Third Reading of the Bill."

Speaker Flinn: "Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Is there an Amendment filed with the Clerk?"

Speaker Flinn: "I didn't hear you."

McClain: "Is there an Amendment filed with the Clerk?"

Speaker Flinn: "You're on Third Reading."

McClain: "I know that, Sir. I'm just...there is an Amendment. Can we have leave..."

Speaker Flinn: "Do you wish to take."

McClain: "To go back to Second to hear the Amendment."

Speaker Flinn: "The Gentleman has leave to take the Bill back from Third Reading back to Second for the purpose of an Amendment. Is there any objection? Hearing no objection leave is granted. The Bill is on Second Reading."

Clerk Leone: "Amendment #1, Yourell, amends Senate Bill 257 on page 1 line 28 and so forth."

Speaker Flinn: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to 257 is an Amendment that I believe was on the first Bill that passed out relative to the hunting and trapping of coyotes sponsored by Representative Watson. That Bill went out of the House had the provisions of Senate...House Amendment #1 on it, and that was taken off in the Senate. And what the Department of Conservation wants is that if the coyote situation becomes less than what they believe it to be now, that by administrative or general order or rule they can change that. And I move for the adoption of Amendment #1 to Senate Bill 257."

Speaker Flinn: "Any further discussion? If not, the Gentleman has moved for the adoption of Amendment #1 to Senate Bill 2-5-7. All those in favor say 'aye', 'aye'; those opposed. The 'ayes' have it. The Amendment is adopted."



Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Flinn: "Third Reading. Now I caught a... Representative McClain. Representative McClain."

McClain: "Thank you, Mr. Speaker. I don't mean to be dilatory, but I believe there is another Amendment being prepared. Could you jsut leave 257 on Second? That would be fine with me."

Speaker Flinn: "Well, it is just as easy to leave it on Third. Move it back again."

McClain: "Alright, let's do it. That would be fine."

Spaaker Flinn: "It sort of Helps the Clerk's keep track of what is going on."

McClain: "Well any way to help the Clerk."

Speaker Flinn: "Now we suddenly went to the priority of call without much notice to the Members. We passed up a couple, and if there is no objections, I will back up and pick those up. Representative Abramson is the first one. It's Senate Bill 6-5-8."

Clerk Leone: "Senate Bill 658, a Bill for an Act to amend an Act to license and regulate the keeping and letting of safe deposit boxes, Third Reading of the Bill."

Speaker Flinn: "Representative Abramson."

Abramson: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 658 is a simple Bill. It merely delectes. . . deletes obsolete requirements that Savings and Loans file with...each year regarding their license to keep safety deposit boxes. The Safety Deposit Box Act is designed to regulate companies that solely are in the safety deposit box business. Banks and other financial institutions are exempted under the provisions of the Act. We are seeking to exempt the Savings and Loans also. In 1968 the Bank Protection Act of 1968 became effective and provides that insured Savings and Loans, as well as national banks, compile federal supervisory rules regarding safety deposit boxes and the



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state requirement is merely duplicate of...for the Savings and Loan. I move to...adoption of this Bill."

Speaker Flinn: "The...any further discussion? If not the question is 'Shall Senate Bill 658 pass?'. All those in favor vote 'aye', and those opposed vote 'no'. Representative Matijeovich."

Matijeovich: "Oh, okay."

Speaker Flinn: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 120 voting 'aye', and 1 voting 'nay'. And this Bill having received the Constitutional Majority is hereby declared passed. The other one I bypassed was Senate Bill 1-5-4. Representative Katz. Read the Bill."

Clerk Leone: "Senate Bill 154, a Bill for an Act to create a Criminal Victims Escrow Account Act, Third Reading of the Bill."

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

Katz: "Mr. Speaker, I will open. Mr. Lechowicz, who is my joint House Chief Sponsor will close. This is a Bill, Mr. Speaker and Ladies and Gentlemen of the House, to try to do something about a disturbing problem we see where an individual commits a horrendous crime, and then goes on to write about his crime and make large sums of money as a result of writing stories for newspapers, or writing books telling about the terrible crime that he has committed and all that went on into his mind. All this Bill does is to make sure that where there is a victim of that crime, and that victim files a law suit against the person, a civil law suit, against the person who damaged him, the person who committed the crime against him, that the money that was paid that individual by a publisher, or newspaper, or by whoever pays the money, must be paid into the state treasurer where an account is set up and any judgment recovered by the victim of the



crime against the perpetrator of the crime, that that judgment will be satisfied out of the proceeds taken from the publisher, or taken from the printer, or taken from the newspaper to pay this person who committed the horrendous crime. It is, however, very much like the Safety Responsibility Act that we had relating to automobile accidents. If the account is set up and no judgment, no civil judgment is recovered against the person who committed the crime, then the money is simply paid over in the way that it normally would. However, in the event a judgment is recovered, there is money there to pay it. And so this is legislation that is designed to take care of the victims of crime, the victims of a serious crime where the person who committed the crime is trying to exploit the crime to his advantage. I would urge the adoption of Senate Bill 154."

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

Hanahan: "Will the Gentleman yield?"

Katz: "Yes."

Hanahan: "Mr. Katz, in McHenry County we had horrendous crime a few years ago, and a person was convicted of the crime by the name of Smith in cutting up children and beating up women and cutting up their bodies, and I think he was convicted of 3 horrendous, heinous types of crimes. Now the person who was convicted of the crimes never benefited one penny as far as publishing a book or providing any news stories or of any kind of contract to gain any money or any notoriety over a publication of a book, but I noticed that his attorney, his attorney published the book, and his attorney went on to making a goodly sum of money. Is there anything in this Bill that would prohibit that the attorney from writing about a client in order to benefit financial...in some ways financially benefit himself and his law practice by writing about such horrendous crimes. Is there any



thing in this Bill?"

Katz: "No, there is nothing in this Bill that would prevent an attorney or journalist or anyone else from writing about a crime. This Bill is devoted and dedicated only to one problem, and that is where the perpetrator of the crime does this. There would be, I think, serious constitutional problems with trying to limit what the lawyer might say, or what a journalist might say, or what happened to their proceeds. In the case you are giving in McHenry County, however, this Bill would have no effect. It would only have effect if the fellow who committed those terrible crimes sold the right for it, and the victim then sued him, then if they got a civil judgment they could set aside from the money that he had received. But in the case actually described by you, there would be no impact of this Bill in that situation."

Hanahan: "Well then a further question comes to mind. It is not unheard of, I'm sure, in the legal profession to sell your services, would it not be true, to represent a heinous criminal for the rights of publishing his story or his life story and in no way would this Bill prohibit that kind of activity by a lawyer in selling his services to a client who's accused of a heinous crime. Is there anything in this Bill that would prohibit that?"

Katz: "Well, now what this Bill would say is that where a lawyer has represented that person, the lawyer is entitled to be paid from the money that the person got in terms of publishing the book. In other words, in addition to the victim being able to get his money from this fund that is set up in the State Treasurer's office, if the defendant, the person who committed the crime, retained a lawyer to represent him, then that lawyer is entitled to be paid from the proceeds of this in the same way that any lawyer or doctor could recover for his services



from the person to whom he renders his services. It is not the intention of this Bill to deprive people of the right to be able to retain a lawyer. They are entitled to do that, and the lawyer is entitled to be paid. This Bill doesn't prevent that."

Hanahan: "But then the next...your answers tend to make me ask another question then. The next question then, Mr. Katz, would be how do we guarantee that there will be any money left for the victim if there is no limit on the criminal...or the lawyer's fee, and they have the ability to charge, I read just recently where lawyers charged some case \$1,000 an hour or \$2,000 an hour for services, and the judge allowed that to be paid by some public body...a \$900,000 case. How do we guarantee under this Bill, that the lawyers will not charge exactly, or as close to possible the benefit that this book that he or she could write on the heinous crime?"

Katz: "Well, excuse me. The answer to your question, Mr. Hanahan, is that the fees charged by professional persons vary, and this Bill doesn't fix that fee. I think that if a case actually arose where a lawyer recovered a fee that a court felt was unreasonable for the services rendered, I think that they might very well, the victim might very well be able to get that money because the court would feel that the lawyer was working with his client to try to get around this Bill. I might say to you that this Bill is actually the law in New York. We are trying it out, Mr. Hanahan. I don't believe that the problem you are talking about would occur, but without the Bill, the victim has absolutely no right. At least the Bill makes it possible for a victim to recover the money that he is entitled to against the person who perpetrated the crime. If we don't pass the Bill, then the lawyer and the victim can take it, and the lawyer can take it. At least this would force them



to do something, I think, unconscionable for a lawyer to...in order to get around the Bill. So the Bill helps in your situation. I can't tell you that it would absolutely solve the problem, but it would be up to a court to decide whether the lawyer, in fact, was working in cahoot with the perpetrator of the crime to try to get around this law. If he felt that the lawyer did, I think that the court would be able to reach those funds on a theory of a constructive trust and would be able to give some of that money to the victim."

Hanahan: "Well, Mr. Speaker and Members of the House, I know it is not a popular thing to oppose the Bill that's almost next to motherhood, and apple pie, and the American flag, and I'm not going to try to persuade anyone to vote any way on this Bill except to say that I see some constitutional problems. I'm not a lawyer. I don't take any brief on trying to preadjudicate something that the Supreme Court probably will have to end up deciding, but it seems to me that there are some limitations of freedom of the press here, whether the person who is going to appeal to freedom of the press is a convicted criminal or not. I don't think their rights are given up...freedom of the press by the conviction of a heinous crime. That is #1 question I had in my mind. Number 2, I've never really been awestruck by the fact that a judge who happens to be a lawyer is going to sit in judgment of a lawyer's fees, or the rights of a lawyer's fees in any kind of case. The one issue that the Representative sponsoring the Bill has in his favor, and I will have to admit that he has persuaded me to at least vote 'present' and not negative on his Bill is the one issue that somehow maybe the victim of the crime or that family may have some recourse. But I don't really put a lot of faith and a lot of stock in the fact that a judge who is a lawyer and a member



of the Bar is somehow going to have some sympathy for reasonable legal fees when I read constantly in the news media about the excessive fees being allowed by judges for representing people in this state."

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

Greiman: "Thank you, Mr. Speaker. Would the Gentleman yield for a question or 2?"

Speaker Flinn: "He indicates he will."

Greiman: "Representative Katz, could we get you up on your feet? That's it. There you go. Now, a victim would have causes of action to sue for injuries. Is that correct, Mr. Katz? You don't give them any new causes of action. They have that right already."

Katz: "Yes, victims already have a cause of action to sue. The problem is that they get the judgment, and they have a penniless defendant."

Greiman: "Well, can't they, if there are violent crimes, if there are willfulness, file attachment suits under our Attachment Act? They can do that, can't they? And attach the proceeds. Even before they have a judgment. Isn't that correct?"

Katz: "Not really...not really. Until a judgment is recovered, it is just about impossible to do that. You have to wait until the judgment is recovered, and by the time you get the judgment, the criminal has already blown the limit. He has..."

Greiman: "You don't do any..."

Katz: "Splits with the money."

Greiman: "You must not do any collection of judgment work or collection work, Representative Katz. You know we have an attachment statute. You are aware of that, and you could use an attachment statute, I assume."

Katz: "Well, an attachment of something that is a fixed amount is quite different than an attachment of something that is only a cause of action. The fact is..."





Greiman: "Well, moving along...okay."

Katz: "Excuse me, I was just going to... The fact is that ordinarily you do not have any attachment rights against a cause of action that has yet to be litigated and adjudged and for all practical purposes, the money will have been blown, and the victim won't get a cent of it unless this Bill is passed."

Greiman: "Well, I'm not sure how he could be blowing it, but this is essentially on publishers. It's not really on the criminals, is it, Mr. Katz? In other words, the criminal will never be liable for anything in this case. It is the publishers who will be liable. Isn't that right?"

Katz: "Well, the publisher, or the media, or whoever is paying the money over. Instead of paying the money over to the criminals directly, they will pay the money over to the Treasurer of the State of Illinois. That will be put in a special account..."

Greiman: "Well, that's what the Bill says. We understand that."

Katz: "...And is a judgment is recovered. Excuse me, Mr. Greiman, you asked, let me... If a judgment is recovered, it will be gotten from that account."

Greiman: Well, I understand that, alright, Mr. Katz. But in any event, if for example, a newspaper man, or a magazine article writer gave somebody \$150, he would be fined \$5,000 under this Bill. Isn't that right?...If he didn't comply."

Katz: "Well, is he didn't comply, he would have committed a business offense, and I think the fine could be up to \$500. But if he complies with the..."

Greiman: "No,...no, that's not what it says. It says by a fine no less than \$5,000."

Katz: "Yes, I think...that's right. He could be fined. That it is a law that..."

Greiman: "He would be fined. There's..."

Katz: "Yes, he would be if he violated it. But if he pays the



money over..."

Greiman: "So if he pays the \$150, if a newspaper man pays \$150 to the wife of a criminal or to the criminal to get an interview, a quick interview, he would be guilty of a fine of \$5,000. Cause...it doesn't say...it doesn't say up to, it says no less than \$5,000. Isn't that right, Mr. Katz?"

Katz: "He could be fined..."

Greiman: "I am looking at Section 9."

Katz: "...That would be up to the judge to decide what was reasonable, Mr. Greiman. He would...I'm sure, make a reasonable fine and also a reasonable..."

Speaker Flinn: "One moment, please, Representative..."

Greiman: "...Bill."

Speaker Flinn: "One moment, please. Representative Totten, for what purpose do you arise?"

Totten: "Mr. Speaker, I move we charge these lawyers \$100 an hour for their colloquy."

Speaker Flinn: "Representative Greiman, proceed."

Greiman: "I'm sorry it took so long, Mr. Totten. I just wanted to point out that Section 9, apparently, of the Bill, does not give a judge discretion, and it says 'Shall be fined no less than \$5,000'. So that if some eager beaver guy one who was looking for an interview and came up with a couple hundred bucks, he would be fined \$5,000. Now, Representative Hanahan has correctly and wisely suggested that this would have a chilling effect on news gathering and a chilling effect on First Amendment rights. I think it does have that. If it would...if it would stop a crime, I'd say yeah, let's do it, but you know, nobody's stop...nobody's going to stop, not commit a crime because they might end up doing their memoirs. That isn't why people kill people, and this is just a silly kind of thing. As Representative Leinenweber has said so often, 'We really shouldn't clutter up the law...our law books



with it'. And I'm going to vote 'no' on it."

Speaker Flinn: "Representative Conti. Representative Conti."

Conti: "You want me to hold it? Alright."

Speaker Flinn: "Representative Leinenweber."

Conti: "I yield to Bill Laurino."

Leinenweber: "Well, I had a question for the Sponsor."

Speaker Flinn: "He's got his light on, and the problem is I'm trying to go in order. Representative Conti, for what purpose do you arise?"

Conti: "Well, I yield to Bill Laurino. If I can't do that, then I would like to ask the questions I want to, and I don't want to..."

Speaker Flinn: "I didn't say you couldn't do that, I...he's also trying to speak, and I'd be running around someone else if we did that."

Conti: "Well, then I'd like to go ahead with my questions then, and I don't want to get engaged in a monologue with the fellow, all I want to do is get a yes or no answer on 2 points."

Speaker Flinn: "Okay, alright. If there is no objection, we'll go to Representative Laurino."

Conti: "Yeah, I don't want it up..."

Laurino: "Well, Mr. Speaker, will the Sponsor yield to me on a question?"

Speaker Flinn: "He indicates he will."

Laurino: "Mr. Katz, being an unattorney and the majority of the people in the Legislature are not, it seems that most of the questions harbor on legal discrepancies in the Bill. Is there a chance that you could bring this back to Second Reading and amend it so that the attorney's fees are somewhat clarified and limited. Would you be objected...would you object to that in any way, shape, or form? We could probably do it in an hour."

Katz: "Excuse me. Representative Laurino, I really don't think there is anything that could be...that needs to be done."



I think an attorney is only entitled to recover a reasonable fee. If he, in fact, is in cahoot with the criminal to subvert the principles of this Bill, he could...it would already be unlawful. I think that the question raised isn't a really practical problem. It is true they have raised it, but doesn't make it a good question. It doesn't make it a real objection. Alright, however, okay, if you would like, I have no objection to bringing it back to Second Reading if someone has an Amendment that they want to offer. I've got no objection, Mr. Laurino, to that, and so, Mr. Speaker, would you take it out of the record?"

Speaker Flinn: "Take it out of the record, request of the Sponsor. Now we are going to back up to...Representative Laurino, what purpose do you rise?"

Laurino: "Did...oh, I see. Okay, fine. Thank you."

Speaker Flinn: "One of the others we bypassed a few moments ago was Senate Bill 114, Representative Jack Davis is on deck. Read the Bill."

Clerk O'Brien: "Senate Bill 114, a Bill for an Act to amend Sections of the Illinois Highway Code, Third Reading of the Bill."

Speaker Flinn: "Representative Davis."

Davis: "Well, thank you, Mr. Speaker and Members of the House. Senate Bill 114 is almost a duplicate of House Bill 142 that passed out virtually unanimously here a few months ago or a few weeks ago. Senate Bill 114 is sponsored by Senator Knuppel who liked the idea so much last year of authorizing the Department of Transportation to purchase standing row crop as snow breaks along Illinois highways, thought the Bill was so great that he introduced it as well in the Senate this year. The Bill is now here in the House. It does have a House Amendment on it that Representative Dunn put on the Bill that would put it in roughly the same shape as House Bill 142. The Bill does exactly what 142 did.



It authorizes the Department of Transportation and further counties and townships to purchase standing row crops along the Illinois highways and in the case of the counties and townships within their jurisdiction to ask a safety snow brakes...to act as a safety snow brakes along highways. And if anyone has driven in rural areas or on 2 lane highways in the State of Illinois or in the counties and townships during the last 2 winters, they certainly see the applicacy of this Bill. Not only is it a good safety and emergency measure as far...and cost reduction, cost effective Bill, it also has some ancillary benefits in that it is a great wildlife Bill. The Department of Conservation is in favor of it. So you've heard House Bill 142, and 114 is almost identical. I would solicit your 'aye' vote to this very very innovative and very good idea."

Speaker Flinn: "Any further discussion? If not, the question is 'Shall Senate Bill 114 pass?'. All those in favor vote 'aye', and those opposed vote 'no'. The next Bill that we will go back to is Senate Bill 558, and that will be Representative Hoxsey on deck. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 126 voting 'aye', and 4 voting 'nay', and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 558."

Clerk O'Brien: "Senate Bill 558, a Bill for an Act to amend Section of the Election Code, Third Reading of the Bill."

Speaker Flinn: "Representative Hoxsey."

Hoxsey: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 558 affects only downstate countied. Presently the election judges are paid \$2.50 plus 10¢ a mile to deliver the returns to the office of the County Clerk. This amount has not been changed since 1973. This Bill would give the local election authority



the power to determine the sum to be paid for delivery services. However, the milage payment must be consistent with the current rate paid for milage to employees of the county. I would ask your favorable support."

Speaker Flinn: "Representative Totten. Representative Totten."

Totten: "Mr. Speaker, we amended this today, so we need leave to..."

Speaker Flinn: "No, we did not amend it. We tabled an Amendment, and the rules provide we can move it on the same day if we table the Amendment, but not if we add one on. Any further discussion? If not, the question is 'Shall Senate Bill 558 pass?'. All those in favor vote 'aye'. And 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 140 voting 'aye', none voting 'nay', and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 280."

Clerk O'Brien: "Senate Bill 280, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Flinn: "Representative Wikoff."

Wikoff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill corrects an oversight that was omitted last year when they changed the state university...or the geological natural history and water surveys from the Department of RNE. They were transferred last year to the Illinois Institute of Natural Resources. What this does is amends the state university's retirement system. It is a nonsubstantive change to reflect the fact that they are now a division of the Illinois Institute of Natural Resources, and the junior colleges are now community colleges. It's...I know of no opposition. Passed the Senate unanimously, and as I said it is a corrective measure from an oversight



last Session."

Speaker Flinn: "Any further discussion? If not, the question is 'Shall Senate Bill 280 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 150 voting 'aye', none voting 'nay'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 3-2-8."

Clerk O'Brien: "Senate Bill 3-2-8, a Bill for an Act to amend Sections of an Act in regard to judgments and the manner of enforcing the same by execution, Third Reading of the Bill."

Speaker Flinn: "Representative Schlickman."

Schlickman: "Mr. Speaker, Members of the House, Senate Bill 3-2-8 is identical to House Bill 985 previously passed by this House. The Bill implements a Supreme Court decision by providing that the trustee of land who has been sued will be limited liability-wise only to the value of the property for which the trustee is serving as a fiduciary with 2 exceptions. Exception #1 being a negligent or tortious act by the trustee, the other being a breach of contract. This Bill was passed by the Senate 55 to nothing, reported 'do pass' by our Judiciary I Committee 12 to nothing. The Bill was caused to be introduced by the Chicago Bar Association, and as I said, implements a court decision. And I seek your favorable consideration."

Speaker Flinn: "Representative Darrow."

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

Speaker Flinn: "He indicates he will."

Darrow: "Is the purpose of this Bill to protect the trustee of a secret land trust, or will that be the effect of this legislation?"

Wikoff: "This Bill has nothing to do with the secrecy of land trusts. What the Bill simply provides is that when a



fiduciary is holding title simply for the sake of holding title to real estate, that if there is a judgment that has been entered against that trustee, the liability of the trustee will be restricted to the value of land for which the trustee, the fiduciary is serving as trustee."

Darrow: "Well, that would be the situation, would it not, of a secret land trust, the fiduciary being the trustee where the fiduciary or trustee has the judgment rendered against him, he would then be liable only to the value of the property held in secret trust. Isn't that correct?"

Wikoff: "If a judgment is secured against the trustee on account of the trustee or fiduciary of land, the judgment would be satisfied by execution against the land. If the judgment was greater than the value of the land, then the judgment creditor would be able by discovery to determine who the beneficiaries are and to go after other property that the beneficiaries have."

Darrow: "Well, briefly addressing the Bill, it would appear that in many ways this legislation would protect the slum landlord who has property in a secret land trust. I have quite a few doubts about this Bill. We have already have similar legislation out in House Bill 985 which was probably a bad move on our part and hopefully will be killed by the Senate. I see no useful purpose in this legislation, and I solicit a negative vote. Thank you."

Speaker Flinn: "Further discussion? Representative Schlickman to close. Do not wish to close. The question is 'Shall Senate Bill...Representative Schlickman.'"

Schlickman: "In closing, Mr. Speaker, Members of the House, we previously have passed a Bill to handle the problem of a slum property title holder who is a trustee. The beneficiaries can be determined very easily. Mr. Speaker, Members of the House, as I





mentioned previously, this is identical to a Bill that we previously passed that still itself was passed by the Senate 55 to nothing, reported out 'do pass' by our Committee, Judiciary I. It is a Bill that is consistent with an appellate court decision. I had indicated Supreme Court previously. The appellate court decision, and it's a Bill that was caused to be introduced by the Chicago Bar Association. And I would solicit your favorable consideration."

Speaker Flinn: "The question is 'Shall Senate Bill 328 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 123 voting 'aye', 18 voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 330. Representative McMaster is on deck."

Clerk O'Brien: "Senate Bill 330, a Bill for an Act in relation to certain road districts and townships, Third Reading of the Bill."

Speaker Flinn: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill started out as an attempt to change the approval of the road commissioner's budget from the township board of trustees to the road commissioner himself. It was amended over here to put the responsibility of approval...the road commissioner's budget in the hands of the electors of the public hearing. I think it is a good Bill. There should be no opposition to it in its present form, and I urge its adoption. I urge a green vote."

Speaker Flinn: "Representative Rigney."

Rigney: "Would the Sponsor yield?"

McMaster: "No."

Speaker Flinn: "He will not. He changed his mind. He will."

Rigney: "I'll ask him anyhow. Representative McMaster, is



there still remaining in this Bill a 4¢ increase in the allowable levy?"

McMaster: "I'm trying to think, Mr. Rigney. I believe it would still be in there. The difference being that it puts the township limitation in the same position as the road districts in non-township counties. Let me say, Representative Rigney, that in just about all cases that I know of, presently and currently, this could remain. Currently, I guess it would be in the hands of the township Board of Auditors to approve that increase from 1-2-5 to 1-6-5. And this, I suppose, if it changed anything, would put it in the hands of the electors."

Rigney: "Well, I understood that that was, you know, finally to be in the hands of the electors, but I believe there is actually remaining in that a 4¢ increase as far as the allowable levy without referendum."

McMaster: "And I think that currently there is no referendum required for that increase, Representative Rigney. In current law, there is no referendum required."

Speaker Flinn: "The Lady from Cook, Representative Willer."

Willer: "Yes, will the Sponsor yield?"

Speaker Flinn: "He indicates he will."

Willer: "Representative McMaster, do I understand correctly that this would give just the highway...the township highway commissioner the sole authority to set the budget for the..."

McMaster: "No, no. This is what I just said in my opening remark, Ann."

Willer: "Well, I'm sorry, I didn't hear you."

McMaster: "...That the Bill would originally would have done that. But in my Amendment, Amendment #1, I put that responsibility in the hands of the electors of the township so..."

Willer: "Alright, I see that, and I think that is a great

~~Amendment, but initially, though, the Board of Auditors~~



have nothing to say about proposing the budget. You would just have the highway commissioner himself, the road commissioner himself establish the budget, then it would be approved by the electors at the annual town meeting, the way it used to be many years ago."

McMaster: "Let me say that currently the road commissioner does prepare his own budget. It is not prepared by the Board of Auditors."

Willer: "But I assume that he prepared it...consulting with them."

McMaster: "There is a prescribed form for the road commissioner's budget, and that he must fill out in accordance with current law within the rate limitations that he has. And this has always been that way that he prepares his budget in that manner. At one time, the road commissioner did have the authority of having that budget approved at the township meeting. Back in about '71 or '72 that was changed to put it in the hands of the town auditors and not in the hands of the electors. My Amendment to this Bill currently will put it back in the hands of the electors, and I happen to think this is where it belongs."

Waller: "Well, I agree with you, but I am wondering if you had not submitted your Amendment, what would the Bill have done then. If I am reading my digest correctly, it does restore to the township highway commissioner something that he had previously, was taken away from him, and now as unamended we give it back to him. Is that correct?"

McMaster: "Well, as the Bill was originally, it would have given it back to the road commissioner, but that is not all together accurate in saying that he originally had that authority because he didn't really prior to '72."

Waller: "Then I would like to speak to the Amendment. I commend him for it. I was sorry to see the power of the voters taken away as Bars approving budgets, and so



I'm happy to see it go back at least as far as the road budget is concerned

Speaker Flinn: "Representative McMaster to close."

McMaster: "Thank you, Mr. Speaker. I think that we have had a good discussion on this. I would urge a unanimous Roll Call, a green vote for this Bill."

Speaker Flinn: "The question is 'Shall Senate Bill 334-0 pass?' All those in favor vote 'aye', and all those opposed vote 'no'. Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to explain my vote opposing this measure. As the Sponsor indicated, this was the method of doing things a few years ago. The problem was that they had situations where the budget simply would not...the budget simply would not be approved by the electors coming in. It would seem very easy to pack the room with groups that were opposed to any kind of township government organization and effectively thwart the budget being passed which was the reason for changing things to the present situation. I recommend that you vote against the Bill."

Speaker Redmond: "Anything further? The Clerk will take the record. On this question there is 100 'aye', and 41 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 334."

Clerk O'Brien: "Senate Bill 334, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Redmond: "Representative McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 334 amends the Chicago teacher's retirement fund, Article of the Illinois Pension Code. It places donations and bequests received by the fund within discretion of the Board of Trustees. It increases the allowable investment of inequities from 33½ to 40%. I know of no opposition to this Bill."



Speaker Redmond: "Anything further? The question is 'Shall this Bill pass?'. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there is 130 'aye', and 2 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 33..."



Speaker Redmond: "363. Representative Stuffle."

Clerk O'Brien: "Senate Bill 363. A Bill for an Act in relation to the investigation operations of the Secretary of State. Third Reading of the Bill."

Speaker Redmond: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members. Senate Bill 363 is the legislation which places the investigators in the Secretary of States Office who are performing duties comparable to the State Police under a pension annuity formula that is the same as the State Police and certain other hazardous duty employees in the State of Illinois. This Bill is sanctioned by the Pension Laws Commission. It came on a strong affirmative vote from the Pension Committee. It is supported by the Secretary of State. It would give to these people who now have the same physical and mental standards as the State Police the same ability to draw a pension annuity as the State Police. These particular people if you might believe that they aren't hazardous duty are performing the same functions as the State Police in the chop shop operations around the State of Illinois. It is obvious to anyone who has read the newspapers or followed the activities of these investigators that they are a highly trained force. That they have dealt with organized crime. In the past few months in fact, certain members of the investigative force in the Secretary of States Office have had their lives threatened. A bomb was placed at the door of one of these people. A bomb was placed and in fact the car was blown up. It belonged to one of these people. And in fact, and indeed even the Secretary of State has had his life threatened by persons involved with the chop shop operation. For these reasons and the fact as I said that the Pension Laws Commission has agreed that this is a good Bill on a unanimous vote and the fact that they have agreed that this is indeed hazardous duty, I would ask for an affirmative Roll Call and I would be happy to answer any questions.



that you might have one on Senate Bill 363."

Speaker Redmond: "Any discussion? Representative Robbins."

Robbins: "Mr. Speaker, I was wondering why we discriminate against a person that is 60 and require them to mandatorily retire from this force."

Speaker Redmond: "Representative Stuffle."

Stuffle: "Representative Robbins, we don't discriminate under this Bill. In fact, to put this group of investigators under the same pension annuity formula we're doing just the opposite because the State Police and all the other people who have the same formula are forced to retire at age 60. You can't very well say that its hazardous duty and you ought to be able to draw a better annuity at an earlier age for hazardous duty and in the same breath, let them continue to work after age 60. We're putting the formula the same and the retirement age the same for the investigators as the State Police have now. Those people who are in the service and who may be over age 60, and there are very few, will be carried on the pension roll just as they are now. They won't qualify for the pension formula here and they shouldn't, obviously, and you can't argue that I don't think very fairly because if you do you're saying we should we give them a windfall instead of paying in at a higher contribution rate as they have to under this Bill. Those people will, however; be carried as employees in the Secretary of States Office above age 60 they will stay under the same current retirement annuity program. They will pay the same contributions. They will not lose a job."

Speaker Redmond: "Representative Mahar."

Mahar: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield for a question? Larry, does this, is this for just investigators or is it for all of the Secretary of States police?"

Stuffle: "This is only for those people who are in the investigative unit and we're really talking about the chop



shop operation who have the same duties as the State Police. It wouldn't cover people that wear the uniform out here on the parking lot or anything like that or a person who might wear a uniform in the weights and scales and measures type division. Only the police operation."

Mahar: "Mr. Speaker, I, I want to support this Bill. I think it's long needed. We are now in the process of getting some teeth into our legislation that affects this type of operation. To go out for the chop shop people who need good qualified people who have the guts to get out there and do the job and I think that when this is over with they're going to have the laws to do it and they deserve everything they can get."

Speaker Redmond: "Representative Skinner:"

Skinner: "How many investigators are there?"

Stuffle: "Approximately 150 investigators is my understanding Representative Skinner."

Skinner: "These are not the people that shut up Tim Johnsons suitcase when they thought it was a bomb?"

Stuffle: "No, those people are involved with the building of grounds here on the Capitol."

Skinner: "These are not the people that arrested everybody at the marijuana smoke-in on the House Capitol and beated reporters over the head?" Is that correct?"

Stuffle: "Well, Representative Skinner, if I assumed everything you assume, I would answer yes but I don't assume everything you assume because you're wrong."

Skinner: "Well were there policed involved?"

Stuffle: "Let me finish Representative Skinner. They may have been involved, so were the State Police and the alligations that were made, to my knowledge, have not been proven. We're trying to take care of people who deal with chop shop operation and I think you know that that's a very violent operation."

Skinner: "Well, Mr. Speaker, I think what the gentleman's trying to take care of is democratic patronage workers





who can't pass State Police exams. If they want to be State Policemen, let them apply. Let's transfer them to the State Police. Let's not blanket them in and give them these super pensions. If you know what the State Police pensions are they're pretty generous pensions. I just... I know something about some of these investigators and I know that competent is not a word one would apply to some of them. Some of them who couldn't find an owner of a driving school in the East St. Louis area who happen to be coming into the state virtually everyday to teach illegally, to teach in driving... to teach driving to private individuals and I just, you know, there may... the chop shop unit may be a great unit, but it's not 132 of them. There's know doubt about that and there's some, there either some incompetence in there or else somebody better come up with a better explanation and I haven't heard it yet."

Speaker Redmond: "Representative Van Duyne."

Van Duyne: "Thank you Mr. Speaker. I'd like to answer the Sponsor a question please."

Speaker Redmond: "Proceed."

Van Duyne: "Representative Stuffle, is there any prohibition against minimum age in this? As long as you're prohibiting people over 60 from being investigators, do you set some sort of rational as to when you become old enough to come up with some good logic?"

Stuffle: "Representative Van Duyne, it's my understanding that an entry age to be an investigator is between 25 and 35 and you have to pass certain physical and mental tests. The same as I understand the State Police are." I think you have to realize one thing. It would be very difficult to argue that we ought to be giving them early retirement and a better pension benefit to people and argue that it's hazardous duty and at the same time say people ought to be able to work beyond age 60. If we're going to give these people the same formula as the State Police have



because of the similar duties and the same standards as the State Police and the other people who have the other annuity program that we're trying to put in here to these investigators. To say that the State Police have to go out at 60. I would be inconsistent to say that these people go out at any other age."

Van Duyn: "Is there, is these any extra pay for this hazardous work?"

Stuffle: "I'm sorry, I didn't hear your question?"

Van Duyn: "Is there any extra pay, incentive pay for this job?"

Stuffle: "Well, there's standardized pay schedules like anything else. They could be better in some cases, in other titles, and worse in others. But the people I <sup>reiterate</sup> who are now working there who are over age 60 to be consistent will not have any reduction in pay or loss of jobs."

Speaker Redmond: "Representative Hanahan."

Hanahan: "You talking about... Will the gentleman yield?"

When you're talking about the mandatory retirement of the investigator. Right now I happen to have an employee, a friend or mine, that's an employee as an investigator. He's 60 years old. Is this Bill upon becoming effective, becoming a law, going to mandate that he has to retire?"

Stuffle: "Not at all Representative Hanahan. I talked to Secretary Dixon. Secretary Dixon has informed me these people will continue to be paid the same amount or more. They will be given their choice of jobs within the department. They will not be retired. They would only return, not return, but continue to be under the current pension system. To let them jump into this pension system now already being age 60, they would get a windfall. They would never pay into at the higher rates that are provided for in the Bill. So we're just trying to be consistent as we are with the State Police."

Hanahan: "No, no. The State Police have been in effect since



1955. I'm talking about a present employee that's an investigator who is now either 60, 61, 62 years of age right now working for the Secretary of State. Will he or she, I don't know if there are any female investigators, but would he be in any way diminished in his ability to continue working?"

Stuffle: "No. He will still have a job. He will still have the same salary of a higher salary if there is an increase salary in the Secretary States Office. He would still have the same pension benefits that accrue now and he'd still have the same vesting authority. We do nothing to them with regard to that."

Hanahan: "Now, now you're talking about a new investigator coming in to the system. He will then come under the provisions of this Act?"

Stuffle: "Anyone under 60 under this Bill who is or would become an investigator would have to get 20 years of service to get the pension under this Bill just like the State Police. He could transfer in his time and buy the difference from other employment just like anything else. He could directly transfer in any police time that's otherwise already covered by this type of formula such as a fire guard, a policeman in the state service that's already covered otherwise. An air pilot or the like."

Hanahan: "But I want to be once again assured that this is not a compulsory retirement Bill for those members who are 60 or 61 and in no way for the record, that none of these investigators have anything to fear. That the passage of this Bill is somehow is going to put these guys out on the street:"

Stuffle: "You have my word and the word of Secretary Dixon as he has told me. They will have a job. They will have a salary at the level they are now or higher. They will have the same pension benefits which he can do nothing to."

Hanahan: "I want you to remind the Secretary that a lot of them



vote." I hope."

Speaker Redmond: "Representative Winchester."

Winchester: "Thank you Mr. Speaker, will the gentleman yield to a question?"

Speaker Redmond: "He will."

Winchester: "It was my understanding that the Governors Office at one time was opposed to this legislation. Is he still opposed?"

Stuffle: "He is not opposed. It was indicated in the Committee on Pensions that he would sign this Bill as it is written now."

Winchester: "Thank you."

Speaker Redmond: "Represe..."

Winchester: "One more question. One more ques..."

Speaker Redmond: "Proceed."

Winchester: "Let's say you've got an investigator who has five years of service now. Does he have to pay anything to bring him up to date with the... He does not."

Stuffle: "The Bill says that if he has comparable service that's already covered under this type of formula that service would transfer to be part of your vestings. In other words, that service, if you already covered by this type of formula... Say you were an air guard and you were also a policeman. You could bring your police service in and pay the difference. And you could bring your comparable service in if it was under this type of formula which the State Police are in straight in as part of the 20 years and add to that. It would depend on what type of service he had in the five years. If it was all, already prior to this, prior to this coming on under this type of formula then it would transfer directly, otherwise; just as you or I or anyone else who changes from one system to another that has better benefits, you have to pay the difference or buy affectively less time under the Reciprocle Act let's say."

Winchester: "Thank you Larry."



Speaker Redmond: "Representative McGrew."

McGrew: "I move the previous question."

Speaker Redmond: "Question: Is shall the main question be put?"

Those in favor say 'aye' aye, oppose 'no'. The ayes have it. Representative Stuffle to close."

Stuffle: "Yes, Mr. Speaker and Members. This is not a partisan issue. Someone suggested we're talking about a democratic patronage Bill. We are not. The individual that I know, in fact, the only one that I happen to know who falls under the provisions of this particular Act from my area happens to be a republican. Happens to be a neighbor of mine. This Bill is as I understand it in talking to the Secretary of State is supported by the Governor. As well as the Secretary of State. These people deal with one of the most violent, most corrupt, most illegal and crime ridden operations in the state. That being the chop shop operations that exist in Illinois. Secretary Dixon indicated in the Committee that the life of an untended, unlocked car, a Corvette to be exact, from the city streets of Chicago in certain neighborhoods is about 20 minutes. We know that this activity, this chop shop organization that these people work with happens to be hazardous duty. The Pension Laws Commission agrees. The Pension Committee agrees. I reiterate this is not a partisan issue and I ask for a favorable Roll Call for the arguments made by democrats and republican alike on the floor today. I appreciate your favorable vote."

Speaker Redmond: "Question is shall this Bill pass? Those in favor vote aye, oppose vote no. Representative J.J. Wolf one minute to explain his vote. The timer is on."

Wolf: "Well Mr. Speaker, Members of the House. I don't have any idea that I could stop this Bill because obviously the skids are greased, but I want to point something out. It's been inferred that all these investigators do is going around changing illegal chop shop operations. These are the same investigators that stand and give directions



in the driving facilities back in Chicago who take the plates off of peoples cars when they've been revoked. Now we've been hearing everybody wants to get into the act. They'll be the university guards. We're going to have the conservation officers who say that they have a dangerous job or they go after jack lighters and moon lighters for illegal beer. Now if you can tell me and really justify why an investigator has to retire age 50, did you hear me age 50 with 25 years of service. I'd like to hear some better arguments and I vote no."

Speaker Redmond: "Representative Ebbesen. One minute to explain his vote."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I think if each Member of the Illinois House could have been in the Committee and heard the testimony as expressed by not only Representative Stuffle, but by the Secretary himself, would have no question in their mind that this Bill should be approved. The, as far as the competency and the improvement of our... on his particular staff it was brought out at that time he's hiring more and more competent people at all times to improve those, these people and I certainly think enough has been said relative to the, the fact that it is a hazardous duty and I certainly would encourage everybody to put an aye vote up there. It's good legislation. Should be approved and pass this Bill on down to the Governor."

Speaker Redmond: "Representative Kosinski. One minute to explain his vote. Timer is on."

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House. There's one area that hasn't been explored here this morning. And that is the tremendous competition between municipalities and other states for qualified personnel. In-state police and of the Secretary of States Office. If the job is not attractive we won't get qualified men in that position. Now, right now we passed a budget chop shop Bills. We've got to give the Secretary of State



as well as the Department of Law Enforcement qualified personnel and we do that with fringe benefits and with salaries. We need these people."

Speaker Redmond: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House.

I'm proud to rise in support of this very fine legislation dealing with 132 employees in the Secretary of States Office. This Bill gives them the same retirement annuity for the investigators in the SOS Office as it does to the State Police, fire fighters, pilots, and special agents. We passed legislation dealing with chop shop operation. We know about the hazardous duty. It's time that we bring them to the same level as the other law enforcement officials and the interest of justice, in the interest of fine people in the State of Illinois I recommend your favorable vote for this very fine piece of legislation."

Speaker Redmond: "Have all voted who wish? Representative Hanahan."

Hanahan: "I feel strong enough on this Bill. It's a bad enough Bill that I'd like to make sure that those voting eye are here and present. Ask for a verification."

Speaker Redmond: "Representative Conti."

Conti: "Well, Mr. speaker and Ladies and Gentlemen of the House .

I wasn't planning on talking on this Bill, but being a member of the State Needs Commission I think that this is a right step in the right direction because I also found out being on that Commission that the state complex is not under the jurisdiction of the Springfield Police or the Springfield Zoning Ordinance as though anything to do with the town of Springfield. In the next ten to fifteen years the state complex is going to be having something like 15 to 18,000 people in it everyday. And we're going to need trained policemen to take care of this section. It's like Washington, D.C.. We're going to have to have our own police department to take care of our state complex and I think this is a right step in



the right direction even though now this Bill is aimed at chop shop, but it will build a police department that in time when we do need them on the state grounds that we will have them."

Speaker Redmond: "Anything further? Clerk will take the record.

On this question there's 93 aye and 39 no. Representative Hanahan has requested a verification of the Affirmative Roll Call. Representative Stuffle requests a poll of the absentees. Poll the absentees Mr. Clerk." Representative Sandquist what purpose do you rise?"

Sandquist: "Could I have leave to be verified?"

Speaker Redmond: "That OK. Come up here. Yeah."

Clerk O'Brien: "Poll of the absentees. Abramson. Alexander. E.M. Barnes. Beatty. Bradley. Bullock. Deuster. John Dunn. Dwight Friedrich. Gaines. Harris. Jaffe. Emil Jones. Kelly. Kornowicz. Kozubowski. Macdonald. McPike. Meyer. Preston. Schoeberlein. VonBoeckman. Waddell. Woodyard. Younge. And Yourell."

Speaker Redmond: "Representative Kelly."

Kelly: "Yes, Mr. Speaker, would you please vote me aye."

Speaker Redmond: "Vote Representative Kelly aye. Proceed. Verify the Affirmative Roll Call."

Clerk O'Brien: "Ackerman. Anderson. Jane Barnes. Bell. Bianco. Birchler. Boucek. Breslin. Brummer. Campbell. Capparelli. Capuzi. Collins. Conti. Daniels. Darrow. Davis. Dawson. Donovan. Doyle. Ralph Dunn. Dyer. Ebbesen. Epton. Flinn. Virginia Frederick. Friedland. Garmisa. Getty. Giorgi. Goodwin. Griesheimer. Grossi. Hallock. Hallstrom. Hannig. Hoffman. Hoxsey. Huskey. Johnson. Dave Jones. Kane. Kelly. Kempiners. Kent. Klosak."

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

Borchers: "I hate to interrupt the House, but a reporter by the name of Watson has just left the door. Wish somebody go back and tell him to come back in. I would like to have





something to say about that gentleman in behalf of myself and the House, the Legislature. Would you ask him to come back in? I don't want to talk behind somebody's back,"

Speaker Redmond: "We'll find him. We'll invite him back, Representative Borchers."

Borchers: "OK. Well then go on if you'll invite him back."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, vote me aye please."

Speaker Redmond: "Record Representative Jaffe as aye.

Representative Flinn, come up here a minute. Proceed."

Clerk O'Brien: "Kosinski. Kucharski. Leon. Leverenz.

Mahar. Margalus. Matula. Mautino. McAuliffe. McBroom.

McGrew. McMaster. Molloy. Mulcahey. Oblinger. Pechous.

Piel. Polk. Rea. Reed. Reilly. Richmond. Rigney.

Robbins. Ronan. Robbins. Ronan. Ropp. Ryan. Sand-

quist. Satterthwaite. Schlickman. Schneider. Schuneman.

Simms. Slape. Stanley. Stearney. C.M. Stiehl. Stuffle-

Swanstrom. Vinson. Vitek. Walsh. Watson. Wikoff.

Williams. Winchester. Sam Wolf. Mr. Speaker."

Speaker Flinn: "Representative Preston. Pres... Represent-  
ative Preston what purpose do you arise?"

Preston: "Mr. Speaker, how am I recorded please?"

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

Preston: "Would you record me no."

Speaker Flinn: "Preston no. Representative Bower."

Bower: "Please change my vote to aye."

Speaker Flinn: "Change Bower from no to aye. Representative  
VonBoeckman."

VonBoeckman: "How am I recorded Mr. Speaker?"

Speaker Flinn: "How is the gentleman recorded?"

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

VonBoeckman: "Vote me aye."

Speaker Flinn: "Record him as aye. Representative Bradley wishes to be voted as aye. Any others before we go into the verification? Representative Harris wants to be voted as aye. Representative Ebbesen asks to be verified.



He's down... Representative Ebbesen verified. Turn Representative Hanahan on. Would the Members be in their seats? Would the Members be in their seats? Let's have a little more order while we're questioning the verification of the aye votes."

Hanahan: "How many votes are we starting with Mr. Clerk?"

Speaker Flinn: "Ninety-nine ayes to begin with."

Hanahan: "Representative Brummer."

Speaker Flinn: "Who was that?"

Hanahan: "Brummer."

Speaker Flinn: "Representative Brummer's in his seat."

Hanahan: "Representative Boyle."

Speaker Flinn: "Representative Doyle. Right back down here."

Hanahan: "Representative Ralph Dunn."

Speaker Flinn: "Representative Dunn. I don't see him in his seat. Is the gentleman on the floor? How's the gentleman recorded?"

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

Speaker Flinn: "Remove him from the roll."

Hanahan: "Representative John Friedland."

Speaker Flinn: "John Friedland. He's in his seat." Or at  
 Hanah's seat." Representative Deuster. Vote Deuster aye.  
 Hanah Representative Macdonald wishes to be voted aye. Any  
 further questions Representative Hanahan?"

Hanahan: "Yeah, I've got a lot of questions. I want to know if there's permission granted for somebody to lobby for a constitutional officer while a verification is being taken place. Did the Speaker grant that permission to anyone?"

Speaker Flinn: "No, I didn't and I..."

Hanahan: "Well then I'd suggest you get off the floor while I'm verifying this Roll Call."

Speaker Flinn: "I don't see anybody."

Hanahan: "They make the point on other people, she's no better than anyone else around here. Representative Friedland."

Speaker Flinn: "Friedland you've already verified."



Hanahan: "Off or on?"

Speaker Flinn: "He is on. He is at his seat. He's still waving back there."

Hanahan: "I see. I couldn't see him back there. Representative Garmisa."

Speaker Flinn: "Representative Garmisa's in his seat."

Hanahan: "Representative Goodwin."

Speaker Flinn: "Goodwin's in his seat."

Hanahan: "Representative Gross... Hallock."

Speaker Flinn: "Hallock."

Hanahan: "Hallock."

Speaker Flinn: "I... there he is. Standing right by his seat."

Hanahan: "He wasn't there before. Representative Hannig. He's in his seat."

Speaker Flinn: "Hannig's in his seat."

Hanahan: "Representative Hoffman."

Speaker Flinn: "Hoffman's in his seat."

Hanahan: "Representative Hoxsey."

Speaker Flinn: "Hoxsey's in her seat."

Hanahan: "Representative Gaines."

Speaker Flinn: "Gaines. The gentleman's not in his seat. Is the gentleman on the floor? How is the gentleman recorded?"

Hanahan: "He's not recorded either. He's not..."

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

Speaker Flinn: "Take him off the record."

Hanahan: "Representative Dave Jones."

Speaker Flinn: "Dave Jones is in his seat."

Hanahan: "Representative Kempiners."

Speaker Flinn: "Kempiners. Kempiners is way over there. Kempiners over here."

Hanahan: "Oh, he's not in his seat sir. Representative Klosak."

Speaker Flinn: "Klosak's in his seat."

Hanahan: "Representative Kucharski."

Speaker Flinn: "Kucharski. Representative Kucharski. I don't



see the gentleman in his seat. How's the gentleman recorded?"

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

Speaker Flinn: "Take him of the Roll."

Hanahan: "Representative Leverenz."

Speaker Flinn: "Leverenz. I don't see the gentleman in his seat. How is the gentleman recorded?"

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

Speaker Flinn: "Take him off the Roll."

Hanahan: "Representative McMaster."

Speaker Flinn: "Who?"

Hanahan: "McMaster."

Speaker Flinn: "Representative McMaster. Don't see him at his seat. How is the gentleman recorded?"

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

Speaker Flinn: "Take him off the Roll."

Hanahan: "Representative Mulcahey."

Speaker Flinn: "Representative Mulcahey. I don't see him in his seat. How is the gentleman recorded?"

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

Speaker Flinn: "Take him off the Roll."

Hanahan: "Representative Richmond."

Speaker Flinn: "Richmond. I don't see the gentleman at his seat. How is the gentleman recorded?"

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

Speaker Flinn: "Take him off the Roll. Representative Braun, for what purpose do you arise?"

Braun: "Mr. Speaker, may I be verified please?"

Speaker Flinn: "May the lady be verified Representative Hanahan. You're verified."

Hanahan: "Representative Ronan."

Speaker Flinn: "Ronan. I don't see the gentleman at his seat. How is the gentleman recorded?"

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

Speaker Flinn: "Take him off the Roll."

Hanahan: "Representative Ryan."



Speaker Flinn: "Representative Ryan. I don't see Minority Leader at his seat. How is the gentleman recorded?"

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

Speaker Flinn: "Take him off the Roll."

Hanahan: "Representative Davis."

Speaker Flinn: "Representative Jack Davis. I don't see him at his seat. How is that gentleman recorded?"

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

Speaker Flinn: "Take him off the Roll."

Hanahan: "Representative Stearney."

Speaker Flinn: "Representative Stearney. I don't see him at his seat. Yes he is in his seat. Way down low.

Representative Borchers wishes to be voted as aye."

Hanahan: "Representative C.M. Stiehl."

Speaker Flinn: "C.M. Stiehl's standing at her seat."

Hanahan: "Representative Wikoff."

Speaker Flinn: "Wikoff is in his seat."

Hanahan: "Mr. Speaker."

Speaker Flinn: "I'm in my seat."

Hanahan: "No, no the real Speaker."

Speaker Flinn: "OK. The other one. I... Representative Younge wishes to be voted as aye also. Ralph Dunn is back on the floor. Put him back on the Roll. I don't know where the Speaker's at. Representative Yourell."

Yourell: "How am I recorded?"

Speaker Flinn: "How is the gentleman recorded?"

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

Yourell: "I vote aye."

Speaker Flinn: "Mark Yourell aye."

Hanahan: "Representative Mautino."

Speaker Flinn: "Wait a minute, we didn't take the Speaker off. Take the Speaker off the Roll until he comes back."

Hanahan: "Representative Mautino."

Speaker Flinn: "Mautino. The gentleman is not in his seat. Is he on the floor? How is the gentleman recorded?"

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



Speaker Flinn: "Take him off the Roll."

Hanahan: "Representative Schuneman."

Speaker Flinn: "Who?"

Hanahan: "Schuneman."

Speaker Flinn: "Representative Cal Schuneman. I don't see the gentleman in his seat. How is he recorded?"

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

Speaker Flinn: "Take him off the Roll."

Hanahan: "I have no other questions."

Speaker Flinn: "On this question there are 93 ayes and 39 nos, 38 nos. And this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 375."

Clerk O'Brien: "Senate Bill 375, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Flinn: "Stuffle, you're on the air with 375 here." Take it out of the record, request of the Sponsor. Is Representative Katz on the floor? 4-5-0 out of the record. Senate Bill 5-4-0."

Clerk O'Brien: "Senate Bill 540, a Bill for an Act to amend Sections of an Act to revise the law in relation to clerks of courts, Third Reading of the Bill."

Speaker Flinn: "Representative Terzich:"

Terzich: "Yes, Mr. Speaker. Senate Bill 540 amends the Act concerning the clerks of courts. What it does, if it provides for a minimum salary for clerks of the courts. It removes the maximum and lets the salaries for clerks be at the discretion of the County Board. This Bill came out of Committee 11 to nothing, and I would urge your support of Senate Bill 540."

Speaker Flinn: "Any further discussion? If not, the question is 'Shall Senate Bill 5-4-0 pass? All those in favor vote 'aye'. Those opposed vote 'no'."

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



question there is 102 'ayes', 30 'nays', 2 recorded as 'present'. This Bill having received the Constitutional Majority of hereby declared passed. Senate Bill 676."

Clerk O'Brien: "Senate Bill 676, a Bill for an Act to amend Sections of the Business Corporation Act, Third Reading of the Bill."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. 676 is a Bill we debated yesterday, and there was an Amendment adopted. I merely adds to the language of a physician on the Board of Ambulatory Surgical Center. I don't think there is any opposition, and I would respectfully urge an 'aye' vote."

Speaker Lechowicz: "Any discussion? The question is 'Shall Senate Bill 676 pass?'. All those 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 is 148 'ayes', no 'nays', 2 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 725. Out of the record, request of the Sponsor. Senate Bill 762, Mr. VanDuyne. Take it out of the record, request of the Sponsor. Senate Bill 767, Mr. O'Brien. Read the Bill."



Clerk O'Brien: "Senate Bill 767, a Bill for an Act to amend Sections of the Revenue Act, Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. O'Brien. Dan O'Brien, please."

O'Brien: "Yes, Mr. Speaker and Members of the House, Senate Bill 767 is an attempt to bring the assessment practices of the Department of Local Government Affairs into line in relation to public utilities that are required by governmental organizations and governmental bodies to put pollution control facilities on their plants, and they are presently being overassessed. And this Bill will give them the opportunity to be assessed as private industry is assessed. I would ask for a favorable Roll Call and be happy to answer any questions that any Members may have."

Speaker Lechowicz: "Any discussion? The question is 'Shall Senate Bill 767 pass?'. All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 144 'ayes', 5 'nays', 2 recorded as 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. The Gentleman from Kankakee, Mr. McBroom, what purpose do you seek recognition?"

McBroom: "Yes...Mr. Speaker, Members of the House, in regard to Senate Bill 540, I was off the floor at the time, and I would like leave of the House to be recorded 'aye'. It would not change the results."

Speaker Lechowicz: "Come on over and fill out a form. It's just as quick. A lot easier for the Clerk. Senate Bill 807."

Clerk O'Brien: "Senate Bill 807, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."





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

Beatty: "Mr. Speaker, Ladies and Gentlemen of the House, this is a Bill that was called the other day. It is a Bill that has been described in many ways. I feel that it is the senior citizens Bill really. It gives an increment of 1% additional to retired judges and retired Members of the General Assembly without any contribution on their part, putting the General Assembly and the judicial pension system to the same powers...to some other systems that received the same benefit last year."

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

Terzich: "Yes, Mr. Speaker, I'd like to make a few comments with regard to the benefits. This benefit is similar to the Bill that we passed on House Bill 1803 last year which amended the state university, the state teachers, the state employees, the state police, the Governor's pension, all of them recognizing the fact that inflation is effecting the retiree's pension benefits. This is a minor adjustment affecting those individuals who are over age 60. It doesn't cover any active Members at the present time to receive the post-retirement benefits. You must be over age 60. We know that the cost of inflation is going up approximately 10% a year, and this is causing serious effects on our retirees. Now we did recognize this fact last year when we passed a Bill that covered approximately 150,000 participants in the state, and I think that we should adjust ourselves to the serious problem. Now the 2 systems that were left out of that...out of that increase were, of course, the General Assembly and the judges retirement system. I think that we have to recognize the fact that our retirees are having problems with the cost of inflation just like anyone else, and we should recognize and support this Bill. I would also like to mention that these 2 systems



provide the highest contribution of any systems in the State of Illinois on the part of the employee. At the present time they are paying...there is no system that is paying more for the post-retirement benefits. I think it is overdue. I know that many Members, if and when they ever get to that retirement age or the golden age of 60, I doubt very much whether 3% post-retirement benefit would even put a dent in the bucket based upon the high cost of inflation. This is a reasonable request. We have done it for thousands and thousands of other state employees, and so recognize the needs of our own retirees the same as we recognize the needs for all of the other people of the State of Illinois, and I would urge an 'aye' vote on this Bill."

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

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

Speaker Lechowicz: "Mr. Beatty indicates he will."

Balanoff: "Mr. Beatty, you said that this Bill refers to senior citizens..."

Beatty: "No I didn't say that."

Balanoff: "...Are you..."

Beatty: "I said it refers to judges and Members of the General Assembly who are senior citizens."

Balanoff: "Oh, it refers to Members of the General Assembly who are senior citizens."

Beatty: "Sixty years of age or a senior citizen. We take care..."

Balanoff: "Does it refer to Members of the Assembly who are sitting here today who will be senior citizens?"

Beatty: "That's right."

Balanoff: "It does. Thank you."

Speaker Lechowicz: "With God's help we'll all make it. The Gentleman from Cook, Mr. Beatty to close. Excuse me, the Gentleman from DuPage, Mr. Hudson."

Hudson: "Well, Mr...thank you, Mr. Speaker and Ladies and

Gentlemen of the House. I rose on the House floor the



other day when this Bill was on Second Reading, and I rose against...in opposition to the Bill because when it started out in the Senate, it had no input from the Members whatsoever. That is to say that this measure raises the automatic annual increase in pensions for both the Legislators and judges by 1%. Now the Senate came in with an Amendment, and they had...they contributory...that is to say the Members would contribute  $\frac{1}{2}\%$  which was...my understanding was that this is the...something that the Pension Laws Commission has felt to be advisable. As a matter of fact, the Pension Laws Commission approved the Bill when it was amended in the Senate. Then it came over to the House, a House Amendment was on it which took out the Members contribution and left it an automatic pay raise from 2...2% to 3% as of January 1, 1980 with no contribution from the Members whatsoever. Now on this basis, I opposed this Bill the other day, and I still stand in opposition to it, feeling that it has the effect of a pay raise for the Members without any contribution on our part. Now if we were to contribute a modest amount, I think that that would be okay, but we're not. And I still maintain my opposition to the... to the measure and would recommend a 'no' vote on it."

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

McCourt: "Mr...Mr. Speaker and Ladies and Gentlemen of the House, I agree 100% with the previous speaker. This Bill in a sense...essentially is a second pay raise that the General Assembly will have voted itself in the same year. This Bill will cost the taxpayers of Illinois right now \$151,000. This Bill would have some merit, as the Sponsor might well admit, if that was contribution paid by the active Members of the system. But the...this Amendment that was...the Bill the way it was passed in the Senate, they took the Amendment that



the present employees would pay a contribution off the Bill and for this reason I believe the Bill should be opposed at this time."

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

Beatty: "Mr. Speaker, Ladies and Gentlemen of the House, this is not a pay raise Bill for Members of the General Assembly. This is a increment of 1% for those people who are retired, people who are out in the world away from the General Assembly, away from the bench. The General Assembly pays 10%, and the judges pay 11%, the highest contribution paid by any Assembly...any retirement system in the State of Illinois... This...if this Bill is passed, it will put us on the par with a number of other state retirement systems which received this benefit in the last Session of the General Assembly. I think if you bear in mind that at the present time, the investments of this General Assembly system and the judge system are drawing interest on our investments just, barely on CD's. That's 10% and more. Don't you realize that inflation has hit everything. It not only has hit the Members who are not receiving as much in purchasing power, but the fund itself is growing at a different pace and is receiving more of an increment every day. So this is not an isolated thing. Not only will they be receiving 1% more, but the fund itself is receiving more interest. And so I think that the thing is fair. I believe we should purport it. I ask for your green vote."

Speaker Lechowicz: "The question is 'Shall the House...pass Senate Bill 807?'. All in favor vote 'aye'. All opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Mr. Terzich, to explain his vote."

Terzich: "Well, Mr. Speaker, again I would just like to address the General Assembly. There is a number of



times I've stood on the floor and to tell...trying to support things that I felt were proper and just with regard to pension. The only thing I can say to you, that anybody who doesn't support this Bill, shame on your house not to support some of the poor people who are retiring. If you think you can live with the cost of inflation, you don't have any option of what you can do or can't do. Well, your sure doing a disservice not only to your own self, but also to the Members that served in this Body that does need this here minimal increase for their pension benefits. And I hope that you are not in the same position when you retire, and you're voting 'no' on this same type of a Bill. You should be ashamed of yourself."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 94 'aye', 67 'nays', 2 recorded 'present'. This Bill having received the Constitutional Majority is hereby declared passed." Senate Bill 854."

Clerk O'Brien: "Senate Bill 854, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Lechowicz: "The Lady from Cook, Mrs. Braun...Mrs... Carol...Braun."

Braun: "Mr. Speaker...Mr. Speaker...8-5-4."

Speaker Lechowicz: "Oh, I'm sorry, 854 is Representative Patrick. My mistake. I'm sorry about that. Take it out of the record. I must be psychic, Mrs. Braun. Senate Bill 870."

Clerk O'Brien: "Senate Bill 870, a Bill for an Act to amend Sections of the County Hospitals Governing Commission Act, Third Reading of the Bill."

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

Braun: "Mr. Speaker, were you psychic enough to know that I would ask this to be taken out of the record at this time?"

Speaker Lechowicz: "~~Take the Bill out of the record.~~"



Braun: "Thank you, Sir."

Speaker Lechowicz: "Senate Bill 872, Mrs. Catania. Out of the record, request of the Sponsor. Senate Bill 923, Mr. Beatty...Mr. Beatty, 923. Read the Bill."

Clerk O'Brien: "~~Senate Bill~~ 923, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

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

Beatty: "This is a Bill that is put in by the trustees of the judicial retirement system to help judges who are disabled. It provides that if a judge has been a judge for 2 years and is disabled, that he can receive up to 50% of his salary when removed from the payroll until his disability ends. And it comes from the judicial retirement system. It is recommended by that system. If you contrast it with what happens to Members of the General Assembly, if we're ~~rev'd~~, we get full pay. So, I think it is a fair Bill, and I don't believe there are that many judges that are disabled, but it does help the counties where they reside if they are disabled because the money paid to them comes from the retirement system rather than from the county payroll."

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

Mugalian: "Would the Sponsor yield?"

Speaker Lechowicz: "He indicates he will."

Mugalian: "Representative Beatty, how does workman's compensation law apply to the...to the judges?"

Beatty: "I have never heard of a judge apply for a workman's compensation benefit. However, where a judge should be shot in the course of his duty or be disabled, he could benefit. But I have never heard of a judge applying for workman's compensation. Normally they are...if they are injured or handicapped, they get their money from the fund or from the retirement system. I have never



heard them apply. I think they are covered, but I'm not sure."

Mugalian: "Well, I'm just wondering if this Amendment might give them double coverage. The Members of the General Assembly pension fund, as well as all other pensions in the state, were eliminated from this double coverage about 2 years ago by a Bill which I sponsored and I'm just hoping that we are not turning back the clock and giving them another double coverage situation. I mean that a judge who does intellectual work could probably...probably apply for workman's compensation in most cases."

Beatty: "As I said, I've never heard of a judge being involved in a workman's compensation case where being hurt at work."

Speaker Lechowicz: "The question is 'Shall Senate Bill 923 pass?'. All in favor vote 'aye'. All opposed vote 'no'. Have all voted who wish? Marco, Marco... Have all voted who wish? Jenny, Jenny, get that row. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 99 'ayes', 47 'nos', 13 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 950. Take the Bill out of the record as a request of the Sponsor. Senate Bill 963, Mr. Giorgi."

Clerk O'Brien: "Senate Bill 963, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, I request leave that this be moved back to the order of Second Reading for the purpose of an Amendment."

Speaker Lechowicz: "The Gentleman requests leave of the House to bring the Bill back from Third to Second for the purpose of an Amendment. Hearing no objections, the



Bill's on Second Reading. Any Amendments?"

Clerk O'Brien: "Amendment #1, Giorgi, amends Senate Bill 963 on page 1 line 7 and so forth."

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

Giorgi: "Mr. Speaker, the Amendment specifies its service credit earned privately...abolition of the Civil Service Act which was superseded by the personnel ordinance and should be deemed validly credited for purpose of the retirement article. In other words, you go from civil service to personnel, you carry your time with you. And I move...urge the adoption of the Amendment."

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

Terzich: "Yes, Representative Giorgi, are you saying that if the civil service system is replaced by a personnel code that it is simply a continuation policy?..."

Giorgi: "..."

Terzich: "Any cost involved on this?"

Giorgi: "I don't think so. I think you ought to know the Pension Laws Commission approved 963 and 962..."

Terzich: "Well, I'm more interested in your approval than the Pension Laws Commission."

Giorgi: "I approve of it also."

Speaker Lechowicz: "Any further discussion? The question is 'Shall Amendment #1 be adopted?'. All in favor signify by saying 'aye', opposed. Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Third Reading. Senate Bill 964, Mr. Giorgi."

Giorgi: "Mr. Speaker, may I have leave of the House to take both 963 and 964... They deal with the same subject and the explanation applies to both."

Speaker Lechowicz: "The Gentleman asks leave to hear Senate





Bill 963 and '64. Hearing no objections, the Clerk will read 964...963 and '64 on Third Reading."

Clerk O'Brien: "House Bill 964, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill. House Bill 963, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, both Bills deal with the same subject and the same chapters in the state statutes. I know of no opposition to the Bills. Both Bills have been approved by the Pension Laws Commission, and I urge the support of the Membership."

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

Wolf: "Will the Gentleman yield for a question?"

Speaker Lechowicz: "He indicates he will."

Wolf: "Representative Giorgi, do I understand this that if a person is a chronic drunk and he is fired from his job that he gets his pension. Is that what this does?"

Giorgi: "I don't think that is the case. He goes on disability, and then they determine...the Disability Board..."

Wolf: "Right."

Giorgi: "...Determines the extent of his disability. Now, if you tell me that a guy that is on disability is also a drunk, I can't solve that problem."

Speaker Lechowicz: "Mr. Wolf."

Wolf: "Well, I'm just trying to...I'm trying to follow the digest here, and it...it says that..."

Giorgi: "It's just like..."

Wolf: "...It provides that ordinary disability benefits shall not be denied by reasons of chronic alcoholism. Now, to me, that means if a guy is a drunk, and they can't hire him from the job because he can't handle a job, he gets a disability pension. Is that right?"

Giorgi: "No, the book, if I understand the Personnel Code and



Civil Service Code, if you're a drunk, and you're drunk on the job, you're terminated without a pension. If another...if you are chronically ill and you go before the Disability Board, and you just happen to be a heavy drinker, that is not a condition to preclude you from the pension program. I urge the support of these Bills. They are both approved by the Pension Laws Commission."

Speaker Lechowicz: "Just for the record, I believe the Gentleman had unanimous consent to have 963 and 964 heard as a package, and they also suspended the appropriate rule as far as the...to...list the provision as far as having the Amendment being on the Members desks. This was immediately adopted prior to the reading of the Bill. And he did receive unanimous consent. The Gentleman from Cook, Mr. McCourt."

McCourt: "Well, Mr. Speaker, would the Sponsor of this Bill just once more for the record explain the Amendment? I mean, there was no opposition to this Bill...these 2 Bills originally, and it is true they were approved by the Pension Laws Commission, and also they received favorable consideration in the Pension Committee. But without the Amendment being explained, it might change the whole Bill. In fact, Mr. Speaker, possibly the Sponsor doesn't have the impact stay, but I think it is irregular for us to con...even consider this...this Bill until an impact statement has been presented, and for that reason, I am now filing a motion requesting an impact statement. There is no impact statement because and impact statement hasn't been necessary. These Bills are both, because of the change in some of the ordinances around the state where they go from a civil ser...Civil Service Code to a Personnel Code, and you're just pending language in the code that needs to be clarified up. In the case of the questions by J.J. Wolf, the...what it says what...is that a



in the event you have a disability, and because at the same time you might be a heavy drinker, there is also childbirth and ordinary pregnancy problems that are involved in this type of a pension claim. Now these claims all go before the Disability Board, and the Disability Board has to act on the claims. It's no different than what you are doing now."

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

Ebbesen: "Yes, Mr. Speaker, I would appreciate it if the Sponsor would take this out of the record until we get a chance to look at that Amendment, and then we could come back to it at a later time today."

Speaker Lechowicz: "Mr. Giorgi."

Ebbesen: "Would you do that, Representative Giorgi?"

Giorgi: "I'd gladly do it because Joe is on the Pension Laws Commission, and he knows what they did."

Speaker Lechowicz: "Are you taking the Bills out of the record? Out of the record. Senate Bill 977, Mr. McCourt, are you ready? Read the Bill. McCourt."

Clerk Leone: "Senate Bill 977, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

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

McCourt: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill makes certain changes in the Illinois municipal retirement fund so that the system will conform with the recent changes made in the Federal Social Security Act. It also provides that the surviving spouses annuity shall not be terminated by remarriage at age 55 or older. And also that chronic alcoholism is deemed a physical disability thereby guaranteeing a member for disability benefits. It also makes certain clarifications in the amount of money...in the investment that the system can make such as being able to invest in CDs and the like.

The annual cost is \$141,000 to all units of local



government. It is approved by the Pension Laws Commission, and I solicit your affirmative vote."

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

Robbins: "It's stuck on somehow. I don't..."

Speaker Lechowicz: "That's alright. That's fine. The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Well, I should ask Representative McCourt if he has an impact statement for this Bill. This is the same series that I was handling just a moment ago. Do you have an impact statement?"

Speaker Lechowicz: "Do you want to take the Bill out of the record, Mr. McCourt?"

McCourt: "I do have an impact statement. It has been filed, and there...the impact statement is \$141,000."

Giorgi: "Then the question to you is also the question Wolf placed to me. Are you going to give disability for chronic alcoholism as the caption...as the synopsis implies?"

McCourt: "Well, I had no objection to that...those former 2 Bill regarding chronic alcoholism. My question only was on the propriety of the Amendment that we were voting on something...we did not know which we were voting. So I...I understand that chronic alcoholism is now considered a disease. I have some misgivings about it, but I think we are just correcting the system to go along with the common medically excepted practice that is a disease. Although, to me, a drunk is a drunk."

Giorgi: "In as much as you are so honest and forthright, I'll support your Bill."

Speaker Lechowicz: "Th question is 'Shall the House pass Senate Bill:977?'. All those in favor 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 124 'ayes', 20 'nays', 5 recorded as 'present'. This Bill having received the Constitutional Majority is



hereby declared passed. Senate Bill 1019, Mr. Beatty."

Clerk Leone: "Senate Bill 1019, a Bill for an Act to amend Sections of the Probate Act, Third Reading of the Bill."

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

Beatty: "Mr. Speaker, Members of the House, this is a Bill that provides an optional basis for administering a state on a summary basis. It's optional. It applies to certainly family situations. It applies where the estate is \$50,000 or less. This Bill has been brought forward by the Illinois State Bar Association and Chicago Bar Association. It will work in compatibility with a Bill that was passed by Representative Getty dealing with the independent administration of estates. If a family elects to proceed on this basis, a distribution of the estate can be made within 30 days. It is believed that under this basis it will be less cost in the handling of estate, less attorney's fees, less red tape. If...under the provisions of this Bill people voluntarily go into a summary...administration the claimants are protected. The family is protected. If someone requires, and they feel there is not protection, they don't have to go along with this. They go into a normal probate."

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

Leinenweber: "I would ahve a cuople of questions of the Sponsor."

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

Leinenweber: "How does Senate Bill 1019 differ from the Bill that Representative Getty handled which was also a Bar Association Bill, I believe it was Senate Bill 269?"

Beatty: "Well, In one way I know that Bill that he has dealt with sums up to \$150,000. I didn't really study that Bill too much. I'd be glad to answer questions about



this one and try to answer them."

Leinenweber: "Well, there were... a number of objections to that Bill. There were a number of objections to this type of summary procedure which was aired 2 years ago by Judge Dunn of the...retired of the probate court of Cook County. Does Senate Bill 1019 address those issues which were raised principally, I believe, over a lack of surety bonds?"

Beatty: "There is a provision for a surety bond. It would be recognized in all cases to protect claimants or other persons having the right to participate... There is a provision for a surety bond."

Leinenweber: "I wonder if you could..."

Beatty: "Duffy says its alright."

Leinenweber: "Who says its alright?"

Beatty: "Mr. Duffy who represents the people that sell the surety bonds."

Leinenweber: "Alright, would you just briefly, for my edification, tell me how this procedure would work?"

Beatty: "Yes, I will."

Leinenweber: "Under the circumstances."

Beatty: "A petition is filed in court showing that the claims are paid or provided for and showing who are the persons entitled to the estate. The court order is entered authorizing distribution of the estate, but no executory administrator is appointed and no inventory or account is filed. That is the procedure... summary procedure where sums involved are less than \$50,000 where the family agrees to do it this way. It normally would have...apply where maybe the estate is held by a banker...they don't want to go into a probate. Maybe some of the assets are held in some other form, and everyone agrees...that there is... maybe there is just a widow and she shouldn't have to be probating an estate just to build up attorney's fees..."



Leinenweber: "Well, I share with you...I share with you the desire not to do that, but my question is what if there's an objector...what if someone, let's say a claimant who has a disputed Bill who does not list it, what are the procedures for forcing this into full probate?"

Beatty: "Well, if...it depends as what stage the claimant comes forward. There is a publication to notify claimants so that they...they are aware that there is a claim date..."

Leinenweber: "Is this the same claim date as with other estates?"

Beatty: "Well, I think it is a little earlier claim, but I don't have..."

Leinenweber: "How much earlier?"

Beatty: "I believe it is 6 months normally."

Leinenweber: "What is it under Senate Bill 1019?"

Beatty: "I think the claim date is the same only this allows the distribution prior."

Leinenweber: "It allows distribution before the conclusion of the claim date?"

Beatty: "On an affidavit that the claims have been provided for, or paid, or that there are no claims."

Leinenweber: "But what if the affidavit isn't accurate and someone finds out or misses the publication but finds out within 6 months, but after there has been distribution. Is he out in the cold or what is...?"

Beatty: "No, the...the...the persons who received the funds are liable for this sum."

Leinenweber: "What about...would the bond company be liable?"

Beatty: "Well, the bonding company would be, but they...I'm sure the bonding company would be nudging the people who have received the fund."

Leinenweber: "In other words, the bond is what would insure that...legitimate claims would be met. Is that right?"

Beatty: "I think that the bond is certainly a big help. Yes."

Leinenweber: "Well, is that the principle insurance?"

Beatty: "No, there is a basis here for...if the...there is a



basis in this administration, I believe, for filing a law suit. The claimant can file a law suit against the heirs who have the money."

Leinenweber: "Is there any reason why that a summary procedure like this couldn't be utilized under existing law?"

Beatty: "Well, there is a provision in for some of the administration now, but there are a couple defects in that. There's...there's no...in the present system under this statute there is no provision requiring a bank or a transfer agent to rely on the court order. In this case now, when the court order is issued, the banks can rely on this and feel that there is a certain surety there...that the...that the claimants will receive the funds that are due them, and then everyone is protected..."

Leinenweber: "Alright, my final question is, is Senate Bill 1019 an alternative to or would it...would the Governor be except..."

Beatty: "It's optional."

Leinenweber: "...Expected to sign both Senate Bill 1019 and Senate Bill 269, or one, or the other? In other words..."

Beatty: "They work together. The Bar Association has informed me that these are like...hand and glove with each other. The one is just the other, and I would believe that with the backing of the Bar Association the Governor would sign both of them. They are an improvement. They are option...optional."

Leinenweber: "Thank...thank you."

Speaker Lechowicz: "Any further discussion? The question is 'Shall Senate Bill 1019 pass?'. All those in favor vote 'aye'; all opposed vote 'no'. Jenny... Jenny... Jenny... Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 147 'ayes', 3 'nays', 7 recorded as 'present'. This Bill having received





received the Constitutional Majority is hereby declared passed. Senate Bill 1114. Excuse me. For what purpose does the Gentleman from DeKalb, Mr. Ebbesen, seek recognition?"

Ebbesen: "Yes, Mr. Speaker, Representative McCourt and I have met with Representative Giorgi and have withdrawn any objections to the 2 Bills, Senate Bill 964, 963, and if we could go back to that order of business I think they could be heard now."

Speaker Lechowicz: "Leave of the House. Hearing no objection, Senate Bill 9-6-3 and 9-6-4. Clerk, read both Bills."

Clerk Leone: "Senate Bill 963 is a Bill for an Act to amend the Illinois Pension Code. Senate Bill 964 is a Bill for an Act to amend Articles of the Illinois Pension Code, Third Readings of both of these Bills."

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

Giorgi: "Mr. Speaker, I explained both Bills earlier, and the objections that were raised by Representative Ebbesen and McCourt have been satisfied, and I urge the support of both Bills."

Speaker Lechowicz: "Any discussion? The ques...The Gentleman from Wayne, Mr. Robbins."

Robbins: "How many votes will this take? Doesn't this apply to Chicago and sets their pension rates, doesn't it?"

Speaker Lechowicz: "89 votes."

Robbins: "Doesn't it have...inhibit home rule?"

Speaker Lechowicz: "The question is 'Shall Senate Bill 963 and 964 pass?'. All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 131 'ayes', 15 'nays', 4 recorded as 'present', and these Bills having received the Constitutional Majority are hereby declared passed. Senate Bill 1114."



Clerk Leone: "Senate Bill 1114, a Bill for an Act to amend Sections of the Pension Code, Third Reading of the Bill."

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

Vinson: "Yes, Mr. Speaker and Members of the House, this is a Senate Bill that deals with the problem that is created when we put CETA employees on the same basis as other state employees. You have a person hired under general revenue funds, and he may have to be laid off before a person on CETA funds even though the CETA funds run out. And this corrects that situation. I urge an 'aye' vote."

Speaker Lechowicz: "Any discussion? Pardon me. Yeah, it's... clear the...we've got to clear the Board, guys. The question is 'Shall Senate Bill 1114 pass?'. All in favor vote 'aye', all opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 143 'ayes', 7 'nos', 7 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1123."

Clerk Leone: "Senate Bill 1123, a Bill for an Act to amend the Illinois Municipal Retirement Fund Article of the Illinois Pension Code, Third Reading of the Bill."

Speaker Lechowicz: "Gentlemen from DeWitt, Mr. Vinson."

Vinson: "I missed the Bill number, Mr. Speaker. Take it out of the record, please."

Speaker Lechowicz: "It's 1123."

Vinson: "Take it out of the record, please."

Speaker Lechowicz: "Out of the record, request of the Sponsor. 1124, Senate Bill 1124."

Clerk Leone: "Senate Bill 1124, a Bill for an Act to amend the Municipal Retirement Fund Article of the Pension Code, Third Reading of the Bill."

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

Beatty: "Mr. Speaker, Ladies and Gentlemen of the House, this



is a Bill put in by the municipal retirement system to assist the women in that system who are pregnant. It provides that Members who are pregnant are...it de...deletes the exclusion which kept pregnant women from collecting under the com...Compensible...dis... Temporary Disability Provision. So if this is passed, if a Lady is pregnant and she is a Member of the municipal retirement fund, she will be able to collect temporary disability benefits during the last period of her pregnancy. I think it is a fair provision, and I believe it that should be adopted. I don't think that would...I don't know how often this is needed, but when it is needed, it is important."

Speaker Redmond: "Representative McCourt."

McCourt: "Could I just ask a question of the Sponsor, Mr. Speaker?"

Speaker Redmond: "Proceed."

McCourt: "John, does the employee have to show any type of proof that she is unable to work for this 12 month period before receiving the disability benefits?"

Beatty: "She has to provide the same evidence of inability to work as anyone else that would be disabled."

McCourt: "She has to have a medical doctor show that she just can't work. In other words, it is more than just being uncomfortable before she gets..."

Beatty: "That is correct."

McCourt: "Thank you."

Clerk Leone: "Speaker Redmond in the Chair."

Beatty: "This is a similar Bill to one passed by Representative Catania, House Bill 870, which is in the Senate. I ask for your favorable vote."

Speaker Redmond: "Representative Leverenz."

Leverenz: "Representative, would he yield for a question?"

Speaker Redmond: "He will."

Leverenz: "At what age would these Ladies be on the pension system? At what age does it take effect?"



Beatty: "Fifty-five. If they have a child, whatever age they are at when they are pregnant, that when it is... It is a temporary payment of benefits to them while they are pregnant."

Leverenz: "Out...out of the pension?"

Beatty: "Out of their retirement system. That is correct, because they are disabled."

Leverenz: "And their...the earliest age to be on the retirement system would be what?"

Beatty: "Well, now you're talking about a different topic. When they can retire or receive pension benefits?"

Leverenz: "Right."

Beatty: "I'm not an expert on when they can retire. I know most of those pensions you had to be age 50."

Leverenz: "50, thank you."

Beatty: "With...yeah."

Speaker Redmond: "Representative J.J. Wolf."

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

Speaker Redmond: "He will."

Wolf: "John, I assume this stems from the federal regulations which require that pregnant women are entitled to disability pensions, and I don't know if you answered it in the previous question, but is there a certain time element or...in other words, it can't be from the first week they are pregnant obviously."

Beatty: "Well, it is the same as any other disability. I believe if for some reason they were medically disabled because of the pregnancy and they weren't able to carry on, I think in some instances it could apply at an early time. But normally it would not."

Wolf: "Okay, so they have to go before the Board and...they just require proof that they are physically disabled at that point in the pregnancy. Just being pregnant alone doesn't..."

Beatty: "That is correct. If..."

Speaker Redmond: "Anything further?"



Beatty: "I ask for a favorable vote."

Speaker Redmond: "Representative Terzich. Representative Terzich."

Terzich: "I'd like to know from the Sponsor, is this occupational disability or non-occupational disability? I mean, what happens if it occurs on the job? Would it be covered under workman's compensation, then?"

Speaker Redmond: "The question is 'Shall... Representative Beatty.'"

Beatty: "I've never heard of anything like this being considered under workman's compensation."

Terzich: "Thank you."

Speaker Redmond: "The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there is 136 'aye' and 13 'no'. The Bill having received the Constitutional Majority is hereby declared passed. 1196, Representative MacDonald."

Clerk Leone: "Senate Bill 1196, a Bill for an Act to amend Sections of the Illinois Plumbing License Law, Third Reading of the Bill."

Speaker Redmond: "Representative MacDonald."

MacDonald: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1156...1156...1196 was designed to meet the recommendations of the Governor's cost control task force. It would increase fees to offset program costs. It would increase plumber's license and manual renewal fees to \$25. They are now \$10. It would increase apprentice plumber's license, the original ones, from \$5 to \$15, and the annual renewal for plumber's license from \$5 to \$10. This Bill is supported by the AFL-CIO and by the plumber's union. The plumbing...Licensing Board which is comprised of licensed plumbers, plumber's contractors, and plumbing engineers, have indicated



that they, of course, do support this Bill, but that they will expect to have additional inspections, and they have been assured by the department that those inspections will indeed be forthcoming. So I ask for your support of this Bill."

Speaker Redmond: "Any...one in opposition? The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 139 'aye', and 7 'no', and the Bill having received the Constitutional Majority is hereby declared passed. Former Representative Ben 'Harpstrite' from the 55th District down here in front. 1268. Is Representative Woodyard back? Out of the record. 1357, Kelly."

Clerk Leone: "Senate Bill 1357, a Bill for an Act in relation to certain taxes on motor fuel used in connection with transporting students to and from schools, Third Reading of the Bill."

Speaker Redmond: "Representative Kelly."

Kelly: "Thank you, Mr. Speaker and Members of the House. This Bill, Senate Bill 1357, is regarding educational transportation, and it removes the 7½ gallon motor fuel tax from the carrier, and also it removes the RTA gasoline tax in that district. The...the proposal as it stands now would cover not only the public schools, but it would cover the parochial schools and...in giving them this benefit. The contractor would in effect pass on the benefits of the reduction to the various school districts. The enforcement under this Bill would be by the Department of Revenue with the same penalties as the occupational retailer's tax. The claims for reimbursements of the tax is made by the Department of Revenue, and the House Amendment which we adopted



in Committee requires that the funds are passed on to the various school districts. There are approximately 10,000 school buses operated in the State of Illinois for public schools, and they serve 1,038 school districts. The buses average 5 miles to the gallon of gasoline and travel approximately 70 miles daily. Therefore, based on this computation, there is a daily miles operate in Illinois is 700,000 miles. The gasoline is consumed is 140,000 gallons, and the daily motor fuel tax paid is 10,500. Now, this would amount to \$1,890,000 as a loss in the motor fuel tax fund. However, we all know that this total amount does not go just strictly for roads, and the impact of this Bill would be \$718,200, 718,200, and I would ask for a...your favorable support."

Speaker Redmond: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I think everybody ought to look closely at this piece of legislation. I have mixed emotions about taking the gas tax off of school transportation, but the Sponsor of the Bill has indicated that it is going to be a loss of 700,000 plus dollars. Now we're faced with a motor fuel tax fund that's depleted and broke right now. This is nothing but a transfer of funds from one public body to another. And the only real merit in this type of legislation that I can see, that it is a benefit to private schools that have buses. Sp I would ask you to look closely at this legislation and see if exempting these people will serve any legitimate purpose. I personally doubt it. Thank you."

Speaker Redmond: "Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, we're facing a real crisis in the road fund, and if there is ever a time we needed to keep \$750,000 in the road



fund, it is right now when we're scrambling to try to find money to even maintain our existing roads, and there is no one that demands good roads more than the school buses. I get as many complaints from them as anyone. As from one pocket to the other, actually the money available for schools has doubled in the last 7 years, and the money for roads has hardly increased at all. So I think this is a mistake, and I hope you'll vote 'no'."

Speaker Redmond: "Representative Simms."

Simms: "Well Mr. Speaker, Ladies and Gentlemen of the House, I rise in reluctant opposition to Senate Bill 1357 as the other 2 speakers have indicated. This is one case where you're robbing Peter to pay Paul. You're taking it out of one pocket and putting it into another. Our road fund in the State of Illinois is in serious decay. We have very serious problems. The Legislature in the past ten years has been extremely generous to the educational process of the school students of the State of Illinois. I wish the road fund were in as good of shape as some of those of the schools. But to take and to exempt from the motor school tax funds of the school buses very frankly is doing exactly what we have been doing before, and that is diverting funds away from the road funds and seriously jeopardizing what little is left of the road fund of the State of Illinois. And very frankly, the school buses do present a very serious problem with the weight capacity traveling over the roads. They need better roads and new roads, but they don't need the exemption of not paying the motor fuel tax. I suggest that this legislation is well intended. Representative Kelly, I'm sure, has the intention of all of the school children of the State of Illinois at heart. But frankly, this isn't the way to do it. I'm afraid





we're going to do more harm to the roads than what we...  
 little good that we can benefit the school children  
 of Illinois. For this reason I am reluctantly going  
 to vote 'no'."

Speaker Redmond: "Anything further? Representative Leverenz."

Leverenz: "Will the Sponsor yield for a quick question, Bill?"

Speaker Redmond: "He will."

Leverenz: "Dick, what problem might this have in the Department  
 of Revenue to keep track of the paper work? Any at  
 all?"

Kelly: "Representative, they are doing it presently right now,  
 and they wouldn't have a...an...a problem because  
 they are doing it right now with the similar area  
 under the occupational retailer's tax."

Leverenz: "Thank you."

Speaker Redmond: "You ready for the question? Representative  
 Kelly to close."

Kelly: "Mr. Speaker and Members of the House, I'd just like to  
 close by pointing out that this does provide what I  
 consider moderate relief to not only the private schools,  
 but the public schools in Illinois by eliminating this  
 7% gasoline tax and also by eliminating the RTA tax  
 in the RTA region. And I know that one of the big  
 hang-ups which was pointed out by my colleague on  
 the other side of the aisle is that this does provide  
 benefits to private schools in Illinois, and I think  
 this is good that it provides it because I think  
 there is a need in this area. I know that there is  
 a great many parents who are sending their children  
 to private schools who do not receive the benefits and  
 yet their taxes are being paid into the system in  
 Illinois. And I want a separation of church and  
 state, but at the same time the public school system  
 could not accept if all the students transfer  
 from the private system into it. There would be no  
 way that they could handle that type of responsibility."



Ladies and Gentlemen, I think that fairness is the number 1 doctrine here, and I also think that education should be the number 1 priority. And if you want to vote for education, then I would ask you to join me in supporting this measure."

Speaker Redmond: "The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Kelly, for what purpose do you rise?"

Kelly: "Mr. Speaker and Members of the House, I also wanted to point out one other aspect, and that is that the schools are...that are paying this, they're a taxing body. And to me, this is a form of double taxation where one taxing body is paying taxes to begin with. So this would help to eliminate a form of double taxation, and I feel it would be very beneficial to the schools in Illinois across the state. Thank you."

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

Winchester: "To explain my vote, Mr. Speaker."

Speaker Redmond: "Proceed."

Winchester: "The reason I am voting 'no' on this piece of legislation is that Representative Kelly failed to point out one important fact. He did mention that the road fund would lose approximately \$700,000, but what he failed to mention that of the motor fuel tax monies at 7½%, 60% of that money goes back to municipalities and county governments. And if this piece of legislation passes, that means that not only will the road fund lose money, but also municipalities and county governments who also desperately need this money for the operations of their...their streets, and their potholes, and everything else. So, I ask all the Membership to take a good hard look at this piece of legislation, particularly at the time when we are trying to



find other mechanisms to generate more money, here is a Bill that is taking the money away. Thank you."

Speaker Redmond: "Have all voted who wish? The Clerk will...the Clerk will take the record. On this question there's 75 'ayes', and 64 'no'. Representative Kelly."

Kelly: "I think we'll put it on Postponed Consideration."

Speaker Remdmond: "Postponed Consideration. 438, Representative Farley."

Clerk Leone: "Senate Bill 438, a Bill for an Act to amend Sections of the Unemployment Insurance Act, Third Reading of the Bill."

Speaker Redmond: "Representative Farley. Farley back there?"  
Out of the record. 590, this was marked on here to take that...take 278 out of the record. Did you take that out earlier? Representative Waddell."

Waddell: "It wasn't by me."

Speaker Redmond: "Well, I'll get back to it. 590."

Clerk Leone: "Senate Bill 590, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Dangerous Drugs Commission, Third Reading of the Bill."

Speaker Redmond: "Representative Ebbesen. Out of the record. 1251, Representative Taylor."

Clerk Leone: "Senate Bill 1251, a Bill for an Act to create the Youth Incentive Entitlement Pilot Program Act, Third Reading of the Bill."

Speaker Redmond: "Representative Taylor."

Taylor: "Mr. Speaker and Members of the House, Senate Bill 1251 created the Youth Incentive Entitlement Program...the pilot program. It would be implemented in areas where unemployment rates are 25% above, and the students would be in the age from 16 to 21. We hope that this type of legislation would guarantee high school students to stay in school. I would solicit your support for Senate Bill 1251."

Speaker Redmond: "Any discussion? Representative Leinenweber."



Leinenweber: "Yeah, Mr. Speaker. There is probably a lot of justification for passing this Bill because of the actions of this House and in Congress in continually raising the federal and state minimum wage which puts young people out of the part-time and full-time job market. However, I believe that inasmuch as we have decided to cause unemployment in this area with our legislative programs, I don't know why we should be inconsistent and vote to spend I believe a half of a million dollars for this pilot program to try to put the people that we have deliberately put out of work back into a job. So I would have to urge a 'no' vote."

Speaker Redmond: "Representative Hanahan."

Hanahan: "Mr. Speaker and Members of the House, I rise in support of this legislation in deference of my colleague from the other side of the aisle that speaks demeaning of the issue of minimum wage. I am sure that he would like to regress back to the days of the sweat shops and days of exploitation of the bygone era. The fact that we have high unemployment could be laid to blame solely on the shoulders of the Republican administration and their theories that high interest rates and high...high unemployment is somehow good for business, and somehow, us Democrats have to save them from themselves by casting good legislation such as this."

Speaker Remond: "Representative Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think the last speaker's explanation and response to urge those to vote for the Bill is probably the best reason not to vote for it very frankly. All we're doing is establishing another youth...a youth incentive entitlement program for the State of Illinois. We're creating another program to allocate more money, create another bureaucracy, and this is



exactly what the Democratic administration in Washington, D.C. has...trying to do and is trying to have perpetuated over the past 20 years and has got this country into a place where we're almost in a recession. So if this is the type of politics that you want that the advocates of the Democratic party want is a recession, go ahead and vote for this type of garbage."

Speaker Redmond: "Representative Ebbesen. No demonstrations."

Ebbesen: "Yes, Mr. Speaker, I'd like to yield my time to Representative Hanahan. There was so much booing I didn't hear what he said. If he would like to repeat it."

Speaker Redmond: "Anything further? Representative Schneider."

Schneider: "Thank you, Mr. Speaker. Question of Representative Taylor, and the question is are there allocated monies for the program? Are there appropriations?"

Speaker Redmond: "Representative Taylor."

Taylor: "Yes, there is money for this program."

Schneider: "Where is it?"

Taylor: "It is in the...I think the incentive program section of that budget. The department testified on behalf of the legislation."

Schneider: "Which department?"

Taylor: "No, no, not public...It is the...I don't have the answer right now, Representative..."

Speaker Redmond: "Representative Balanoff."

Schneider: "Hold it, I'm not done."

Speaker Redmond: "Wait a minute now, she...she's going to furnish the information. Oh, I thought she had the answer. Representative Schneider."

Schneider: "Thank you again, Mr. Speaker. Well, if we could be sure that the money is there, I don't see why we should not support the program. There is intention, I think, from the Illinois Office of Education to support a program called 'high impact training for economic



development', but it doesn't have the restraints of age that Representative Taylor had placed in his Bill. I think he said it was 16 to 21. I would presume that that is acceptable for the Membership should they decide that, but I think it would be more important if we expanded it. However, I think IOE had intended to allocate \$2,000,000, but I don't believe that went in. The other item, if it's correct, as Representative Hanahan is indicating that it probably in the Department of Public Aid, and I think we can support the Bill as long as there is allocations for it."

Speaker Redmond: "Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to correct one Gentleman on our side of the aisle. He was stating, Representative Simms stated earlier that it was a youth incentive program for the State of Illinois. Well, if you'll check your synopsis closely, it's for counties of over 3,000,000 in population. So the way I would see it, it should be the youth incentive program for Cook County. And, or we could also call it the Cook County CETA Program. And I would ask the people on both sides of the aisle to band together and defeat this. Thank you."

Speaker Redmond: "Representative McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This...this Bill that has been exaggerated now by both sides of the aisle passed out of the Labor Committee 13...13 'aye' votes, no 'nay' votes, and 1 voting 'present'. We're talking about a pilot program, federal monies. It is a youth incent...incentive entitlement pilot program. What we're trying to do is get the youth in areas where there is high unemployment, 25% or more unemployed. We're talking about a depression level unemployment



We're not talking about Cook County. If you would read your digest, and the previous speaker that talked, if he would read his complete digest, he will see that that revision was deleted and it applies to all areas of the state that meet the required criteria of unemployment, age, and poverty. This... this Bill was not controversial in Committee, and it should not be on the House floor. It really does get to me occasionally when we get up and exaggerate a Bill. Last...2 weeks ago it happened when we had an 11¢ increase and the minimum wage, and it was called inflationary, 11¢ an hour. And now we are trying to exaggerate on this same Bill here. This is a program to help the youth. We constantly talk about giving a person an opportunity to raise himself up. We're constantly talking about trying to get people off the unemployment role, and here is a chance to do that. Here is a chance to give a young man and a young woman an incentive to stay in school at the same time they are put to work. Now on the public dole, not on charity, but put to work. It's a good program. I don't think either side of the aisle should exaggerate on it. I think it ceratinly deserves our support."

Speaker Redmond: "Representative Taylor to close. Representative Birkinbine."

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

Speaker Redmond: "He will."

Birkinbine: "Jim, do I remember right that in Committee we asked if you would put a self-destruct or a sunset Amendment onto this Bill?"

Speaker Redmond: "Representative Taylor."

Taylor: "Representative Boucek (sic), we did put that self-destruction clause on the Bill. It's September, 1981. That was put on the Bill just a couple of days ago."



Speaker Redmond: "Representative Gene Hoffman."

Hoffman: "Thank you, Mr. Speaker. I have a question of the Sponsor."

Speaker Redmond: "Proceed."

Hoffman: "Did I hear you correctly, or was it someone else who said that this is a federally funded program?"

Speaker Redmond: "Representative Taylor."

Taylor: "Part of the money is federally funded monies."

Hoffman: "The way I read my...my analysis it indicated that it was a state guaranteed program, and that we had the authority to use state, local, and private sources."

Taylor: "Some of the money is CETA funds. It's federal money, and that will be a million dollars, I think, that is in the program for this type of program."

Hoffman: "Alright now, who is going to administer this program then, Representative Taylor?"

Speaker Redmond: "Representative Taylor."

Taylor: "Well, my Bill called for the Department of Labor and Manpower, but I think on this one it might be the Governor's Office of Manpower."

Hoffman: "GOMAD."

Taylor: "Yes."

Hoffman: "It is going to be handled by them, and the idea... Is the idea behind this to backfill CETA programs when the federal money for CETA expires, then this would come in and fill in its place?"

Taylor: "This is actually money for this purpose. That's for this purpose."

Hoffman: "Alright, fine. Thank you very much. I think it is important to point out for those of you who may not be aware of it, that the...the life of CETA is, at the very best, limited. And so this is a move, or an effort, I guess one would say, to move the state into similar kinds of programs. And I suppose if you think CETA has been a good thing and has





been helpful; you probably ought to support this. If you think contrary, you probably should oppose it."

Speaker Redmond: "Representative Taylor to close."

Taylor: "Thank you, Mr. Speaker and Members of the House. I am surprised that one of the Legislators from Cook County, who happens to live in the area of Harvey, one of the most crime-ridden areas in the State of Illinois is in Harvey. Many, many poor people live out there and need this kind of service. I have continued to introduce this kind of legislation to help high school students. We need them. Do you think it is better to pay \$3 an hour or put them on public aid? I say to you it is better under this program to train them and give them the opportunity to earn decent wages, to learn their work and do their jobs. I say it's a fact that if you want to, and want to set them back again, then you'll vote against this Bill. This is the kind of legislation that you need in the State of Illinois to help our students, help them to be productive citizens so that they can pull themselves up by their boot straps. You're doing everything that you possibly can to cut back. This is the only chance that I had to give something good to the kids that have already been somehow approved by the man on the second floor. I solicit your support for Senate Bill 1251."

Speaker Redmond: "The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 104...10 'aye' and 42 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 940, Representative Dawson."

Clerk O'Brien: "Senate Bill 940, a Bill for an Act making an appropriation of the Capitol Development Board, Third



Reading of the Bill."

Speaker Redmond: "Representative Dawson."

Dawson: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 940 appropriates \$5,000,000 as amended in Committee to be a loan, not a grant, for Chicago Regional Port District. This \$5,000,000 is necessary for the completion of the facilities known as Iroquois Landing. There has been a \$10,000,000 loan that was given before, and that has been basically exhausted for the \$7,000,000 for the land. And we ask for a favorable Roll Call."

Speaker Redmond: "Any discussion? The question is 'Shall this Bill pass?'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 122 'aye', and 23 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 1396, Emil Jones, 1396."

Clerk O'Brien: "Senate Bill 1396,..."

Speaker Redmond: "Out of the record. Representative Yourell. Representative Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1396 authorizes that the reimbursement to the County Clerk and Boards of Election Commissioners, except in Chicago which is not involved in consolidations of elections, this is only the municipal officers elected. This was part of Senate Bill 1247, and I ask for a favorable Roll Call on Senate Bill 1396."

Speaker Redmond: "Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1396, a Bill for an Act making appropriations to the State Board of Elections, Third Reading of the Bill."

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



take the record. On this question there's 133 'aye', and 18 'no'. The Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 100."

Clerk O'Brien: "Senate Bill 100, a Bill for an Act to amend Sections of the School Code, Third Reading of the Bill."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 100 was amended on Second Reading as some of you will remember, in a way so as to consolidate a number of Bills that were offered on the subject of pupil transportation by a number of interested Members including Representative Steczo, Representative Yourell, and Representative Huskey. Senate Bill 100 is just about in the same form as House Bill 96 which just passed the Senate earlier today. What it does is provide with respect to transportation of students within a mile and a half of the school. It incorporates the provisions suggested by Representative Huskey in his Bill that in counting or determining the mile and a half you start at the exit of the property or where the pupil resides and you go to the place where pupils are normally unloaded at the school, and you count the distance along the normally travelled roads or streets. Then what the Bill does is provide permissibly that a local school district may, if they want to, provide transportation for pupils residing within the mile and a half if they determine that walking, if the conditions are such that walking would constitute a serious hazard to the safety of the pupil due to vehicular traffic. Now, this determination is made by the local school board in accordance with guidelines promulgated by the Illinois Department of Transportation in consultation with the superintendent of education. Then the De-



partment of Transportation reviews the local school board findings, and they may either approve them or disapprove them within 30 days. If they approve them, annually the school board will have to review them to make sure that they are still hazardous from year to year. In the event that the department would reject or disapprove the local school board determination, the Bill does include administrative reviews so that the school board, if they really felt that they wanted to review this decision, could go to the circuit court if they felt that walking was still a safety hazard for the children. Finally, the Bill does include a provision that in measuring the mile and a half, if the pupil is located at somewhere other than his residents for child care purposes such as either at a day care center, or at a relative's house, or grandmother's house, why, you would count the distance beginning at where the child is at the time the school bus arrives. As I say, this is just about the same as House Bill 95, ...or 96 rather that passed the Senate today. I would be happy to answer any questions, and I would urge the...your favorable 'yes' vote for Senate Bill 100."

Speaker Redmond: "Any discussion? The question...the question is 'Shall...Representative Ewing.'"

Ewing: "Mr. Speaker, does this have...will the Sponsor yield for a question?"

Speaker Redmond: "He will."

Ewing: "Does this have any requirements that the pupils be bussed from outside their district?"

Speaker Redmond: "Representative Deuster."

Deuster: "No, Sir."

Ewing: "That's another Bill?"

Speaker Redmond: "Representative Pullen."

Pullen: "~~Will the Sponsor yield for a question?~~"



Speaker Redmond: "He will."

Pullen: "Is it not the case, Mr. Sponsor, that a school board may now bus for hazardous...for safety hazardous purposes even if a child lives within a mile and a half, but that they would have to take it out of their own funds?"

Deuster: "Yes."

Pullen: "So what this Bill really does, then, is to encourage safety bussing by having the state pick up the tab for safety bussing."

Deuster: "Yes, it does, and the reason is because there is nothing more important than the safety of children. You can't educate them if they are killed on the way to school."

Pullen: "Well, I certainly think that the local school boards probably agree with that and will be doing it on their own without this Bill. Thank you."

Speaker Redmond: "Further discussion? Representative Davis."

Davis: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative Deuster, I don't think this Bill has got a whole lot better since 96 passed, and even though passing the Senate today. I have severe problems that this Bill would address, and I would like to vote for it. However, can you answer this for me? In the Bill, are there subjective criteria or absolute criteria for determining a safety hazard in a district?"

Deuster: "That's a very good question, Representative Davis. The question is 'Are there objective or subjective criteria.' The basic criteria is whether conditions exist so that walking to school would constitute a serious hazard to the safety of the pupil. That determination would be consistent to guidelines that would be developed by the Department of Transportation. The reason...the original Bill let that be determined solely by the school board without any guidelines, and of course, it was feared that the local schools, of course, they would want to transport everybody and get their



money. So that we wanted to draw this Bill in as tight of fashion so we have the Transportation Department, that was felt by everyone who put their heads together on this subject, would know the best about whether walking along a road was dangerous, and that the Bill does require that they consult with the state superintendent of education. So those guidelines, we would hope, are not too loose, but are pretty tight, and as far as the criteria, it is whether walking is a serious safety hazard due to vehicular traffic."

Davis: "I understand that, and I think this is...that is a fine refinement. And that...it is making the Bill a little bit better. Let me ask you this, Representative Deuster, secondly, since we are only funding transportation now, the school districts at about 80...86% of 80%, is there anything in this Bill, in Senate Bill 100, that would set up a special situation case through funding of transportation for this purpose? Since there is no question that if we are only funding at that level now, we can pass all of the Senate Bill 100's and House Bill 96's we want, but we may not have any money to follow it. The question is is there a special fund going to be allocated to these districts that are designated hazard areas?"

Deuster: "No, there is no special fund. Actually, some years ago, the provision for transporting pupils had no distance requirement at all. We came up with a mile and a half which was kind of an arbitrary figure, and this Bill is designed to put a little bit of flexibility into the mile and a half. But we have not complicated it by setting up for a special fund. We have provided for annual review, and I've indicated all along as the House Sponsor at least, that if this Bill gets abused, or if it does indeed open Pandora's box financially, that I would be the first one to come in and tighten it up. I am just trying to, all of the Sponsors, Representative Stenzel, and



myself, and Senator Schaffer to...to...to allow a little bit of leeway here from that strict arbitrary mile and a half determination."

Davis: "Thank you, Mr. Sponsor. To the Bill, Mr. Speaker, if I may..."

Speaker Redmond: "Proceed."

Davis: "Mr. Speaker and Members of the House, I am going to support the Bill and vote for it simply because I do have those problems in my district, but I fear that once again we are holding out hope to districts and holding out hope to those districts especially in the burgeoning development areas of the collar counties that have no sidewalks, and that have road problems, and have collection problems in the rural developing areas. We're holding out hope to them that they are going to get money for picking up students under the mile and a half...limit that we have now. I don't think that hope's valid, but in the hope, again, of mine, that perhaps we can address that issue next year, I'm going to support the Bill."

Speaker Redmond: "Representative Leverenz, are you seeking recognition? Do you desire to address the Assembly?"

Leverenz: "No, Sir. I'm getting my orders."

Speaker Redmond: "Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. Will the Sponsor yield? I presume he will yield. Don, my concern about this Bill is that by granting the authority to any school board to provide free transportation within the mile and a half limit, I am not so concerned with the discretion of the school board, but aren't we placing school boards in jeopardy. And what I am referring to is this, I have received at least 20 phone calls in the last year as a Legislator from people who irately are demanding the right for their children to be provided free transportation in areas which they personally consider are dangerous areas. In fact, one of these areas is in the Round Lake area in your district. Are aren't we really opening up the door



so all sorts of people will now go running to the school board literally driving them out of their minds demanding the right of free transportation for their students...for their children who live within this one and a half mile radius."

Deuster: "That is the concern that...of the Sponsors of this legislation as well as you share, and we have done our best to tighten it up and to control it and restrict it. The Bill that we passed out of the House left it entirely... the initiative entirely in the local school board. What we have done in working out the Amendment here is to take the initiative away from the school board to this extent by saying that the guidelines first come from the executive branch here that should be concerned with budgeting and controlling the expenditures so I think that we've gone back and tightened it up enough to avoid that willie-nillie idea on the part of 'Oh boy, let's run in and transport all the kids.', and I'm confident that the Transportation Department and the superintendent of education will come up with some pretty stringent, but reasonable guidelines."

Speaker Redmond: "Representative Hallstrom."

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

Speaker Redmond: "The question is 'Shall the main question be put?'. Those in favor vote 'aye'...say 'aye', 'aye', opposed 'no'. The 'ayes' have it, motion carried. Representative Deuster to close."

Deuster: "The Bill has been adequately discussed in my opinion on Second Reading and Third Reading. I think it is a responsible approach to a very important problem related to the safety of our school children, and I would urge your favorable vote and thank you in advance for it. Thank you."

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





Gene Hoffman, one minute to explain his vote."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just point out to you that there is no separate appropriation for this. Any funds that would be generated by this program would have to be taken from the regularly appropriated transportation funds or regular students. Representative Pullen pointed out very well that any local school district that wants to do this can, and many of them do where necessary, transport these people, these children at their own cost. And for that reason, I must oppose the Bill."

Speaker Redmond: "Have all voted who wish? Representative Walsh, LaGrange Park."

Walsh: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, in addition to the points that have been made and the one that is best, it seems to me, is the one that says that if this is done, then school districts presumably who do not have the problem are going to suffer because the dollar amount appropriated for transportation remains the same, and some districts are going to get more, and others must get less if some get more. But I like to point out that where...petitions are made, where they're supposed to be, are presumably a hazardous situation. I am afraid the office of education is going to be in a position where they have to approve it. Can you imagine their predicament if they did not approve it and an accident happened. And of course, some things are hazardous and not very visibly hazardous, but you can't tell what is going to happen. So we're going to be in a situation where school board automatically approves these situations in order to protect their dollars and in order to protect their election because nothing is more sensitive than transportation. The parents are after the school boards all the time to try to stretch this thing. In essence, there is nothing we can do with this one and one half miles. We have worked on it and thought about it."



It really must stay in the law. We can't extend it one inch because if we did, somebody would want to suspend it two. We are opening the door to very serious problems here. It would be a mistake to pass this Bill, and I urge you to vote 'no'."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 110 'aye', and 29 'no'. The Bill having received the Constitutional Majority is hereby declared passed. 101."

Clerk O'Brien: "Senate Bill 101, a Bill for an Act to amend Sections of the School Code, Third Reading of the Bill."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House, there is an Amendment which has been distributed, and I would ask leave of the House to return Senate Bill 101 to the order of Third Reading."

Speaker Redmond: "...Gentleman have leave to return 101 to the order of Second REading? Hearing no objection, Leave is granted. Read the Amendment, Mr. Clerk."

Clerk O'Brien: "Amendment #1, Deuster, amends Senate Bill 101 on page one, line one by changing Section 29-5 and so forth."

Speaker Redmond: "Representative Deuster on the Amendment."

Deuster: "Yes, Amendment #1 is really a reincarnation of Senate Bill 1310 which passed the Senate 38 to 13 and got lost in the shuffle over here as a result of our deadline activities. What Senate Bill 1310 and Amendment #1 do is also to deal with the transportation of school pupils. In this case, it is not only public school pupils, but those who might attend private schools. this Amendment is an Amendment to the School Code which calls upon and requires all school districts with a population of less than 500,000 to provide free transportation to pup... resident pupils who attend public or non-public schools located up to ten miles outside the district within which hte pupils reside. What this...this does not require that pupils be transported through districts that do not provide any transportation. What this Bill...this Amendment will do is to bring about and require coordination



in the transportation of private school students who might live just beyond the school district boundaries but not beyond the 10 miles. Again, this Bill...this Amendment is designed to deal with the arbitrariness of the district school boundaries. The Amendment does state... include a statement of public policy that for the reasons of health, safety, and welfare of all of our children attending any school, kindergarten through 12 that they be afforded safe and convenient transportation. I would make a couple of comments, first of all, the City of Chicago is excluded from this Amendment because they have the CTA. They have adequate public transportation which is used for transporting the Chicago children to their schools. But the private students around the state don't have the CTA, and that is the reason that the Bill mainly applies to the rest of the state. There are 2 questions that most Members might have: what would be the cost of this, and secondly since it does involve private school students, is it Constitutional? As to the cost, a survey was made of the private schools 2 years ago indicating that about 25,000 would participate in the provisions of this Amendment or law if it were enacted. I had a cost of \$125 a pupil. That comes to about \$3,125,000. So the cost of this would be about 3,000,000. The second question is the constitutionality. I have a legal opinion here. There is a Pennsylvania case just this last year, 1978, dealing with an almost identical system of...of pupil transportation that was held constitutional. I would be happy to answer any questions. I would ask you for your support in adding Amendment #1 to Senate Bill 101."

Speaker Redmond: "Any discussion? Representative Schneider."

Schneider: "Well thank you, Mr. Speaker and Members of the House. There are a few things to be clarified on Representative Deuster's presentation. One is House Bill 1310 was not called in Committee because the Sponsor chose not



to call it. It was not lost in the shuffle. The Sponsor knew and had the opportunity on 2 or 3 occasions, I'm sure, to call the Bill. So..."

Speaker Redmond: "Please give the Gentleman order...please."

Schneider: "...So indeed it is the prerogative of the Sponsor to call the Bill. He did not call it in the Committee, and I have no fault with that, but I don't like that as being described by Representative Deuster in a kind of a catch-all phrase as being lost in the shuffle. There was adequate time. The Committee got an extra day like any other Committee. We had time left. We could have dealt with it at any...systematic fashion. So number 1, I think that's not accurate. Secondly, Representative Deuster requested at...of the Chair of the Committee to have 101 taken from the Committee and placed on the floor Second Reading. I consulted with the Republican Party, Representative Anderson in particular, and we agreed that 101 as it came out of Committee on that motion was a fair and equitable proposal, deserved to be heard, and truly was lost in the shuffle. There are 2 concepts before us that I think we should not accept. One is that the original Bill was lost in the shuffle. It indeed was not. Number 2, 101 deserved to be heard, was amended into 100, strengthened that Bill considerably, and deserved the vote that you got a minute ago. Now after 1980, and to its content, there are a lot of problems with that. We are now talking about a budget regarding regular and 'both' transportation that 1977 fiscal year reflected \$36,444,000. F.Y. '78 went to \$39,750,000. The request by IOE for f.y. '80 was \$58,500,000. Representative Deuster's estimates of \$3,000,000 is way under from what is reality. 350,000 non-public students at the figure that he estimates would give us the range of up to \$100,000,000. But if you take 1/3 of that, we are talking about 14,000,000 more new dollars, and the preposterous notion that we ought to deal with kids 10 miles



out of a district, I think, is a true absurdity. If there's...is there is a lack of definity between a mile and a half as the law stands today, we lack the same definition for what 10 miles is. Kids will be riding on those buses that come to school from all kinds of directions and all kinds of distances, but the true inequity is that we don't have the money to even deal properly with transportation in Illinois today. We need a new formula which has been delayed another year, and now we're asking, after we passed a Bill a minute ago, 100, which will increase the cost to further add that cost. This Bill 1310, in its original form, in the Amendment is a bad proposition. The fact is the Sponsor knew it. He couldn't present it to the Committee in that condition, and now he's come to the floor. I hope that we defeat the Amendment resoundingly."

Speaker Redmond: "Representative Anderson."

Anderson: "Yes, Mr. Speaker, I too rise against this Bill. 'BOB' on this particular Amendment. BOB has estimated that the additional cost will be somewhere between 14 and 130 million dollars. We can ill-afford this when we're not funding transportation at its full level now. The only thing I can say good about this Amendment is that it is... there is a Section in it that refuses to transport students from outside the State of Illinois. I urge you to vote against this. I am really surprised at Representative Deuster for bringing this up."

Speaker Redmond: "Anything further? Representative Gene Hoffman."

Hoffman: "Thank you very much, Ladies and Gentlemen, Mr. Speaker. I, too, rise in opposition to this Amendment. I am personally very surprised at the way the Sponsor has handled this Bill and the way that he has dealt with the Chairman and Minority Spokesman. of what I think is an extremely fine Committee. And for a Gentleman whom I believe to be an honorable person to succumb to the kind of pressure that he apparently did to do this to those of us who supported his motion to discharge this Committee. the



Committee of the Bill as 101 was originally introduced comes to me as a great surprise. If you'll look at the merits of the proposal, I think they speak for themselves the ridiculous notion that any local school district is in any position to bus someone 10 miles outside of their district which is probably beyond any kind of coverage that they have in terms of insurance, in terms of the ability to pay the transportation coop is the notion at best...is ludicrous. Therefore, I rise for those reasons to oppose the adoption of this Amendment."

Speaker Redmond: "Representative Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, I, too, rise against this particular Amendment. You have no idea of the enormity of the cost that would be entailed by adopting this Amendment. You're telling the school districts that they must now pick up students outside the regular school district, that they're going to take them between 1 school district, drop them off, have the other school district pick them up. There is no concept as to the logistics of this kind of problem. You can't take small children and drop them off on a school district line which might be out in the wilderness somewhere. You're now going to have the problem of routing the buses, the buses have got to go from the school out to pick up these students, take them all the way to the line, another bus has to pick them up, bring them back across the school line, and it is an impossible logistic problem. It would take 3 and 4 hours for these students to work out this kind of logistics problem, and I suggest to you, Mr. Speaker, it's a bad Amendment because there is no reason, no sanity why this should be done. If there is a prevailing reason why a student wants to go to a particular school, then it is his obligation to live somewhere near the district. But to transport them in this fashion would make it logistically impossible for the various school districts to pick up and transport these various students.



It is impossible simply because you're going to now have what's known as the student transfer problem. And this is worse. I think it is a very bad Bill. It will cost enormous amounts of money and bring tremendous liability and problems to the school district, and it deserves a resounding defeat."

Speaker Redmond: "Representative Polk."

Polk: "Mr. Speaker and Ladies and Gentlemen, I'll be extremely brief. This indeed is a Lazarus Bill. It has been resurrected from 3 different times, but certainly when... with...certainly we did not know that it was going to be resurrected. I think it is possibly going to be dead and buried properly now. The only thing I want to point out that you want to be...be very concerned about in relation to that one Section is not transporting the children across state lines. I don't think any of us want our kids going into Wisconsin because according to Griesheimer, there may be war there soon."

Speaker Redmond: "If there is we'll send the Marines. Representative Deuster to close. Representative Mahar, pardon me."

Mahar: "Yes, thank you, Mr. Speaker. I think that is a good use for the naval militia."

Speaker Redmond: "Representative Deuster."

Deuster: "First, Mr. Speaker and Ladies and Gentlemen of the House, a word about my honor. The...the Chairman and senior Republican on the distinguished Education Committee upon which I would be serving if I had my way really, it is a fine Committee, both suggested that they were surprised that I would offer this Amendment. I am reminded of Noah Webster who was caught kissing the maid by his wife and she said, 'Noah, I'm surprised.', and he said, 'No, you're not surprised, I'm surprised. You should be astonished.'. And so really Representative Schneider, and Hoffman, and Anderson should be astonished. I suppose rather than surprised about this. Actually I want to say this, all I am doing is what the Senate Sponsor



of this Bill is suggesting that I do. All of us pick up Bills, or handle Bills that have been introduced by somebody in the other chamber and they come over here, and in good faith, you should work cooperatively with that Senate Sponsor and present that Bill in the way that Senate Sponsor wants. That's what I am doing here. At the time that I picked up Senate Bill 101 and brought that through Committee and moved to discharge it, I had no idea, and that's the truth, I had no idea that the Senate Sponsor would later, when the Bill got to Third Reading, ask me to take it back and offer an Amendment. So I don't believe that I have done anything to try and deceive the Committee, and I'm sorry that impression went into the minds of the Chairman and the Republican Minority Member. Now, as to the Bill and the merits of the Bill, one of the things we've got to do with this fuel crisis is to arrange for more use of school buses and transportation, you might call it mass transportation, rather than having the private automobile running around willie-nillie all over our districts. I've worked on this subject for a number of years, and what this Bill will bring about is some cooperation between the public school districts and transporting private students. It might be that one district will run some students that live in their district out to a parochial or a Lutheran school a few miles beyond their district. The bordering district might similarly run another bus line into theirs. It can be worked out cooperatively and harmoniously, and if that is done, the cost will be very minimal rather than the wild guesses that people have made. I think that it...the Bill...the Amendment has been discussed adequately. I present it to you, and I believe that it will help us very much provide for the trans...safe transportation of our non-public school students in the same way that we do for our public. And I would appreciate your favorable vote in support of Amendment #1 to Senate Bill 101."





*Miss Hunt 10/1*

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment #1. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Representative Huskey."

Huskey: "Well in explaining my vote, Mr. Speaker, the...again we're coming on the ur...borderline of private schools and public schools. The private schools have, for years, bussed their own children, and they've done a good job of it. I don't...I don't see why we have to interfere in their operation with our state supported schools. If there is certainly no crying need, I don't hear any voices, no one has written me a letter asking me to have private schools... that's all. I am happy to see those red votes up there. Let's get more of them."

Speaker Redmond: "The Clerk will take...the Clerk will take the record. On this question there's 64 'ayes', 76 'no'. Representative Deuster. Representative Deuster."

Deuster: "Well, it is very important for a number of other people besides myself, and for that reason I would ask respectfully for a Poll of the Absentees."

Speaker Redmond: "The Gentleman has requested a Poll of the Absentees. Representative Schneider requests a verification of the Affirmative Roll Call. When as and if that time comes. Poll of the Absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the Absentees: Alexander, E.M. Barnes, Bianco, Bluthardt, Borchers, Breslin, Capparelli, Chapman, John Dunn, Ewing, Flinn..."

Speaker Redmond: Representative Chapman, for what purpose do you rise? No...Chapman."

Clerk O'Brien: "Flinn, Gaines, Griesheimer, Henry..."

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

Griesheimer: "Mr. Speaker, I don't think I'm registered up there, and I did want to explain my vote very briefly. I'll be voting 'no' on this, but I would like to defend the honor



of Representative Deuster. Those of you on this House floor don't know the fury of the Greek tornado from Zion, so please don't deal with him too harshly."

Speaker Redmond: "Proceed."

Clerk O'Brien: "Henry,..."

Speaker Redmond: "Representative Henry."

Henry: "Record me 'aye', Mr. Speaker."

Speaker Redmond: "Record the Gentleman as 'aye'. Representative Alexander, 'aye'. Huff...change the Gentleman from 'no' to 'aye'. Is that correct? Representative Taylor Pouncey, 'aye'. Representative Jones, alright, change David Jones to 'aye'. You're not the only Jones. Proceed." Representative Langdon Patrick, 'aye'. Langdon Patrick...'aye', is that correct? I don't know whether you were pointing to your nose or to your eye."

Clerk O'Brien: "Johnson..."

Speaker Redmond: "Representative Schraeder, 'no'. Representative Steczo, for what purpose do you rise? He doesn't. Capparelli, 'aye'. Wait a minute. Now where are we, Mr. Clerk? Have you...continued...completed the Poll of the Absentees?"

Clerk O'Brien: "Not yet."

Speaker Redmond: "Well, let's go with the absentees, and then we'll...when we get to Representative Cissy Stiehl we will recognize her and she will be able to cast her ballot."

Clerk O'Brien: "Kosubowski, Leverenz, Pouncey, Robbins,... Schisler..."

Speaker Redmond: "We have him already, Hanahan. You can only vote once."

Clerk O'Brien: "Schisler, Schoeberlein, C.M. Stiehl..."

Speaker Redmond: "Representative C.M. Stiehl, now you're recognized. C.M. Stiehl."

Stiehl: "Mr. Speaker, would you please vote me 'no'?"

Speaker Redmond: "The Clerk... Representative Bower, for what purpose do you r...Representative Bower desires to be recorded as 'present'. Proceed."



Clerk O'Brien: "Terzich, Vinson, VonBoeckman, Williams, and Woodyard."

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

Braun: "Mr. Speaker, would you change my vote from 'present' to 'no' please?"

Speaker Redmond: "Representative Braun desires to be recorded as 'no'. Representative Gaines, 'aye'. Representative Robbins, 'no'. Representative Borchers, 'no'. What's the count now, Mr. Clerk? Representative Hannig, 'aye'. Representative Goodwin...Hannig is 'aye', Goodwin is 'aye'. 76 'aye', 78 'no'. Representative Kornowicz, 'aye', Kosinski, 'aye'. Is Capparelli recorded? Representative Leverenz, 'aye'. Representative White, 'aye'. Representative Hoxsey, 'aye'. Representative Breslin, 'aye'. What's the count now? Representative Schneider, I guessed wrong. 82 'aye', 75 'no'. Representative Schneider requests a verification of the Affirmative Roll Call."

Schneider: "Thank you, Mr. Speaker. Just also on a point of personal privilege, it is one thing to be caught kissing in the pantry, it is another thing to consummate the act on the House floor. And I think we ought to have a verification."

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

Ewing: "I'd like to be voted 'no' on this."

Speaker Redmond: "Record Ewing as 'no'. Have you been recorded before?"

Ewing: "I think my seat mate failed me."

Speaker Redmond: "He just obeyed the rules. 76 'no'. Representative Vinson, 'aye'. Bluthardt, 'no'. Representative Davis, 'aye'. Verify the Affirmative Roll Call. Former illustrious Member of the House, now Senator Berman walking down the middle aisle. Representative Schneider. I don't know what... What's the count, Mr. Clerk? 84, 76."



84, 76."

Clerk O'Brien: "The Affirmative Roll Call."

Speaker Redmond: "Proceed."

Clerk O'Brien: "Abramson, Alexander,..."

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

Getty: "Could I have leave to be verified at this time?"

Speaker Redmond: "May Representative Getty be verified?"

Clerk O'Brien: "Jane Barnes, Beatty, Bell, Birchler, Bradley, Breslin, Bullock..."

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

Darrow: "Could I have leave to be verified?"

Speaker Redmond: "May be verified. Representative Bullock... Proceed."

Clerk O'Brien: "Campbell, Capparelli, Capuzi, Catania, Christenson, Collins, Cullerton, Darrow, Davis, Dawson, Deuster, DiPrima, Domico, Doyle, Farley, Gaines, Garmisa, Getty, Giorgi, Goodwin, Hallock, Hanahan, Hannig..."

Speaker Redmond: "Representative Slape."

Slape: "Mr. Speaker, may I have leave to be verified?"

Speaker Redmond: "Representative Slape requests leave to be verified. Proceed."

Clerk O'Brien: "Harris, Henry, Hoxsey, Huff, Dave Jones, Emil Jones, Keane, Kelly, Kempiners, Kornowicz, Kosinski, Kucharski, Kulas, Laurino, Lechowicz, Leinenweber, Leon, Leverenz, Madigan, Margulas, Matijevich, McAuliffe, McBroom, McClain..."

Speaker Redmond: "Representative Mautino...Mautino."

Mautino: "Thank you. Would you please change my 'no' vote to 'aye'?"

Speaker Redmond: "Change the Gentleman's 'no' to 'aye'. Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. May I have leave of the House to be verified now?"

Speaker Redmond: "~~May the Gentleman be verified? That's Repre~~"



sentative Van Duyne from Will County."

Clerk O'Brien: "McGrew, Meyer, Molloy, Mulcahey, Murphy, O'Brien, Patrick, Pechous, Peters, Pouncey, Preston, Reilly, Ronan, Ryan, Schlickman, Simms..."

Speaker Redmond: "Representative Schlickman, 'aye'. Representative Simms is...is that Representative Simms? Pechous, 'aye'."

Schneider: "Schlickman was already 'aye' though, Mr. Speaker. Is that correct? He's on the Board as 'aye'. I don't want that added in. I know Jack O'Brien's very bright..."

Speaker Redmond: "Was Schlickman 'aye' before he voted 'aye' this time?"

Clerk O'Brien: "Schlickman already was voting 'aye'."

Speaker Redmond: "Then he's up to his old tricks."

Schneider: "That's alright if it's recognized as one vote."

Speaker Redmond: "What is one 'aye' plus one 'aye'? What is that equal to? Representative Williams, 'aye'."

Clerk O'Brien: "Slape, Stanley, Stearney, Taylor, Telcser, Van Duyne,...Vinson, Vitek, Waddell, White, Williams, Sam Wolf, and Younge."

Schneider: "Alright, Mr. Speaker, we have a number now finally, and I then I can start from there."

Speaker Redmond: "Do you have any questions of the Affirmative Roll Call?"

Schneider: "I do, but Jack has a new count. Right?"

Speaker Redmond: "What was the count, Mr. Clerk? You better change the Speaker from 'no' to 'aye'. 87 'aye'. Capparelli talked to me."

Schneider: "87 to 77."

Speaker Redmond: "87-75."

Schneider: "75, alright. McGrew..."

Speaker Redmond: "74, pardon me. Who?"

Schneider: "Representative McGrew."

Speaker Redmond: "McGrew?"

Schneider: "Yes."

Speaker Redmond: "How is he recorded?"

Clerk O'Brien: "McGrew? He's recorded as voting 'aye'."



Speaker Redmond: "Take him off."

Schneider: "Representative Dawson."

Speaker Redmond: "Dawson in the chamber? How is he recorded?"

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

Speaker Redmond: "Take him off."

Schneider: "Representative...Garmisa."

Speaker Redmond: "He's here."

Schneider: "Oh, I see him. He's sitting..."

Speaker Redmond: "Never left his seat."

Schneider: "Oh, hard to believe. Representative Farley."

Speaker Redmond: "Farley, he went up in the gallery a few minutes ago. I see he's back. He's back there."

Schneider: "Alright, Representative Harris."

Speaker Redmond: "Representative Harris...How is he recorded?"

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

Speaker Redmond: "Remove him. Representative Hallstrom, for what purpose do you rise? Hallstrom."

Hallstrom: "Yes, Mr. Speaker, I'd like to change the 'present' vote to 'no' please."

Speaker Redmond: "Change what?"

Hallstrom: "'Present' vote to 'no'."

Speaker Redmond: "Record the Lady as 'no'. Matula..."

Schneider: "Can I proceed?"

Speaker Redmond: "Oh, what was that?"

Matula: "Mr. Speaker, change my 'present' vote to 'no'."

Speaker Redmond: "Change the Gentleman to 'no'. Proceed."

Schneider: "Kempiners."

Speaker Redmond: "Kempiners...is there."

Schneider: "Lechowicz:"

Speaker Redmond: "Lechowicz...how is he recorded?"

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

Speaker Redmond: "Remove him."

Schneider: "Representative Margulas...Margulas."

Speaker Redmond: "Who was that?"

Schneider: "Margulas...Margulas."

Speaker Redmond: "Margulas "



Schneider: "It's got a 'nice rhyme to it'. Is he here? Okay."

Speaker Redmond: "Fellow, you're talking about the Senator now."

Schneider: "That's another Bill. McAuliffe."

Speaker Redmond: "McAuliffe."

Schneider: "Roger."

Speaker Redmond: "There he is."

Schneider: "Oh, okay."

Speaker Redmond: "He's there. Roger, will you turn around again and wave?"

Schneider: "Representative Molloy."

Speaker Redmond: "Molloy is there. He's never out."

Speaker Redmond: "Representative Jack Davis."

Speaker Redmond: "Jack Davis, is he here? Jack Davis. How is he recorded?"

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

Speaker Redmond: "Remove him."

Schneider: "Representative Kucharski."

Speaker Redmond: "Kucharski...how is he recorded?"

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

Speaker Redmond: "Remove him."

Schneider: "Representative Waddell."

Speaker Redmond: "What was that?"

Schneider: "Waddell."

Speaker Redmond: "Waddell. How is he recorded?"

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

Speaker Redmond: "Remove him. Representative Terzich..."

Schneider: "Representative who?"

Speaker Redmond: "Record Representative Terzich as 'aye'."

Schneider: "Representative Simms."

Speaker Redmond: "Simms..."

Schneider: "Yes, Sir."

Speaker Redmond: "Did you say Simms?"

Schneider: "Yes, Sir..."

Speaker Redmond: "How is he recorded?"

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

Speaker Redmond: "Remove him."



Schneider: "Representative Younge."

Speaker Redmond: "She's back there."

Schneider: "Representative Wyv..."

Speaker Redmond: "You said..."

Schneider: "Wyvetter Younge...you said she's!..."

Speaker Redmond: "She's here."

Schneider: "She's here, alright. Representative White."

Speaker Redmond: "He's here."

Schneider: "Where?"

Speaker Redmond: "Yes, Representative White. He's in the back talking to Monroe Flinn."

Schneider: "Who? Representative Bell."

Speaker Redmond: "Bell, he's up in front here."

Schneider: "In the back room, Tim. You're supposed to stay there till I... Alright, what else...Hannig."

Speaker Redmond: "Representative Hannig. How is he recorded?"

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

Speaker Redmond: "Remove him. Wait, wait, wait, he has emerged. He's in the back there." Representative Bianco, for what purpose do you rise? Record the Gentleman as 'aye'."

Schneider: "Mr. Speaker, I have no further requests of the affirmative."

Speaker Redmond: "What is the count, Mr. Clerk? Representative Schneider."

Schneider: "If the...I think I filed with the Clerk a request for a fiscal note, also."

Speaker Redmond: "You did. 81 'ayes' and 76 'nos'. The motion carried. The Amendment's adopted. There has been a fiscal request for a fiscal note filed, so you'll have to remain on the order of Second Reading. A month or so ago we had a few mystery Members who are related to Democratic office holders. We have another mystery Member who is related to a former Democratic Congressman from Wisconsin. The Congressman was born in Prussia. He immigrated to the United States and settled on a farm near Milwaukee and worked in a printing office, and at





one time, you talk about the double dippers, he was simultaneously a postmaster, clerk of the circuit court, clerk of the land office, and a notary public. He served in the State Senate and in the General Assembly. He was elected as a Democrat 46th, 47th, and 48th Congress. He was appointed Councilman of Freiburg, Germany, and he died and was buried in Milwaukee. Now will the mystery Member of the House of Representatives who related to that deceased Democratic Congressman please stand up.

Please stand up. Representative Deuster. Representative Deuster

Deuster: "I appreciate all of the Democratic votes, especially on that last Amendment."

Speaker Redmond: "123."



Clerk O'Brien: "Senate Bill 123. A Bill for an Act relating to wages of employees. Third Reading of the Bill."

Speaker Redmond: "Representative Kornowicz."

Kornowicz: "Mr. Speaker and Members of the House, Senate Bill 123 declares to be the public policy of this state that garnishment and wage deduction orders for the benefit of the creditors are illegal. This House Bill has been approved by the Illinois Department of Labor and by...by all the working people throughout the State of Illinois. Senate Bill...Senate Bill 123 contains three important provisions. It eliminates the current 1 thousand limit on the Department of Labor's ability to assist the worker who has not been paid earned wages. Number two would provide that the deductions be...not be made from the workers wages unless the deductions are required by law or to the benefit of the worker. And it would also provide that a worker who has earned but...vacation credit would be paid for earned and unused vacation credit at the time of separation from the job. I ask for a favorable vote for the working people of the State of Illinois."

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

Schuneman: "Sponsor yield, Mr. Speaker?"

Kornowicz: "Yes."

Schuneman: "Representative Kornowicz, you mentioned that... in your opening remarks that this Bill declares it to be the public policy of the state that garnishments and wage deduction orders for the benefit of creditors are illegal. But the Bill, actually, goes much beyond that, doesn't it?"

Kornowicz: "That's right."

Schuneman: "Does the Bill still contain the Amendment which Representative McPike put on that would require that vacation pay be vested?"



Kornowicz: "It does, that's right."

Schuneman: "Mr. Speaker, I would like to speak to the Bill, if I may."

Kornowicz: "This is an earned vacation, Senator...Representative."

Schuneman: "Mr. Speaker and Ladies and Gentlemen of the House, I think you should take a careful look at this Bill. The Bill does three things which I think we should not do. First of all, it makes the law much more restrictive on employers as to the deductions which can legally be made from an employee's wages. The law presently provides that unilateral deductions by employers from wages are prohibited. And it seems to me that the present law is strong enough in that regard and that we don't...that we do not need to delute the rights of the employer any more than they are. Another thing that this Bill does, it deletes the present 1 thousand dollar limit on wage dispute cases in which the Department of Labor can involve themselves. The Bill...seeks to amend the Wage Payment and Collection Act which was set up as a means of helping employees collect wages that were due them on small amounts up to 1 thousand dollars. Now what this Bill seeks to do is remove that 1 thousand dollar limit. And for those of you who may remember House Bill 888, which was introduced by Representative Lechowicz and which could not pass the House, one of the reasons that Bill ran into trouble was this same 1 thousand dollar deletion. Another thing that this Bill does that I think is wrong, it mandates on all employers, regardless of the size of the employer, that is the small businessman as well as the large, it mandates that paid vacations become a vested right of the employee no matter how that employee may quit his job. In other words, if he walks in some morning and says, 'I'm through, I'm not going to work



anymore.' And if it is the policy of that employer to allow vacation pay, then this law says that the employee is entitled to whatever vacation pay has...he has earned up to that time, regardless of whether he gives any advance notice to his employer of his termination of employment or not. I suggest to you that this is another unnecessary intrusion into the relationship between employees and employers. I suggest to you that this Bill will fall most harshly on the small business people of the State of Illinois. It contains some of the bad provisions that caused the defeat of House Bill 888. And I would urge a vote against this Bill."

Speaker Redmond: "Representative Hanahan. Hanahan."

Hanahan: "Mr. Speaker and Members of the House, in deference to the previous Speaker, I'd like to point out that integrity of being an employer has no difference whether you're large or small. If you're a skate or a if you're a fly-by-night employer that does not want to pay your bills, there are workers who...are help providing your ...your profits, you shouldn't be in business in Illinois. And that's what we're talking about here. We're not...do you mean to tell me, you'd stand up on the floor of this House and defend some employer who is cheating his employees out of his rightful wages? That's what you're talking about here. You're not talking about some guy who has a questionable amount of wages earned. You're talking about some contractor who absolutely violated law...and is trying to put some poor working stiff behind in his payments of bills and probably some insurance bill that he owes. He won't be paid. We're talking about here, integrity. And it doesn't matter whether you're a small employer or a large employer. You should have integrity or not be in business. This Bill is a good Bill. It's about time that those well-meaning representatives of the



business community quit trying to protect the no-good employers that are cheating, that are absolutely exploiting workers through the system of not paying their just wages to an employee. Now when we talk about earned vacation. How in the world could you defend somebody who...whether they're big or small as an employer, who promises to pay an employee a vacation day a month, how in the world could you defend that guy and say that he should not be held liable for that vacation pay? You ought to be ashamed of yourself."

Speaker Redmond: "Representative Simms."

Simms: "Well, Mr. Speaker and Ladies and Gentlemen of the House, again, the Gentleman from McHenry is really... should consider show business as one of his side lines in addition to his legislative duties. I think Representative Schuneman though hit on a very...important point. And that is that this Bill would prohibit employment contracts on employer policies which prohibits forfeiture of vested vacation time upon work separation. Which this very seriously means is that if an employee agrees that if he should leave his employment on a voluntary basis, contrary beside the point, that he could not in essence sign that type of contract and the employer would still be obligated for something that the employee had signed in good faith, in good contractual relationships. This legislation, once again, is another area where the State of Illinois is mandating on the private sector into an area. This Bill does have some aspects to it that has some meritorious benefits, but on a whole...I think you have to look at what the legislation does. And this legislation is not in the best interest of the free enterprise system, of a capitalistic system which has made our country grow. And I would urge that this Bill not be passed by the House of Representatives."



Speaker Redmond: "Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I can't compete with the Gentleman from McHenry when it comes to volume and so on, but let me tell you something. A lot of these Bills are designed to help the employee but what's going to happen, the personnel men in this state are going say, 'Well, we're going to start looking at the guy's credit record.' They are going to look to see if he has a record of jumping jobs and so on. And the very guy you're trying to help is not going to have a job at all. And the employer is going to take the regular, dependable employee, work him overtime and contract the rest of the stuff from out of state and your guy is going to be out of luck. Now that's what you're doing to him and you don't even know it."

Speaker Redmond: "Representative Huskey."

Huskey: "Well, will the Sponsor yield for a question or two? On the...Representative Kornowicz, on the removing the thousand dollars, what's that going...the thousand dollar limit on...on the Department of Labor, what's that going to cost the State of Illinois? What's that going to cost the taxpayer's of the State of Illinois?"

Kornowicz: "They already provide an assistance service for it."

Huskey: "No, I know. But I say, removing the limit, what is that going to cost the taxpayers of this state by removing the thousand dollar limit?"

Kornowicz: "There's no fiscal note and...it wasn't requested."

Huskey: "Well don't you think it's going to be a tremendous cost?"

Kornowicz: "No."

Huskey: "You think...then...then what's the reason for the Bill if it isn't going to cost us very much?"

Kornowicz: "It all depends on how many employees are cheating."

Huskey: "Yeah, well...from the...from the talk I hear on that



side...and maybe you don't agree and maybe...but is all employers crooks...to cheat the poor employee?"

Kornowicz: "If they're not a crook, this wouldn't apply to them, State Representa..."

Huskey: "And...and one more question. What is the purpose of the unions? Nearly every point that you bring up... isn't it the point for the union to negotiate these problems rather than bring them before the House of Representatives..."

Kornowicz: "No."

Huskey: "...to have us negotiate the union problems for them."

Kornowicz: "This...this has nothing to do...about the union. This is for the working people, for the people of the State of Illinois."

Huskey: "Well don't they take their problems to the unions to negotiate the problems rather than to bring them to the House of Representatives?"

Kornowicz: "Two-thirds of the work force is not a member of the union."

Huskey: "Who is the Senate Sponsor of this Bill?"

Kornowicz: "LeRoy Lemke and Ed Kornowicz."

Speaker Lechowicz: "The Gentleman from Madison, Mr. McPike. McPike, please."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. If Representative Matijevich would sit down and be quiet for a second I would like to address this Bill. This Bill was not very controversial until an Amendment was added. And I would like to talk to the general provisions of the Bill and specifically to that Amendment. You know today on the House floor was pay day, Wednesday. And occasionally if we don't get our pay check on Wednesday and it goes to Thursday a few of us start grumbling. By Friday there is a few more and by gosh if you don't get it all week, I don't



doubt there are a lot of people who would be calling on the Comptroller to see what's happening. But most of us don't have any problem really collecting our pay checks. Such is not the case with every employee in the State of Illinois. And so we have a law which helps those employees who happen to work for a dishonorable employer. Now most employers do not fall into that category. But we do have some people in this state that would like to cheat an employee out of what is justly due to...to that employee. And so we have a Wage Payment and Collection Act administered by the Department of Labor. There is a thousand dollar limit on that. The Department of Labor will investigate all cases regardless of how much is owed, up to 50 thousand, 100 thousand, regardless, they investigate it. The law simply says that they cannot intervene if you are owed over a thousand dollars. So if your employee (sic) tries to cheat you out of 9 hundred and 99 dollars, the Department of Labor can help you get it. If it's a thousand and one dollars, then you have to hire a lawyer. And it really doesn't make a lot of sense. And I can't see why that should be controversial to say that if an employer is trying to cheat an employee out wages due him, the Department of Labor in Illinois should be allowed to intervene. We also prohibit unilateral deductions and I can't understand why that should be controversial. Earlier I added an Amendment on this which appears to part of the controversy on this Bill. So to that Amendment, it says very simply that an employer has a right when he hires you to decide whether or not earned vacation will be part of your pay. And he can decide if you earn a day of vacation a year or a day of vacation every five years or a day of vacation every month, whatever the employer decides. Well once he makes that part of the contract,





then if you should decide to resign or be laid off or be terminated for any reason, he cannot then try to cheat you out of what he agreed to pay you. Now a Bill earlier this year that failed, that was 888, it failed because there was a provision in there that would provide...would require the employer to pay you two weeks penalty without notification of being laid off. Now that was thought of as being unfair. Now we don't require the employee to forfeit two weeks pay if he quits. Nor should we require the employee to forfeit what he has rightfully earned and what is rightfully due to him. I think if you would put yourself into that situation, if you have worked and earned a pay check and you feel that it is due to you as you feel that the pay check that you receive on this House floor is due to you, if you would put yourself in that position I think you would agree. Money earned is no different than vacation earned. It is part of working for a living. It should be paid for you. And if it is not, the Department of Labor should have the right to intervene and help an employee receive, rightfully receive what is just and due to him."

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

Leinenweber: "Yeah, just addressing the Gentleman's Amendment which Representative McPike just talked about...and it was his Amendment and I think that's certainly part of the controversy. I don't think anybody quarrels that if an employee is entitled to a vacation pay, he's entitled to vacation pay. The question is whether or not we ought to prohibit an employer and employee freely entered into some kind of an agreement whereby the employee in order to be entitled to vacation pay upon termination would have to give notice that he is going to quit. Now the Amendment is obviously in... intended to reverse a circuit court of Cook County



decision known as Weibolts Stores Inc. verses Bowling which Judge Curry of the Circuit Court of Cook County very clearly held that this is within the prerogative of employers and employees to enter into such agreements whereby the employer can offer some inducement to the employee to either stay in his employment or at least live up to the notice requirements of the employment. Now I would suggest to you that it is bad policy for the state to enter into this type of an agreement by prohibiting provisions which would allow an employer to exact some kind of penalty for an employee just up and quitting and walking off the job without giving any notice whatsoever. The Amendment #2, no matter what other merits the Bill might have and I would suggest that there probably are some merits in the Bill...I mean no one is for cheating an employee, however, I don't think it's fair for an employee to be able to just get up and walk away and take off with his vacation pay when he leaves the employee (sic) in...in quite a lurch and would probably cost him quite a bit of money in order to find someone to take over the work which the employee has...has suddenly left. I would suggest to you that Amendment #2, offered by the Representative who just spoke a few minutes ago, makes this Bill totally unacceptable, improper and it's intended to reverse a decision of the Circuit Court which interrupts the current statutory law. And I would therefore urge a 'no' vote."

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

Kosinski: "Mr. Speaker, I think we understand the problem.

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. Kornowicz, to close."



Kornowicz: "In regards to Senate Bill 123, I ask for a favorable vote and this is for the working people."

Speaker Lechowicz: "The question is, shall the House pass #123. All in favor vote 'aye', all opposed vote 'no'. Billy. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 112 'ayes', 54 'noes', 1 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 244."

Clerk Leone: "Senate Bill 244, a Bill for an Act to add Sections to the Revenue Act, Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. O'Brien."

O'Brien: "Yes, Mr. Speaker and Members, may I have leave to bring this Bill back to Second Reading for the purposes... purpose of a series of Amendments, the first one to be offered by Representative Walsh."

Speaker Lechowicz: "Any objection? Hearing none, the Bill's on Second Reading. Any Amendments? Chalkie?"

Clerk Leone: "Amendment #1, Walsh, amends Senate..."

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

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #1 to Senate Bill 244 is agreed upon between the Sponsor, O'Brien, and I, and would provide that municipalities, villages, and home rule units can, by ordinance, provide not to participate in the assessment freeze that the Bill calls for for land mark districts, and I urge the adoption of Amendment #1."

Speaker Lechowicz: "Any discussion? The question is 'Shall Amendment #1 be adopted?'. All in favor signify by saying 'aye', 'aye', opposed. Amendment #1 is adopted. Any further Amendants?"

Clerk Leone: "Amendment #2, O'Brien, amends..."

Speaker Lechowicz: "The Gentleman from Cook, Mr. O'Brien."

O'Brien: "Yes, Mr. Speaker and Members, Amendment #1 indicates that nothing in this Sections shall preclude the property from any tax relief presently available to it other than



might be provided in this Section, and that is for any people who are senior citizens and living in land mark designated buildings that already are taking advantage of the circuit breaker. That still will remain in affect for the senior citizen that owns the property at this time. I urge the adoption of the Amendment."

Speaker Lechowicz: "Any discussion? The question is 'Shall Amendment #2 be adopted? All in favor signify by saying 'aye', 'aye', opposed. Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "Amendment #3, O'Brien, amends Senate Bill 244 on page 1."

Speaker Lechowicz: "The Gentleman from Cook, Mr. O'Brien."

O'Brien: "Yes, Mr. Speaker and Members, Amendment #3...deletes on line 12 by inserting in lieu thereof the following: and was constructed prior to July 1, 1939 which means that there will be no land mark building designated for this tax relief unless that land mark building is 40 years or older. I move for the adoption of the Amendment."

Speaker Lechowicz: "Any discussion? The question is 'Shall Amendment #3 be adopted?'. All those in favor signify by saying 'aye', 'aye', opposed. Amendment #3 is adopted. Any further Amendments?"

Clerk Leone: "Amendment #4, O'Brien..."

Speaker Lechowicz: "The Gentleman from Cook, Mr. O'Brien."

O'Brien: "Yes, Mr. Speaker and Member...Amendment #4 to Senate Bill 244 just puts the language in substantial non-preservation in preceding the word improvement. It is a technical Amendment. I move for the adoption of the Amendment."

Speaker Lechowicz: "Any discussion? The question is 'Shall Amendment #4 be adopted?'. All in favor signify by saying 'aye', 'aye', opposed. Amendment #4 is adopted. Any further Amendments?"

Clerk Leone: "Amendment #5, O'Brien, amends Senate Bill..."

Speaker Lechowicz: "The Gentleman from Cook, Mr. O'Brien."



O'Brien: "Yes, Mr. Speaker and Members, another technical Amendment, and it just clarifies the language for purposes of this Section the National Historic District means an area listed in, and it goes on to say National Historic Landmark District. I move for the adoption of the Amendment."

Speaker Lechowicz: "Discussion. The Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker, I...Amendments are moving so fast here. This Bill..."

Speaker Lechowicz: "This is Amendment #5, Sir."

Ewing: "I understand that if I may make my point. I think that it would be well if the staff would check Amendment #4 and 5. I am reported they're both technically incorrect. I'd be glad to speak with the Sponsor of the Amendments if he wishes to go into it. They are incorrect on their line references."

O'Brien: "Well, let's...we've already adopted Amendment #4, let's go ahead and adopt Amendment #5 and then I'll hold in on Third Reading until I clarify with staff. The problem with putting a lot of Amendments on, it does sometimes break the continuity of a Bill, but we did want to put them individually so that all the Members that had specific interest in each Amendment would know that they did go on. I'd move for the adoption of Amendment #5 and then I'll hold it on Third Reading for a couple of days so staff can go over it with a fine-toothed comb."

Speaker Lechowicz: "Is that agreeable with you, Mr. Ewing?"

Ewing: "That's fine. I just wanted him to know."

Speaker Lechowicz: "Alright. The question is 'Shall Amendment #5 be adopted?'. All in favor signify by saying 'aye', 'aye', opposed. Amendment #5 is adopted. Any further Amendments? Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Lechowicz: "Third Reading. Senate Bill 318."



Clerk Leone: "Senate Bill 318, a Bill for an Act making appropriations of state pension fund and state universities retirement system; Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Champaign, Mr. Wikoff."

Wikoff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 318, total appropriation \$62,550,200. This combines all of the retirement systems under the Board of Higher Education. Originally...their budget came out with those in it. They were all amended out. This was amended in the Senate to bring it to the gross pay out plus 5/10ths of 1% which was what was accomplished last year, and I know of no opposition to this Bill."

Speaker Lechowicz: "Any discussion? The question is 'Shall The House pass Senate Bill 318?'. 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 148 'ayes', 4 'nos', none recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 362. Mr. Stuffle on the floor? Stuffle...out of the record. Doug Kane, Senate Bill 379."

Clerk Leone: "Senate Bill 379, a Bill for an Act making appropriations to the Board of Higher Education, Third Reading of the Bill."

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

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 379 is the appropriation Bill...annual appropriation Bill for the Board of Higher Education. What this Bill does is appropriate \$31,322,777 to the Board of Higher Education. Of that, about 1 million six is for operating. The rest of it is for various grant programs that the Board of Education conducts over the years. What that translates into compared to last year is about \$100,000 increase in their operating budget and about a \$7,000,000 increase in their grant programs, and I would ask for



House adoption of Senate Bill 379."

Speaker Lechowicz: "Is there any discussion? The question is 'Shall Senate Bill 379 pass?'. All those 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 143 'ayes', 2 'nos', 1 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 382."

Clerk Leone: "Senate Bill 382, a Bill for an Act making appropriation for expenses of the Board of Regents, Third Reading of the Bill."

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

Bradley: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 382 is the annual appropriation for the Board of Regents which includes Northern Illinois, Sangamon, and Illinois State University. The total appropriations for this coming fiscal year is \$124,000,000. It is an \$11,000,000 increase over and above the appropriation for this particular year. Of course the...the increases are due to some salary increases, the increases for library material purchases, general utility cost increases, amount...that brings the total increase to \$11,824,000, and I respectfully request a favorable vote on the Bill."

Speaker Lechowicz: "Any discussion? The question is 'Shall Senate... The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Is there any...is there money in here for the purchase of the Lewis University Law School, or is that a separate Bill?"

Bradley: "No, there is the Senate Amendment #5 added \$554,000 in GRF funds and \$1,540,000 in income funds for the proposed law school."

Leinenweber: "Thank you."

Speaker Lechowicz: "The ques...the Gentleman from Lake, Mr. Griesheimer. No, alright, the question is 'Shall Senate



Bill 382 pass?'. All in favor vote 'aye'. All opposed vote 'no'. Have all voted who wish? Have all voted who wish? Come on, Mar<sup>c</sup>o. Have all voted who wish?'

The Clerk will take the record. On this question there's 127 'aye', 33 'no', 4 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 384, Gene."

Clerk Leone: "Senate Bill 384, a Bill for an Act to amend Sections of the Public Community College Act, Third Reading of the Bill."

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

Barnes: "Mr. Speaker, with leave of the House, I would like to move Senate Bill 384 back to Second Reading for the purpose...one of the Members to offer an Amendment."

Speaker Lechowicz: "Any objection?... Any objection? Hearing none, take Senate Bill 384 from Third to Second for purpose of an Amendment. Second Reading. Any Amendments? Any Amendments? 384. Any Amendments, Chalkie? Mr. Barnes, why don't we take this Bill out of the record while they find the Amendments. We'll get back to you. The Gentleman from Cook, Mr. Barnes."

Barnes: "As I understand, Mr. Speaker, there is only one Amendment which was, and I know it was introduced yesterday, and it has been circulated by Representative Huff..."

Speaker Lechowicz: "Okay."

Barnes: "That's the only Amendment."

Speaker Lechowicz: "Clerk, read the Amendment. Amendment #1."

Clerk Leone: "Amendment #1, failed..."

Speaker Lechowicz: "By Representative Huff, Huff."

Clerk Leone: "Amendment #1 failed. Amendment #2..."

Barnes: "Amendment #2 was tabled..."

Clerk Leone: "Was tabled."

Barnes: "And then one that was introduced yesterday and circulated by Representative Huff which should be Amendment #3. It was circulated, I know, because I seen it."





Clerk Leone: "Amendment #3, Huff, amends Senate Bill 384..."

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

Huff: "Thank you, Mr. Speaker. Amendment #3, to the best of my knowledge, is an agreed Amendment. I...I talked with the...the Sponsor of the Bill and the Minority Spokesman for the Board of Higher Education. I understand that the teacher's union has no objection nor Dr. 'Shavich' from District 508 of the junior colleges. However, I understand that the Sponsor, Mr...Representative Barnes has been agonizing over this all day, and I see he is now..."

Speaker Lechowicz: "Would you explain the Amendment, Sir?"

Huff: "Alright. What the Amendment does simply is to make up those funds that are set aside for the disadvantaged students placed at the disposal of the president of the various campuses of the junior colleges. Recently the Joint Education Committee composed of Members of the State Board of Education and the Board of Higher Education approval a resolution in September concerning post-secondary remedial education. The resolution called for the post-secondary remedial education to be emphasized at the community college level rather than at the state university level. And the genesis of this Amendment is in keeping with the spirit of this resolution since the junior colleges are going to be mandated and charged with the operation of the remedial programs. What this Bill attempts to do is make those funds available when they are needed and not when Dr. 'Shavich' feels he should give it out. The situation exists that most of these presidents on these campuses have no discretionary use of funds, and what this Bill attempts to do is make these funds available at the discretion of the presidents rather than that of the chancellor."

Speaker Lechowicz: "Any discussion on the Amendment? The Gentleman from Henry, Mr. McGrew."

McGrew: "~~Thank you very much, Mr. Speaker and Ladies and Gentle-~~



man of the House. I rise to support the Gentleman in his motion. Frankly what we are attempting to do is extremely similar to the Amendment adopted by Representative Emil Jones that would put the Title I funds to the respective school buildings. We're attempting to do the same thing for the junior colleges, in essence to see that these disadvantage grants that we are appropriating indeed go to the disadvantaged students. That's the entire jest of the Bill. We've talked to the Sponsor. We've talked to the staff on both sides of the aisle. I've talked to Leadership. I know of no opposition to it. There is somewhat of a problem from one particular junior college district, but I think that in general if you looked at the effectiveness, the cost benefits, and the intent of the program, this Amendment is very much what we were attempting to get at when I passed the appropriations as well as the grant line items in this House 3 years ago. I would ask for its adoption."

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

Barnes: "Thank you very much. Well, Mr. Speaker and Members of the House, and all due respect to the Sponsor, and I understand what he is trying to do. This Amendment simply will reek havoc with the community college system within the City of Chicago. What this Amendment does, it is an Amendment to the formula of the distribution of funds for the disadvantaged students served by those colleges. I would hope that those Members...I would hope that those Members in Chicago who are concerned about their community colleges would listen very closely, very closely to what the effect of this Amendment would do into those colleges. The effect of this Amendment, what it will do in the current appropriation, at Kennedy-King, for instance, and I will list them, it will change the amount of funding received by that institution from \$93,000 this year to \$13,800 next year. 'Luke College' it would change the funding for 'Luke College' from \$148,000 this



year to zero next year. Zero. For Malcolm X College it would change it from \$72,000 this year, to \$6,900 next year. For Harry S. Truman College it would change it from \$80,000 this year to \$4,600 next year. For Olive Harvey College it would change it from \$65,000 this year to \$2,300 next year. For Richard Daley College it would change it from \$23,000 this year to \$2,300 next year. The only place that there would be an increase in...in...in...'Gouchi' which is the...the institution that serves high school students, predominantly high school part-time students. It would go from \$148,800 to \$200 and...\$250, \$225,400. City Wide would go from \$283,000 to \$6,900. What this Amendment would do in fact to the community colleges within the City of Chicago is simply wreck the system as we know of it right now. This Amendment, this Amendment on the formula...on the formula, is not an Amendment that we should adopt. It would simply in fact wreck the program as it is now established. I understand the Sponsor of the Amendment, his intent, what he is trying to do. But what is necessary is for him to offer A Bill in effect to direct the proportion...pro...proposed proportion for those institutions that he is interested in. To offer an Amendment like this on the formula would simply redirect all of the money out of those uni...out of those colleges as I have listed here for you. That is the effect of this Amendment. I oppose it, and I think, Ladies and Gentlemen of the House, if you consider it based on its merits and what it will do to the community college system within the City of Chicago, I believe that you should and would oppose this Amendment also."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Emil Jones."

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

Speaker Lechowicz: "He indicates he will."

Jones: "Representative Huff, you alluded to the fact that

these monies that come into the city college system are



generated by disadvantaged students in the Chicago city college system."

Huff: "That is correct."

Jones: "I was listening to the Chairman of Appropriations, Representative Barnes, will the City of Chicago's community college system, will it lose any money?"

Huff: "No, it will not."

Jones: "Alright, Mr. Speaker. I'd like to address the Bill... the Amendment."

Speaker Lechowicz: "Please proceed."

Jones: "Mr. Speaker, Ladies and Gentlemen of the House, with all deference to the Chairman of Appropriations, this is a similar Amendment that this House passed out of here last June by a vote of 176 to 1, and that means simply this...is that the monies generated by Title I students should be spent on the students who generate the funds. Now I cannot see how the Chicago community college system would not want to spend the money on the students who generate it as well as need the funds. The Chicago public school system is clearly picking up the program to spend Title I money on Title I students. I was told then that it would wreck the system if we give the money to the children who generate the funds. This House overwhelmingly last year voted to spend those monies on those students, and this is a similar type of Amendment. So with all due respect to my colleague from the 29th District, Malcolm X College, Kennedy-King College, I don't know where he got the figures for them, but Kennedy-King College in the...near Englewood District where you have an overabundance of Title I students. I can conceivably see how they are going to lose money. This is a very good Amendment. We did it with the Chicago public school system, as well as the school system downstate. As far as Title I funds are concerned, I feel that the money that we appropriate to educate, to pull them up with their bootstraps, should be spent on them. So I urge



the full support of Amendment #3 to Senate Bill 384."

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

Huff: "Thank you, Mr. Speaker. Without getting overly passionate about this situation, this is very simple. The reference to the havoc that is being created, I would submit to you, Ladies and Gentleman is already upon us for the lack of these funds being spent on the children who generate the money. All this simply does is put the monies there when it is needed, not as when Dr. 'Shavich' do after the students have left in disgust. This is not going to wreck the Amendment. It is not going to change the funds. All it is simply going to do is make these funds available at the time that they are needed for the students who need the program, and I would ask for your adoption of this Amendment. Thank you."

Speaker Lechowicz: "The question is 'Shall Amendment #3 be adopted?'. All in favor vote 'aye'. All opposed vote 'no'. Have all voted who wish? The adoption of the Amendment...all in favor vote 'aye'. All opposed vote 'no'. Have all voted who wish? ~~Marzo~~, give me an 'aye'. The Gentleman from Cook, Mr. Ewell to explain his vote. Timer's on."

Ewell: "All I can say is forgive them, for they know not what they do. When you get back next year and find out what you've done to the junior colleges in the City of Chicago, you're going to shake your head in amazement. What you're doing is wrecking the formula whereby money is distributed. If for any reason you want to do something, there is another way to do it. But the way that you are doing it here is you are attacking the formula and getting ready to wreck the entire city junior college system. It is a bad, bad Amendment, and it deserves to be defeated."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 53 'ayes', 91 'nos', and the Amendment



is defeated. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Lechowicz: "Third Reading. Gene, do you want to call the Bill? Gene...Representative Barnes, do you want to call the Bill since it was not amended? The Clerk will read the Bill."

Clerk Leone: "Senate Bill 384, a Bill for an Act to amend Sections of the Public Community College Act, Third Reading of the Bill."

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

Barnes: "Thank you very much, Mr. Speaker. Mr. Speaker and Members of the House, as was illustrated on the debate that we just had on Senate Bill 384, Senate Bill 384 is the companion Bill to the ordinary and contingency expense for the community college system in the state. This Bill is the formula Bill which, in fact, matches...and matches the funding Bill which is 383 for the distribution of funds for the current ordinary and contingency expense for the community college system, and I would urge the support of the House for Senate Bill 384. It is in the same shape and now matches, totally matches completely with Senate Bill 383 which has the funding level in it which will be coming along a little later on."

Speaker Lechowicz: "Any discussion? The Gentleman from Henry, Mr. McGrew. McGrew, please."

McGrew: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. As the Sponsor indicated, this Bill is identical to...as it came out of the Senate, and frankly we've got to pass this, but I would just like to take a moment to tell you some of the problems that you are creating instead of some of the problems that you are solving. Currently, we have lowered the assessed guaranteed assessed valuation equalization grants as from the way it came out of Appropriation Committee. We have raised an additional \$500,000 in the areas of the disadvantage grants which incidently now do not need to



follow the students. You are leaving the rates for the junior colleges below both what the Board of Higher Education, the Junior College Board, and the Governor of the State of Illinois all agree upon. In essence what you are doing then, is we have come along and said we'll give a little bit of money to those with an equalization problem, we'll give a little bit of money to those disadvantaged students, but we are ignoring those students, or those junior college districts that have a marginal assessed evaluation per student that are barely above the line but who do not have equalization grants. What I'm telling you in essence is we are averaging between \$41 for one category and \$9 for another. That has not been raised one single dollar...it has not gone up \$1 for what we are paying teachers in junior colleges to educate our students...over the last 5 years. I think that is a shame. It is the shambles. It's a disgrace, especially for those junior colleges such as absolutely my own, Carl Sandburg. We get no money in equalization. We get very little in the disadvantage areas. In essence, we have not had over a 5% increase over the last 5 years. Now I think that the Legislature certainly should be aware of that. We've got a great deal of problems. We've got to rewrite that formula. Right now I suppose we've got to pass this Bill, but I want you to know, don't be proud of it."

Speaker Lechowicz: "The question is 'Shall the House pass Senate Bill 384?'. All in favor vote 'aye'. All opposed vote 'no'. The Gentleman from McHenry, Mr. Skinner to explain his vote. Timer's on."

Skinner: "I'd just like to know what percentage of the money is going to equalization grants?"

Speaker Lechowicz: "Gene, did you hear the question? What percentage of money goes to equalization grants?"

Barnes: "Just the Bill, as it came from the Senate provides for an enrolled and engrossed amount based on 100%, now 70%



of basic rates. It made equalization grants available to districts of residents from districts assessed evaluation per full-time student. If in this Bill, 353...353,890, not 315,208."

Skinner: "It's about 15%...Rep...Representative McGrew is right. This has got to be relooked at or else virtually every down state district except in the far southern Illinois will continue to get ripped off as the years go on."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 142 'ayes', 13 'nays', 9 recorded as 'presnt'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 659. Are they in the file? The Gentleman has leave to bring the Bill back from Third to Second for the purpose of Amendments. Hearing...any objections? Hearing none, bring the Bill back to Second Reading. Any...Second Reading, Clerk. Any Amendments?"

Clerk Leone: "Amendment #6, Hannig, amends Senate Bill 659 as amended by inserting immediately after the last sentence of Section 21H the following."

Speaker Lechowicz: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Mr. Speaker and Members of the House, I believe I filed a motion to table Amendment #4 so it could be replaced as Amendment #6. Could we proceed with that at this time?"

Speaker Lechowicz: "Surely. The Gentleman has leave to table Amendment #4. Any objections? Hearing none, Amendment #4 is tabled. Amendment #6."

Unknown: "Amend..."

Speaker Lechowicz: " Amendment #6."

Hannig: "Amendment #6 is similar to Amendment #4 that we adopted yesterday. It adds the additional words for exempting publicly owned sewage works to include disposal or utilization of sludge from publicly owned sewage works. I've talked this over with the Minority Spokesman on the





Committee, the Chairmen. It is an agreed Amendment, and I would move for its adoption."

Speaker Lechowicz: "The Gentleman moves for the adoption of Amendment #6. Any discussion? All in favor signify by saying 'aye', 'aye', opposed. Amendment #6 is adopted. Any further Amendments?"

Clerk Leone: "Amendment #7, Hannig, amends Senate Bill 569..."

Speaker Lechowicz: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Amendment #7 exempts from the disposal fee, bottom boiler ash and fly ash from all incinerators which process solely municipal waste. I've also discussed this with the Minority Spokesman. I believe that it is an agreed Amendment."

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

Meyer: "Yes, but we don't have the official copy of it yet. It hadn't been distributed on this side. If you could hold it until we get the green sheet I would appreciate it."

Speaker Lechowicz: "Why don't we adopt it and put it back to Third and he'll hold it to make sure it's the way..."

Meyer: "No, no, no, Sir."

Speaker Lechowicz: "No, Sir. Alright. Objections have been raised. We'll move the Bill back to Third until Amendment #7 is distributed. We'll bring...we'll come back to it. Take the Bill out of the record. Move the Bill back to Third. We will be awaiting Amendment #7. Senate Bill 787."

Clerk Leone: "Senate Bill 787, a Bill for an Act transferring the property of the Kankakee dam property."

Speaker Lechowicz: "687, Tony."

Clerk Leone: "687."

Speaker Lechowicz: "Out of the record, request of the Sponsor. Senate Bill 756."

Clerk Leone: "Senate Bill 756, a Bill for an Act to add Sections to an Act requiring compensation for causing death for wrongful Act, neglect, or default, Third Reading of the Bill."



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

Cullerton: "Mr. Speaker, I would ask leave to bring this back to Second Reading for an Amendment."

Speaker Lechowicz: "Any objections? Hearing none, the Bill is back on Second Reading. Any Amendments?"

Clerk Leone: "Amendment #5, Vinson, amends Senate Bill 756 as follows after line 15 by adding and so forth."

Cullerton: "Mr. Speaker."

Speaker Lechowicz: "Yes, Sir."

Cullerton: "Mr. Speaker, Amendment #5 is the same as Amendment #4. We already voted on Amendment #4, and it was defeated."

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

Mugalian: "Has this Amendment been distributed? I...I don't see it. I've been saving them for the last 4 days, and I have them on order."

Speaker Lechowicz: "Has the Amendment been distributed, Mr. Clerk?"

Unknown: "Yes, it has."

Speaker Lechowicz: "Mr. Vinson."

Vinson: "I think we can very easily solve the problem by me withdrawing the Amendment."

Speaker Lechowicz: "He withdraws the Amendment. Any further Amendments?"

Clerk Leone: "Amendment #6, Cullerton, amends Senate Bill 756..."

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

Cullerton: "Mr. Speaker, I'd like to table Amendment #6..."

Speaker Lechowicz: "The Gentleman withdraws Amendment #6. Any further Amendments?"

Clerk Leone: "Amendment #7, Cullerton, amends Senate Bill 756 on page 1 by inserting after line 15 the following."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment assures that in a wrongful death action where there is a lawfully performed abortion by a doctor..."



Speaker Lechowicz: "The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, has this Amendment been distributed?"

Speaker Lechowicz: "Has 7 been distributed? It has not."

Brummer: "Could we come back to it then?"

Cullerton: "Move it to Third."

Speaker Lechowicz: "Move the Bill back to Third Reading. We're awaiting Amendment #7. Do you have any other Amendments that have been filed? Just one? Pardon me. Alright. We cannot consider Amendment #7. It has not been distributed. We'll move the Bill back to Third Reading and at the appro...when the Amendment has been distributed and the Membership has time to read it, we'll move the Bill back. The Bill's on Third Reading. Senate Bill 760. Take it out of the record, request of the Sponsor. Senate Bill 765, "Mr. Terzich."

Clerk Leone: "Senate Bill 765, a Bill for an Act to amend Sections of the Election Code, Third Reading of the Bill."

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

Terzich: "Yes, Mr. Speaker, is this Bill timely. Well, once again, Senate Bill 765 is again a Bill for the people of the State of Illinois. What Senate Bill 765 does is it brings the executive branch of government offices under the same posture as those presently being held for elections to the Senate positions. What it does is that if there is a vacancy in these offices, that it would provide that the citizens of the State of Illinois would have the opportunity to elect the executive office holders in the next general election. At the present time, again, the Senate does have this provision. I think it is a timely one. It gives the citizens of the State of Illinois the opportunity that...to fill these important positions by electing those to run the State of Illinois. This Bill would not take effect until the next general election after 1980 which would be approximately 1982 if this should occur. I think this is a good Bill. It is timely. It just passed out of the Senate, and I



would urge support of Senate Bill 765."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Well, I know we say down our way the cat has 9 lives, I think this subject matter has 9 lives. We've talked about it before. It isn't any better than it was before. I think we need continui...continuity in these offices and in the Constitutional Convention we gave the Governor rather broad powers, made a strong executive, and I think this is diminishing that power. And I oppose the Bill."

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

Bluthardt: "Well, Mr. Speaker and Members of the House, the last speaker hit it on the head. When this was in Committee it failed to receive sufficient number of votes to pass, but eventually was delayed long enough until the Majority Party could round up a couple more votes and barely got it out. And all it does is try to take away constitutional powers that were granted to the Governor, to change his authority to make appointments to fill vacancies. I don't know why it is so important now. We've gotten along fine with the provisions of the law as it applies in filling of vacancies, and I'm sure that in a couple years from now if you ever get the office of Governor back you'd be sorry that you passed this law, if you do in fact pass it. I think it's a bum Bill. It is strictly a partisan Bill, and I would hope that it can be defeated."

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

Vinson: "Yes, Mr. Speaker, this Bill is unfortunate. It is really sad to see this good of Sponsor with this bad of piece of legislation. There was a Bill earlier this Session that really effectively dealt with the problem. It would have made the office holder who was running for higher office resign and then have the Governor just appoint until the election. Now that would have been a good Bill and might have really done something. This Bill is blatantly unconstitutional, and I don't think we



need to be burdening the courts with it. I would urge a 'no' vote."

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

Terzich: "Well yes, Mr. Speaker, to hear the other people speak, maybe we should amend a Bill that the appointment should be from the same political party, but that's really not the issue. These positions are positions that should be elected by the people of the State of Illinois. We all have expressed our feelings about appointed positions, and now we want to say that we should leave the executive offices of the State of Illinois left to someone, who appointed by some hierarchy or some god sitting on high. When the people of the State of Illinois want to speak, who should be in that office. We're only saying that they can fill out the balance of the term until the next general election which will then give the people of the State of Illinois the opportunity to express their wishes as to who should hold these important posts. Now we do know that there has been some rumor going about appointing the next Secretary of State because Senator...I should say Senator Dixon...however, this does not apply to him. This does not apply until 1982. It is a fair Bill. I does...provide for an election of people into these important offices and takes away the appointment power. So let's give government back to the people. Let them decide who they want to fill those important offices and not some hierarchy sitting in his big high chair and dominating who should or shouldn't be in those particular offices. Let the people of the State of Illinois express their feelings."

Speaker Lechowicz: "The question is 'Shall the House pass Senate Bill 765?'. All in favor vote 'aye'. All opposed vote 'no'. Marzo... Have all voted who wish? The Gentleman from Cook, Mr. Collins to explain his vote. Timer's on."



Collins: "Well thank you, Mr. Speaker. Apparently Representative Terzich and some Members of the opposite party disagree, but the framers of the Constitution of 1970 in their wisdom established the appointment power in the executive, but we go back even long...farther than that, the kinds of framers of the Constitution of 1870, and I believe of 1848 also left the appointment of vacancies in the hands of the executive. So just because that one party is fearful that there may be a vacancy that someone of the other party may...may fill, they panic and try to tamper with the Constitution of the state. I think it is irresponsibility at...at best, and I think this Bill should be defeated. I'm...I'm certain it's unconstitutional, but let's not burden the courts either. Let's kill this bad Bill right now."

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

Conti: "Not to explain my vote, Mr. Speaker, but when the proper time comes if this receives 89 votes, I want a verification of the Roll Call."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. The Gentleman from Cook, Mr. Terzich."

Terzich: "Well yes, Mr. Speaker, like I say, this is a very, very fair Bill. It only applies that if there is more than 28 months of the term remaining. I think this is very fair. It is good enough for a Senate...Representatives in the Legislation..."

Speaker Lechowicz: "We have already taken the record, Sir."

Terzich: "I would like to poll."

Speaker Lechowicz: "He wants to poll the absentees. Clerk will poll the absentees."

Clerk Leone: "Poll of the Absentees: Abramson, Davis, Donovan, Kane, Kozubowski, Mautino, Reed, Schoeberlein, Wikoff, and Woodyard."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Gatty, what



purpose do you seek recognition? Getty, please."

Getty: "Mr. Speaker, I just think that since a constitutional question was raised, I'd like to explain my 'aye' vote. To point out the Sections..."

Speaker Lechowicz: "Let's give the Gentleman some courtesy please. Such unruliness is unbecoming, Members of the House. Kindly record...see now what you've started. Alright, now wait a minute. We announced a Roll Call. We did not declare whether it passed or it failed. The Gentleman asked for a Poll of the Absentees. That is exactly what we are doing, and now, Mr. Donovan, for what purpose do you seek recognition? Mr. Donovan."

Donovan: "'Aye'."

Speaker Lechowicz: "Kindly record Mr. Donovan as 'aye'. And Mr. Getty, what was your point, Sir."

Getty: "Mr. Speaker, I think that there is no question that even on a point of order..."

Speaker Lechowicz: "Alright, alright...kindly give the Gentleman some attention. Would you kindly state your point, Sir? We're trying to get to him if you'll give him some...well, I don't know."

Getty: "My point of order, Mr. Speaker..."

Speaker Lechowicz: "What's your point, Sir?"

Getty: "...Is to refer to Section 7 of the Constitution which provides..."

Speaker Lechowicz: "Wait a minute, let me get the Parliamentarian. I can only have one point at a time. Yes, he is. Would the Gentleman kindly state your point, and then we'll rule. I said the Gentleman will state his point and then we will rule."

Getty: "Mr. Speaker, the point is that a constitutional question was raised. I wish to read, as a point of order into the record, a portion of the Constitution addressing itself to that issue."

Speaker Lechowicz: "Please proceed."

Getty: "Mr. Speaker..."



Speaker Lechowicz: "Please proceed, Sir."

Getty: "Section 7 provides that if the Attorney General, Secretary of State, Comptroller, or Treasurer fails to qualify or if his office becomes vacant, the Governor shall fill the office by appointment. Period. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified as may be provided by law and shall not be subject to removal by the Governor. Mr. Speaker, I think that point of order should be well taken. I think...I think that that is in order in view of the...things that were raised, and I think the record ought to be clear <sup>on</sup> the subject."

Speaker Lechowicz: "The record has been made. Please proceed with the Poll of the Absentees. Oh, Mr. Pechous, what purpose do you seek recognition? Pechous please."

Pechous: "Mr. Speaker, please change me to 'aye'."

Speaker Lechowicz: "Kindly record Mr. Pechous from 'no' to 'aye'. Mr. Darrow, what purpose do you seek recognition?"

Darrow: "Thank you, Mr. Speaker. How is Representative Harris recorded?"

Speaker Lechowicz: "Who?"

Darrow: "Harris."

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

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

Darrow: "I notice that he isn't here. Evidently someone hit his switch by accident. No, I didn't hit his switch. I don't touch Representative Harris' switch any more. I would appreciate it if you would possibly put him on 'present' or...if we could locate the Gentleman. He's somewhere in the building. I think he was taken ill after a Roll Call that we were verifying. He left in a hurry during a verification."

Speaker Lechowicz: "We're not having a verification. We're polling the absentees. What's the count, Mr. Clerk? Leave it where it is at. The Lady from LaSalle, Mrs. Breslin, what purpose do you seek recognition? Kindly





record Mrs. Breslin as 'aye'. Mr. Leverenz. Mr. Leverenz, are you seeking recognition?"

Leverenz: "What?"

Speaker Lechowicz: "Were you seeking recognition, Sir?"

Leverenz: "No, I'm listening to Representative Giorgi's fine explanation."

Speaker Lechowicz: "Does that influence you and Mr. Mautino in any way? What is the count, Mr. Clerk? Oh, wait a minute. Mr. Wikoff wants to be recorded as 'aye'...I'm sorry, 'no'. Mr. Borchers, what purpose do you seek recognition? How is the Gentleman recorded?"

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

Borchers: "I wish to be...have my vote changed to 'no', and I think it is a lot of hullabaloo about nothing."

Speaker Lechowicz: "You're right. Kindly record the Gentleman as 'no'. The Gentleman from Cook, Mr. Leverenz, what purpose do you seek recognition?"

Leverenz: "Record me 'aye'. I've been convinced."

Speaker Lechowicz: "Kindly record Mr. Borchers...Mr. Leverenz as 'aye'. Mr. Mautino, what purpose do you seek recognition?"

Mautino: "One of my Leaders, Representative Giorgi, explained the skim to me, so I thought I'd vote 'aye'."

Speaker Lechowicz: "Kindly record him as 'aye'. Mr. Conti wanted a verification if it gets 89 votes. What's the count, Mr. Clerk? On this question...The Gentleman from Cook, Mr. Gaines, what purpose do you seek recognition?"

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

Speaker Lechowicz: "How is the Gentleman recorded?"

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

Speaker Lechowicz: "That's the right way."

Gaines: "To the courtesy of Mr. Telcser, I'm voting 'present'."

Speaker Lechowicz: "Kindly record Mr. Gaines as 'present'. The Gentleman from Cook, Mr. Terzich, what purpose do you seek recognition?"

Terzich: "Well yes, Mr. Speaker, I stood in front of Abraham



Lincoln's statue to get inspiration on this Bill, and the Republicans are going against it. It is a very partisan issue for a people's Bill. And therefore I'll give the courtesy, but I know I'm going to give this Roll Call to the press. All I ask for postponed consideration."

Speaker Lechowicz: "What...what...what's the count, Mr. Clerk?"

On this question there are 88 'aye', 77 'no', and the Gentleman asked leave for postponed consideration. Hearing no objection, postponed consideration. Now give me the Roll Call so I'll make sure he gets that. We have to fly 'Walter' in. Senate Bill 788."

Clerk Leone: "Senate Bill 788, a Bill for an Act to create the Agricultural Foreign Investment Disclosure Act, Third Reading of the Bill."

Speaker Lechowicz: "The Lady from Adam, Mrs. Kent." Charlie, you ruined the day."

Kent: "Thank you, Mr. Speaker. Senate Bill 788...is the Foreign Investment Disclosure Act. To me, this is the way that we should in some way find out if there is any need for the alien...limitations because I was opposed to the other one. But now I have been adjoined by Representative Rigney, Representative Borchers, and Representative Bradley in co-sponsoring this Bill of Representative McMillan...Senator McMillan, Maitland, and Ropp."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Lake, Mr. Pierce."

Pierce: "Will the Lady yield to a question?"

Speaker Lechowicz: "She indicated she will."

Pierce: "If the land is...is held by a land trust, say First National Bank of Springfield, and some of the beneficiaries are foreign, do they have to report under this Act?"

Speaker Lechowicz: "Did you hear the question, ma'am?"

Kent: "If it's like a corporation. Like a corporation it wouldn't have... They would be reported, yes."

Pierce: "Who would be reported?"

Kent: "All those that were..."



Pierce: "The beneficiaries of land trust if you report...  
Where is that in the Bill?"

Kent: "Could I yield to Representative Vinson who will explain those?"

Speaker Lechowicz: "Surely. The Lady yields to Mr. Vinson."

Vinson: "Page 2, Section 3."

Pierce: "So it requires reporting of the beneficiaries of a land trust by the...by the bank that the trustee. Is that right?"

Vinson: "Yes, Sir. I believe so. By the beneficiary."

Speaker Lechowicz: "The Gentleman from Effingham, Mr. Brummer."

Pierce: "I'm not through yet. I'm not through yet."

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

Pierce: "I'm not through yet. This Bill is...I think you got the idea from Representative Robbins...the Illinois Public Action Council last year. Some people apparently want to turn this country into another Mexico. For years Americans couldn't buy real estate in Mexico and we complained about how unfair that was. We want to buy land in Mexico or some other country and they say Americans couldn't own land. Now because a few foreigners have bought a few acres in Illinois, everyone is panicking and running around and trying to keep the foreign people from owning our land. In a free country, why can't anyone buy our stocks in our companies, buy our land, buy a house. What are you afraid of? All they'll do is bid the price up. Now you go to Russia. They won't let an American buy land there. Now are we going to be like Russia?...that a foreigner can't buy land in the United States."

Speaker Lechowicz: "Let's give the Gentleman some order please."

Pierce: "When your ancestors came here from Europe, from Germany, or where ever they came from, they were allowed to buy land. They were foreign citizens. They could buy land before they became citizens. In America we shouldn't mimic and mock the Latin American countries, or the communist countries that won't let foreigners buy land. Foreigners



can buy stock in any company that they want to, on the New York Stock Exchange, why can't they buy our cultural land? They can buy commercial land. You're not stopping them from buying hotels, from buying banks, but only agricultural land. I think it shows a certain fear, a certain fear that not...that's not really a dignified way for Americans to feel. Anyone should be allowed to buy private property in this country if they pay for it. And therefore I think this is the first step towards turning us into another Mexico where we're afraid to let foreigners own land. And I...and I vote 'no'."

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

Davis: "Well, thank you, Mr. Speaker. The previous speaker couldn't be more wrong. He ought to check his packs before he gets up on his feet. In Mexico you could always own land, and you still can own land. The only land that was protected in Mexico was along the sea coasts and along the borders which was valuable to them and their natural resources, so they prohibited. But they now have opened that up under a trust agreement with the federal government. So let me just point out to you something. If we went over to Saudi Arabia, or Kuwait, or any of the Kuwaitee states, or the Arabian states and tried to buy their oil wells, they wouldn't let us do that. The greatest natural resource in this country is our food processes. We feed the world, and the world is not going to be fed except through buying our property and feeding it that way. Don't kid yourself. This is a very good Bill. It is a Bill that needs to be moved in the direction that it is going, and you'd better realize it before the tables empty, when you wake up someday and, for instance the Japanese with 90,000,000 crowded on an island who have no foodstuffs are buying California, and Oregon, and Washington as fast as they can so they can feed their people. Now you'd better wake up that mid-American farm land is disappearing very rapidly into foreign hands, and



we'd better know who's buying it and why."

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

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House,

I think this Foreign Investment Bill is a good time for me to tell the Members a little tid-bit that I saw out of the Wall Street Journal. You know the Poles have been the butt of one liner jokes, and they are now...the Poles now are making one liner American jokes, and the one that I have...have here is 'Why does it take 5 Americans to change a lightbulb?'. And the answer is 'One to turn the bulb, and 4 to file the environmental impact statements.'."

Speaker Lechowicz: "Yes, Sir, Master." The Gentleman from Macon, Mr. Borchers."

Borchers: "Well, fellow Members of the House, I might point out to you, of which I have mentioned before, that one Italian family in Fulton County, and I don't know who the Representative is here, but I bet they can confirm it, but I...one Italian family in Fulton County has bought over 8,000 acres of land. That is approximately 16,000 hectors European style as I recollect. Just one family. A couple of the Arabian states have bought a few islands off the Carolina coast. I understand that our friend, Burt Lance sold his stock in an Atlanta bank to some Gentleman from Saudi Arabia or...I guess they call them a shalk...sheik...sheik or something...anyway, we are in danger. We are having our lands taken from us and bought by foreigners, and I think we need this record that if we have to go to war one of these days, we can take it all back and get our money back."

Speaker Lechowicz: "The Gentleman from Cole, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker, I move the previous question."

Speaker Lechowicz: "The Gentleman has moved the previous question. All in favor signify by saying 'aye', 'aye', opposed. The previous question has been moved. The Lady from Adams, Mrs. Kent to close."



Kent: "Thank you, Mr. Speaker. First of all I would like to say this is just the opposite from Representative Robinson's Bill. I did not approve of that Bill, and that is the reason I feel that if it is needed to report, all this does is you have to report it. If it is needed to find out, this is the best way to do it. I will never prohibit someone from buying or selling their own property, and so therefore, this is the way to go is that we will in some way determine how much alien property is purchased. I hope that you will agree with me and vote for 788."

Speaker Lechowicz: "The question is 'Shall the House adopt Senate Bill 788?'. All in favor vote 'aye'. All opposed vote 'no'. The Gentleman from Macon, Mr. Dunn to explain his vote. Timer's on."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd just like to set one part of the record straight. I don't disagree with the concept of this Bill, but anyone who thinks that land trust beneficiaries are going to have to report under this Bill is kidding himself. The Bill provides for reports for those who transfer any interesting agricultural land. Everyone in here knows that the beneficial interest in a land trust is personal property and is not covered by this Bill. So to avoid the impact of this Bill all you have to do is put your land in a land trust and you have...and you...it will make business for all the lawyers, but it won't discover any...the title and ownership to any farm land unless somebody wants to. So do what you want, but if...it is not going to have any...any important effect. No, I'm voting 'no'."

Speaker Lechowicz: "The Gentleman from McLain, Mr. Ropp."

Ropp: "Mr. Speaker, Members of the House, I'm not really as concerned about foreign investments coming into this country as long as they operate within the system because they are going to have a difficult time trying to operate, trying to sell and make a profit under the present prices



that we have in some of our farm commodities. The real question that I have is though that as these foreign investors become involved in our system, they avoid the system by moving the products that they produce both in the area of vineyards, wheat, and corn out of the country without even paying any of the costs that are involved in terms of income tax, sales tax, and so forth. They'll move them directly to their own country, take advantage of it, and we in this country lose out."

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

Brummer: "Yes, I'm voting green only because I agree with the intent of reporting. However, I think it is important to point out...the lawyers in this area, I guess, have been analyzing this. John Dunn pointed out the deficiency with regard to beneficial interest in a land trust. There is nothing in there to preclude a domestic corporation from being foreign, being totally owned by foreigners, and going totally unreported. I think we're kidding ourselves if we think that this is going to entail the reporting of a significant portion of land that is being purchased by non-domestic aliens. It is not going to occur. The Bill needs additional work, and we ought to plan to come back here and tighten it up to accomplish its purpose. It will not accomplish its purpose in the current form."

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

Robbins: "I'm changing mine from red to green because I want to call some attention to a few facts. The DuQuoin State Fair, which was owned by the Hayes Brothers, is now owned by an Arabian corporation as well as the DuQuoin bank and quite a bit of farm land in the area."

Speaker Lechowicz: "Have all voted who wish?"

Robbins: "Now, in Mexico, they confiscate your land and take it away from you. Instead, we give them the dollars, and



they come back here and borrow land. The Japanese own elevators throughout Illinois which moves the soybeans directly from what land they own to Japan without any tax, and in several of our American corporations, you should put something in there too, because they are moving the factories out by buying the corporations and taking the patents and going overseas and producing them cheaper."

Speaker Lechowicz: "Have all voted who wish? The Clerk will take the record. On this question there's 140 'ayes'... 140 'ayes', 19 'nos', and 8 recorded as 'present'.. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 884."

Clerk O'Brien: "Senate Bill 884, a Bill for an Act to make..."

Speaker Lechowicz: "Out of the record at the request of the Sponsor. Take Senate Bill 918 out of the record at the request of the Sponsor. Take Senate Bill 939 out of the record at the request of the Sponsor. Senate Bill 942. Mr. Vinson."

Clerk O'Brien: "Senate Bill 942, a Bill for an Act to amend Sections of the Civil Practice Act, Third Reading of the Bill."

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

Vinson: "Take it out of the record please, Mr. Speaker."

Speaker Lechowicz: "Out of the record. Senate Bill 1150."

Mr. Dawson: "Out of the record. Senate Bill 1183, Cissy Stiehl. Read the Bill. Take it out of the record. Senate Bill 1203, Sandquist. Read the Bill."

Clerk O'Brien: "Senate Bill 1203, a Bill for an Act to amend Sections of the Mental Health and Development Disability Code, Third Reading of the Bill."

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

Sandquist: "Yes Mr. Speaker and Ladies and Gentlemen of the House. This is a very important Bill, and I would like your attention. I'd like to point out first that this is really a bipartisan Bill. This Bill in the Senate was sponsored by Senator Daley and Senator Schaffer. Here in





the House Representative Getty is my chief...co-Sponsor with me. Now Senate Bill 1203 has a number of important provisions which assures the smooth operation of the new mental Health and Developmental Disabilities Code. The code has been in operation for nearly 6 months now. I was the House Sponsor of this enlightened reform, and I am pleased, but not surprised I might add, that the code has worked very smoothly on the whole. However, it is inevitable that a few kinks appear in any legislation that is comprehensive. There have been a few troubled spots in the new code, and Senate Bill 1203 addresses them. Most of the Bill is not uncontroversial. Indeed it is generally recognized to be greatly needed. There is, however, one provision that has generated some concern, and that is the revision of the restraint provision. And I might add that nobody likes restraints, but sometimes they are important. And let me point out that the Bill extends the time...the time limits for applying a restraint on a doctor's orders from 8 hours initially and 12 hour periods thereafter to 16 hours across the board. And I might point out that we in the House put on the Amendment which cut it down from \$24 which had originally passed the Senate, down to the 16 hours. Now this extended time period is necessary in order to make restraints a viable method of treatment. Although the time limits are extended for physician orders, the Bill requires a strict monitoring of people who are in restraints. And this point has been glossed over by the opponents of Senate Bill 1203 because under current law, a person can be physically restrained for up to 12 hours without anyone looking in on him. Now, Senate Bill 1203 requires monitoring of the restrained person at least once every hour. It is an important protection of rights for the mentally ill. If this Bill is defeated, that protection will be lost. Senate Bill 1203 also permits a clinical psychologist and a supervising nurse to order the restraints, but...but



let me point out when a clinical psychologist or a supervising nurse orders this, the physician must approve the order within 2 hours. In other words, he must be notified within 2 hours by telephone. Now, I just want to say that as principle House Sponsor of the Mental Health Code reforms last Session, I worked hard to protect the rights of the mentally ill. These rights are well protected by Senate Bill 1203, and at the same time, the Bill is made more workable. I ask your support of the Bill. Be happy to answer any questions."

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

Keminer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, the job that we have in this Legislature is to try to protect the people of the state, but in so doing, we cannot put the people who are there to help them into a straight jacket. I think the Sponsor of this Bill has done an excellent job in describing why he is the Sponsor of a Bill to work out some of the problems that were created...that we created in the General Assembly last year. Those of us from downstate communities where hospitals have psychiatric wards are well aware of the problems we created by passing the new Mental Health Code last year. And I commend the people who were responsible as Sponsors of that Bill for coming back and admitting we put a straight jacket on in some cases. I'm not sure that this Bill responds to all the problems that were...that have developed over the passage of that law, but certainly it admits that we have to address some of the problems that have occurred. I know that the psychiatric in my community, St. Joseph's Hospital, which has a psychiatric ward, are very much handicapped and very much need the relief that will be provided by the passage of this Bill. I would urge your support of Senate Bill 1203."

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



Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I reluctantly rise in opposition to this Bill. I think the Sponsors of the Bill and those who support the legislation are certainly well meaning in their intent. However, there are a couple of things that we ought to bear in mind about this legislation. That is that the people who will be most affected by the outcome of our vote here today are those who will be tied down in a hospital room in restraints. Think of this Bill from their prospective. If someone happens to be tied down and can be tied down as a matter of fact hand and foot spread eagle to a bed. In our Committee Hearings the restraints were brought in, leather cuffs for the arms and leather cuffs for the feet. If this Bill becomes law, someone can be tied down spread eagle in a hospital bed for up to 16 hours without a doctor coming into see them with only verification by telephone. There has been an indication that this is an improvement. The present law provides for a maximum time of tied down of 12 hours. We are increasing that time. There has been an indication that this Bill will provide for monitoring. I remind you that the Joint Committee on accreditation of hospitals recommends that when someone unfortunate enough to have to be restrained and tied down finds themselves in that position, they should be monitored every 15 minutes. This Bill provides for monitoring once per hour. We heard testimony in our Committee about a patient who was seen every hour. At 5 minutes after the hour, the patient became frantic, had been tied down hand and foot, actually turned a hospital bed over on herself, had a heart attack, and died in one of our state institutions. As a result of that death there were improvements made at that particular institution and there is better monitoring now. Once an hour is not enough for monitoring. I would also like to remind you that our brand new Mental Health Code, which has been in operation for only about 6 months contains a



provision for an Advocacy Commission, an advocate on behalf of the rights of those who find themselves in these unfortunate positions where they have to be restrained. This Bill provides that a patient distraught going into a mental facility can waive in writing...can waive in writing and release all of his or her rights so that nothing about his or her case will be forwarded to the Advocacy Commission. Now I ask you, is that the thing for a person to do on the way into any facility, let alone someone who is distraught, mentally ill, and has a form shoved into their nose to sign. This Bill may be well meaning in its intent, but in its effect and results, it is regressive. It is bad legislation. It is something that none of us would want to see passed into operation. I understand there are problems with the medical profession. The doctors find it difficult to get to the hospitals within the time provision prescribed by the current law. The answer is not...the answer is not to extend the time period simply for the convenience of someone to drive out to the hospital. I know members of the medical society who are much more responsible than that. This is not what they want. This is not what they need. What we need is different regulations about how you tie people down and when you turn them loose. This is a bad Bill. I urge a 'no' vote on this bad bad legislation on behalf of those who are unfortunate enough that they can not stand up here and speak for themselves. Those that can speak for themselves are very very well represented in this legislation. Let's take a look at it from the standpoint of those who are not quite so fortunate. I urge a 'no' vote."

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

(malfunction)...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. Sandquist to close."



Sandquist: "Yes, thank you, Mr. Speaker. I'd just like to quickly correct some of the things where my good friend Representative Dunn is wrong. He's talking about waiving rights, that's in a confidentiality Act which is a different Act, and not what we're talking about now. I don't like people tied up. Nobody does, but they can be tied up now for 8 hours without anyone looking in on them. What we're doing is now we're monitoring at least once every hour. Sure they propose that it should be longer than that, but that's not what the law is now. They can be there 8 hours without it. This makes it...sure that at least they come in...once every hour, and they can...instead of... for 12 hours. It does go to 16, but I point out the doctor must be called within 2 hours and then he has the responsibility if he wants to come right then or to wait on. I think it is a good Bill. It is a step in the right direction, and I urge an 'aye' vote."

Speaker Lechowicz: "The question is 'Shall the House pass Senate Bill 1203?'. All in favor vote 'aye', all opposed vote 'no'. The Gentleman from Cook, Mr. Bullock to explain his vote. Timer's on."

Bullock: "Thank you, Mr. Speaker. I had wanted to speak in debate, but at the last that the chair closed the debate. I certainly join with Representative Dunn. Irrespective of whether this Bill passes or not, there is some basic civil libertarian issues involved with the passage of Senate Bill 1203. Representative Dunn clearly enunciated some of them, but I think the most glaring deficiency in the Bill is that the Mental Health Code has only been in existence for 5 months, and at the same time we are pursuing the changes in this law that are going to effect the mentally ill citizens, and I think it should be told to this Body that every mental health association in the State of Illinois is in opposition to this Bill. I respect the House Sponsor and certainly the Senate Sponsor, but I think we've created an Act here today that we may long



(malfunction).

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

Mugalian: "Yes, to be specific about the associations that are opposed to this Bill, they include the Mental Health Association of Illinois, the Mental Health Association of Greater Chicago, the Illinois Psychological Association, and the Illinois Association of Community Mental Health Agencies. Now the Sponsor of this Bill, I think, made a slip of the tongue and he didn't intend it, but he referred to these restraints as a method of treatment. Now that's really ironic. He didn't mean it, but it is probably a Freudian error. We are trying to improve mental health care in this state and not go back to the old days. We got rid of the 'permit' physicians and required fully licensed physicians in our hospitals, but what are we doing? We are now saying that a doctor doesn't even have to see a patient before he orders restraints. The Joint Committee on accreditation of hospitals to who's standard we aspire, and until we reach those standards, we're not...we haven't reached the..."

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

Ebbesen: "Well, Mr. Speaker and Ladies and Gentlemen of the House, the only thing I was going to comment on is the... let's look at some of those who are in support of the legislation. I think we're talking about the practical realization here of what takes place, and I don't think that you could get a...group, the Illinois State Medical Society, the Hospital Association, the Psychiatric Society, those are the people who are the responsible ones who are working with these patients, and certainly what better endorsement can you have...and an endorsement of these 3 groups collectively agreeing upon a compromise situation, not the best perhaps, but certainly something that meets the demands and is the...we're talking about the practical



aspect of this and is certainly has enough votes, but I just...I'd have to challenge what the previous speaker said when he's talking about those who were in opposition to it."

Speaker Lechowicz: "The Lady from Champaign, Mrs. Satterthwaite, to explain her vote. Timer's on."

Satterthwaite: "Mr. Speaker and Members of the House, I am appalled that the Sponsors of this legislation would come before us as Members of the new Advocacy Commission promoting this as advancement of services to the mentally ill and disabled. The Commission on Accreditation of Hospitals requires monitoring every 15 minutes for those in restraints. The current DB program calls for monitoring every 30 minutes. This is regressive going back to 1 hour, and in addition to that, we are in jeopardy of getting HEW funding for our programs. Under federal law, Medic-Aid and Medicare require that there be restraints for no more than a 12 hour period. If we are going to initiate this law then I think we have to be aware that we may well lose the funds that..."

Speaker Lechowicz: "The Gentleman from Kane, Mr. Waddell...to explain his vote. Timer's on. Waddell. Okay, the Gentleman from Macon, Mr. Dunn to explain his vote. Timer's on."

Dunn: "Mr. Speaker...I'm on a point of personal privilege, Mr. Speaker."

Speaker Lechowicz: "What's your point, Sir?"

Dunn: "My point is that my name was used in debate. There was a point made that this Bill..."

Speaker Lechowicz: "Proceed."

Dunn: "That...that I made an error. This Bill does, in fact, permit a patient on the way into a hospital to waive his rights, and I'd like to point that out since there is some disagreement about that. Page 4, the Bill at the bottom, says that a recipient who is 12 years or older ~~on the way into a hospital shall be informed of his right~~



either to designate a person or agency to receive notice or to direct that no information about the recipient be disclosed to any person or agency. And I submit that the Advocacy Commission is an agency within the meaning of that definition. That phrase is in this Bill, and I think it is a bad bad provision."

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

Sandquist: "Now, Mr. Chairman, I'd like to correct 2 things. One thing that Representative Mugalian said that the Illinois Psychological Association is against this Bill. That is not true. That was put out in error by those who are against it. They are for it because I have talked to both the current president and the past president. And I might say that...but the hospitals...but accreditation for 15 minutes, that is the proposal. That is not the law now, and the law we have now could go 8 hours without it."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 124 'ayes', 30 'nays', 12 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1217."

Clerk O'Brien: "Senate Bill 1217,..."

Speaker Lechowicz: "Mr. Maurino. Maurino."

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

Speaker Lechowicz: "The Gentleman from Kankakee, Mr. McBroom, what purpose do you seek recognition?"

McBroom: "Yes, point of personal privilege, Mr. Speaker. I am somewhat offended by your actions, Mr. Speaker. Mr. Speaker... Speaker Redmond always introduces distinguished Members of the Senate when they are in our Body, and here we have Senator Vadalabene and you haven't recognized him, Mr. Speaker."

Speaker Lechowicz: "I haven't seen him yet. Welcome, Sam, you're





always welcome in this chamber. The Gentleman from Cook, Mr. Maurino, on Senate Bill 1217."

Maurino: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1217 is a very simple Bill. All it indicates is that a...a circulator for a petition has to be a registered voter rather than just a citizen of the State of Illinois or..."

Speaker Lechowicz: "Don't you want to bring this Bill back from Third to Second for the purpose of an Amendment?"

Maurino: "Is there an Amendment filed? I think..."

Speaker Lechowicz: "The Gentleman has leave to bring the Bill back from Third to Second for the purpose of an Amendment. Hearing no objection, Second Reading."

Clerk O'Brien: "Amendment #2, Bluthardt-Laurino, amends Senate Bill 1217 as amended by House Amendment #1 and so forth."

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

Bluthardt: "Well thank you, Mr. Speaker and Members of the House. This is a technical Amendment that changes the requirement from 120 days to 125 days, so in the case of a congressional vacancy the election must be held within 115 days. This changes to 125 days after the Governor issues his writ of the election. I move for its adoption."

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

Maurino: "I concur with the Amendment."

Speaker Lechowicz: "All in...any discussion? The question is 'Shall Amendment #2 be adopted?'. All in favor signify by saying 'aye', 'aye', opposed. Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Third Reading. Senate Bill 1227."

Clerk O'Brien: "Senate Bill 1227, 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 Gentleman from Effingham, Mr. Brummer."

Brummer: "Thank you, Mr. Speaker, Members of the House. This is



a very simple Bill. It provides that when there is a successful recount challenge in the election of a county board, and that successful recount results in a changing a majority composition of that county board, that there shall be a new election of the county board chairman. This matter passed out of the Senate with a 45 to 10 vote, and I would ask your favorable vote."

Speaker Lechowicz: "Any discussion? The Gentleman from Knox, Mr. McMaster."

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

Speaker Lechowicz: "He indicates he will."

McMaster: "Is there a specific reason for this legislation at this time?"

Brummer: "Well, I think it is good public policy. There are no county boards to my knowledge that would be effected by this...by current pending recounts or anything like that."

McMaster: "Was there at the time of filing this Bill a reason for filing it?"

Brummer: "Well, it came to the attention as a result of a...a 1 vote difference in specifically in Richmond County in the 54th District that...at that time there was a recount challenge pending, and..."

McMaster: "Wasn't there..."

Brummer: "...And at that time the legislation was originally introduced. Since then, that recount has been unsuccessful, so it would not effect any current pending county board chairman."

McMaster: "But originally there were, I believe, 2 counties in which there were recounts in process when the make-up of the county board politically could have been changed. My contention is this. I have served a great deal of time on county boards. While there was a difference in political make-up of them, it seemed that there was never a question of politics involved in making county board decisions. I think legislation such as this is trying to



direct county boards more to making their decisions rather than on what is good for the people of the county more to what is good for a political party. I don't think this is especially good legislation, and I would recommend its defeat."

Speaker Lechowicz: "The Gentleman from Peoria, Mr. Tuerk. Tom, will you complete it. I'm sorry. Alright, the Gentleman from Peoria, Mr. Tuerk...right? The Gentleman from Livingston, Mr. Ewing."

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

Speaker Lechowicz: "He indicates he will."

Ewing: "Is this the same type of legislation in which we operate in this House? For instance, if one of the challenges pending here, would we reorganize the House?"

Brummer: "This Bill was not addressing itself to that situation."

Ewing: "No, I ask is...is this the type of legislation under which we operate here, or do you know the answer?"

Brummer: "I do not know the answer. I think the rules provide the method of operation here."

Ewing: "Second I would ask, has there been any investigation into what might happen if a county government was to...issue bonds in the interim period. Would this affect the validity of these obligations of debt?"

Brummer: "It would have no effect."

Ewing: "There have...Have you 'Cutler and Chapman' opinion on that, or is that just your opinion?"

Brummer: "That's a 'Rich-Brummer' opinion."

Ewing: "Thank you. Mr. Speaker, I have the greatest respect for Representative Brummer, but he isn't 'Chapman and Cutler'..."

Speaker Lechowicz: "Either are you." Please proceed. Either are you."

Ewing: "No...I realize that, and I'm not giving opinions. At least on the validity of bonds. But I do believe that that is a point that should be considered. I think 2 other points need to be made. One has been made, that it in-



jects a matter of partisan politics to which we don't have in most downstate county boards at this time, and finally, if we were to have this type of rule for county government, why wouldn't we have it right here in the General Assembly? It seems to me it is completely unworkable and unnecessary."

Spekaer Lechowicz: "The Gentleman from Lake, Mr. Matijeovich."

Matijeovich: "Mr. Speaker, Ladies and Gentlemen of the House, I also agree with those who oppose this Bill. A county chairman is really elected for a 2 year term, and as you all know, many of these recounts end up in court and they take some time, and I think in order to have the continuity that you need in county government, let's face it. If the Minority Party becomes the Majority Party, they can control with the votes if that county chairman becomes authoritative and abusive, and therefore I think it is unnecessary, and I don't think it works toward good county government, and I therefore oppose it also."

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

Hudson: "Yes, thank you, Mr. Speaker. Would the..."

Speaker Lechowicz: "Yes he will."

Hudson: "Sponsor...Representative Brummer, in DuPage County we have a 25 Member county board. Now those are elected from various districts, 5 districts. Each district electing 5 Members. We have a county board chairman who is elected at large, that is to say by all of the voters in the county. Now under your Bill, would this affect DuPage County in such a way should we have a split in the board Members? One party outnumbering...would we then have to go back and replace the chairman who was elected at large..."

Brummer: "But when you say at large, you're saying that he runs specifically on the ballot for the position of chairman or president of the county board."

Hudson: "He does, yes."

Brummer: "No, it would not affect that."



Hudson: "Would not affect it. Thank you. Is that a Brummer opinion?"

Brummer: "I didn't get Chapman and Culter down here for an opinion on that."

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

Friedland: "Well thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move the previous question."

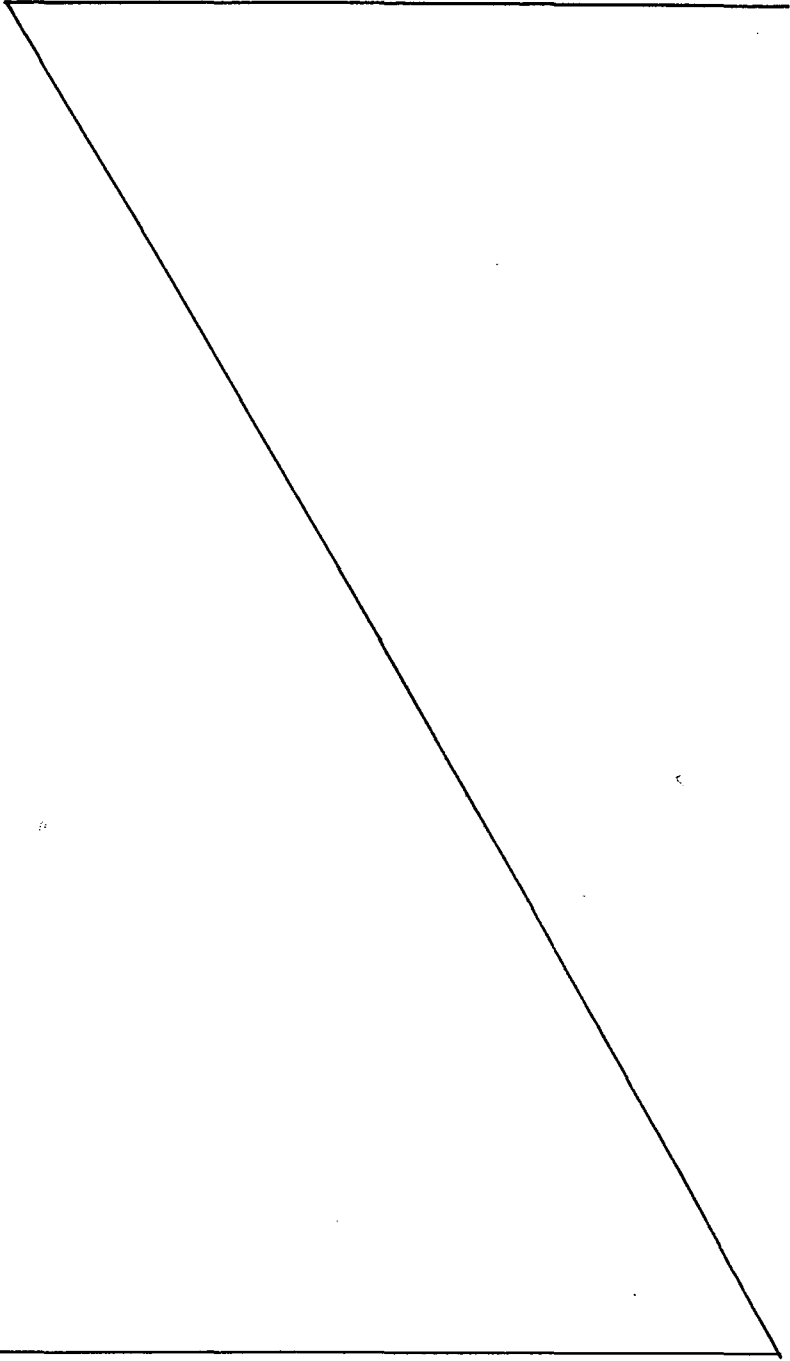
Speaker Lechowicz: "The Gentleman has moved the previous question. All in favor signify by saying 'aye', 'aye', opposed. The previous question has been moved. The Gentleman from Effingham, Mr. Brummer, to close."

Brummer: "Yes, this seems to be a Bill that is adherently fair. The Majority Party is the party who...elects the county board chairman. As the Majority Party changes, whether that from Democrat to Republican, or from Republican to Democrat, it seems to be a relatively simple item to have a new election which only impacts the county board of the county board Members themselves so that the Majority Party, whoever the new Majority Party is be it Democrat or Republican can select a new county board chairman. With regard to the individual from whatever county Representative Ewing is being concerned about Chapman and Cutler, I would point out that there is nothing inherent with regard to the chairman and the issuance of bonds. Every time you have a successful recount provision or challenge, you change the board make-up and you change one of the Members on the board. Obviously that is the existing law, and that would have no effect with regard to the issuance of the bonds or the validity of the bonds and whoever was the chairman at the time the bonds were issued. This seems to be a very fair Bill. It passed out of the counties and townships without a descending vote, and I would ask your favorable vote."

Speaker Lechowicz: "The question is 'Shall the House pass Senate Bill 1227?'. All in favor vote 'aye'. All 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 are 60 'ayes', 92 'nos', 3 recorded as 'present'. This Bill having failed to receive the Constitutional Majority, Mr. Brummer, is hereby declared lost. (Continued on next page)



Speaker Lechowicz: "Senate Bill 1239."

Clerk O'Brien: "Senate Bill 1239. A Bill for an Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Lechowicz: "Gentleman from Cook, Mr. Cullerton."

Cullerton: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. Currently, renters cannot deduct from either their federal or state income taxes the property taxes that they pay indirectly through their rent on the residence. Home owners, on the other hand, who itemize their deductions on their federal income taxes, and most do, are allowed to deduct real estate taxes. This Bill allows a state income tax deduction for the rental equivalent of property taxes and that, in the Bill, is defined as 30% of the gross annual rent. This is almost identical to House Bill 710 which was, who's very good idea was promulgated by Representative Ryan. That Bill passed 145 to 24. I would hope that you would concur with this also good Bill and give me a favorable Roll Call."

Speaker Lechowicz: "Any discussion? Gentleman from Cook, Mr. Schlickman."

Schlickman: "Would the sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Schlickman: "Isn't it true that the deduction under this Bill is not limited to the amount of the taxes paid which would then require the Department to issue refunds to taxpayers who pay no tax."

Speaker Lechowicz: "Cullerton."

Cullerton: "It is true."

Schlickman: "Isn't it true, also; that under your Bill the property taxes on rental property is deducted from taxes twice? First the owner deducts the property taxes when he figures his adjusted gross income for federal tax purposes which become the base of the Illinois income tax, then the same taxes are deducted a second time by the renter as provided in your Bill."



Cullerton: "Well 30% of the rent is deducted as a deduction."

Schlickman: "But there's a double deduction."

Cullerton: "Not exactly, no. Not 100% of it double deduction 30%."

Schlickman: "Isn't it true that under the Illinois income tax as it was passed in 1969 and as it presently exists, there is no provision for any deduction whatsoever and if this Bill were to pass and become law we would be opening up Pandora's Box to a multiplicity of other deductions and, consequently; reduce the revenue to the state and consequently have to increase the income tax?"

Cullerton: "Sounds like a fair question but I'd say the answer is no."

Schlickman: "You filed a fiscal note contrary to the law. The Fiscal Note Act says that a fiscal note should be drafted by the department affected which is the Department of Revenue. Your fiscal note signed by you says that the fiscal impact of this Bill would be between twenty and twenty-five million. Now our staff analysis says the fiscal impact could reach fifty million dollars. What is the basis for your estimate from twenty-five... from twenty to twenty-five?"

Cullerton: "The Illinois Economic and Fiscal Commission. Revenue Committee assistance, 81st General Assembly. Subject matter, Senate Bill 1239. Fiscal effect, the deduction provided by Senate Bill 1239 would reduce personal income tax revenues by twenty-six to thirty million dollars in fiscal year 1980."

Schlickman: "Twenty-six to thirty-nine."

Cullerton: "Thirty."

Schlickman: "And your fiscal note says from twenty to twenty-five and our staff analysis says approximately fifty-nine."

Cullerton: "Well, my... The analysis from the Senate, the staff analysis said twenty to twenty-five. That's where I got my fiscal note. I see in the file the Illinois





Economic and Fiscal Commission says twenty-six to thirty."

Schlickman: "May I address myself to the Bill Mr. Speaker? Mr. Speaker, Members of the House, I oppose this Bill for the reasons stated during the dialogue with the sponsor of this Bill. Number one, this Bill would provide for a negative income tax. A refund to people who don't even pay a tax. Number two, the, there would be a double deduction under the Income Tax Law of Illinois. The landowner, the one who pays the tax would be free from paying any tax on it. Number two, the renter would be able to take a deduction. I think very important, Mr. Speaker, Members of the House, is the income loss, the revenue loss that would result from this Bill and finally, the president that would be established for the first time in this history of the Illinois income tax providing for a deduction, and I can assure you Mr. Speaker, Members of the House, if we provide for a deduction in this case, you're going to see and you can anticipate a lot of Bills in the future that will be providing for deductions and thereby just corrupting the Income Tax Law that we now have. And for those reasons and on those basis I would urge a no vote."

Speaker Lechowicz: "The gentleman from Marion, Mr. Friedrich."

Friedrich: "I'll yield to Representative Ewing, excuse me."

Speaker Lechowicz: "Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker I wonder if the sponsor would yield for a question."

Speaker Lechowicz: "Indicates he will."

Ewing: "Representative Cullerton, I think you indicated in your opening remarks that taxes were deductible to the average taxpayer in Illinois. Is that correct?"

Cullerton: "I indicated that homeowners itemize deductions on their federal income tax returns."

Ewing: "Yes, they deduct them on the federal but they don't deduct them on their Illinois."



Cullerton: "That's correct."

Ewing: "So we're providing here for a deduction of rent from the Illinois while in fact the home owner will not receive any deduction."

Cullerton: "He already gets a deduction in his federal income tax."

Ewing: "Well that's right but he doesn't get any on the Illinois and that's what we're addressing."

Cullerton: "Right."

Ewing: "Is it also possible that public aid recipients could receive, I don't know how many have to file income taxes, but with the state making payment of their rent and then if they had taxable income they could deduct it again?"

Cullerton: "I indicated to, when a question was asked of me by Representative Schlickman, I didn't know the answer to that question."

Ewing: "Alright. Even probably a better example we have for senior citizens a deduction on the circuit breaker form for rent. Many of those people probably would be paying income tax and would they not, in fact, get two deductions...?"

Cullerton: "I'm sure, I'm sure you can get the answer to that if you looked at the staff analysis for House Bill 710 that Representative Ryan passed out of here."

Ewing: "Well, I'd just like for you to give us the answer you're the sponsor of this Bill."

Cullerton: "I don't know. I told you that."

Ewing: "Well Mr. Speaker, I pointed out three areas in which I think this Bill is very unfair. First of all, there is no deductions for home owners. Now I think that this is really a metropolitan Bill. That's where most of the renters are. And I'm sure it will probably fly out of here, but most of the people in this state who own homes will receive no deduction from the Illinois income tax. There are numerous possibilities where people can get a deduction from their income tax and also get a deduction



on a circuit breaker or maybe the states even picking up the rent. This is also, seems to me, to be unfair to those people who are carrying the tax burden in this state. And finally the point has been made. In my six... five years in the General Assembly and in service on the Revenue Committee, we have tried very hard to keep the Illinois income tax clean and if we start allowing deductions, there are many worthwhile deductions which I am sure we are going to have to consider and the fact that the Minority Leader has a Bill that is very similar to this doesn't help your Bill at all and it didn't make his any better and I would urge a no vote by every thinking Member of this House."

Speaker Lechowicz: "The Gentleman from Rock Island, Mr. Darrow."

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

Speaker Lechowicz: "Gentleman has moved the previous question. All in favor signify by saying 'aye' aye, oppose. Previous question has been moved. The gentleman from Cook, Mr. Cullerton to close."

Cullerton: "Thank you Mr. Speaker. I would ask for a favorable Roll Call on this Bill to bring renters and to give them the same advantages that home owners have with the respect to the deduction from paying income tax. I would ask that the Members who voted, the 145 people who voted for Representative Ryan's Bills will do the same on this one. Thank you very much."

Speaker Lechowicz: "Question is shall House adopt Senate Bill 1239. All in favor vote aye, all oppose vote no. The Gentleman from DuPage, Mr. Hoffman to explain his vote. Timer's on."

Hoffman: "Thank you very much Mr. Speaker and Ladies and Gentlemen of the House. To explain my no vote on this I'd just like to make two points. Number one, here we have a situation where the owner deducts the taxes once and then we let the renter deduct it again. All this does



is reduce the states ability to pay educational costs, public aid costs, and other necessary costs. We take enough money out of the State Treasury we won't have to worry about paying any of our bills because we won't have any resources."

Speaker Lechowicz: "Gentleman from McHenry, Mr. Skinner to explain his vote. Timer's on."

Skinner: "I'm a renter so I have a conflict of interest that's why I'm voting present."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Conti to explain his vote. His lights on. Gentleman from Cook, Mr. Cullerton to explain his vote."

Cullerton: "Mr. Speaker, I'm somewhat surprised. I have the Roll Call here from House Bill 710. There are only nine republicans who voted against the Bill and there were only 24 nays. This is an almost identical Bill so what you have on your record now is to vote for and against the same, the same Bill and I think it's inconsistent. This is a very good Bill. Let's let the Governor decide whether or not that it should become into law. I think that you would really do yourself a favor for the renters in you district and I'm sure everybody has renters in their district to pass this Bill. And I'm sure Senator Bianco who's the Sponsor of this Bill would appreciate your aye vote."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 78 ayes, 79 nos, 3 recorded as present. The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Would ask that you poll the absentees please."

Speaker Lechowicz: "Gentleman is entitled to that. We'll poll the absentees. That's correct."

Clerk O'Brien: "Poll the absentees. E.M...."

Speaker Lechowicz: "Excuse me. Gentleman from Coles, Mr. Stuffle what purpose seek recognition?"

Stuffle: "Mr. Speaker, how an I recorded?"



Speaker Lechowicz: "How is he recorded?"

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

Stuffle: "Change me to aye."

Speaker Lechowicz: "Kindly record Mr. Stuffle as aye. Lady from St. Claire, Mrs. Stiehl."

Stiehl: "Mr. Speaker would you change me to aye please?"

Speaker Lechowicz: "Kindly record Mrs. Stiehl as aye.

Poll the absentees please."

Clerk O'Brien: "E.M. Barnes. Brummer. Ewell. Flinn.

Gaines. Huff. Kozubowski. Margalus. McGrew. Patrick. Pouncey. Richmond. Schoeberlein."

Speaker Lechowicz: "Record Mr. Richmond as aye. Mr. Wolf what purpose seek recognition?"

Wolf: "My Leadership has convinced me, change me to aye please."

Speaker Lechowicz: "Kindly record Mr. Wolf as aye. Mr. Sandquist."

Sandquist: "Change me from present to aye."

Speaker Lechowicz: "Kindly record Mr. Sandquist as aye. Mr. Margulas."

Margulas: "Please change me to vote to aye from no voting to aye."

Speaker Lechowicz: "Kindly record Mr. Margulas to aye. Mr. Schneider."

Schneider: "Please change me from green to red."

Speaker Lechowicz: "Change Mr. Schneider from aye to no. Mr. Gene Barnes as aye. Mr. Mulcahey. Mr. Mautino.

Mautino: "Please change me from green to red."

Speaker Lechowicz: "Kindly change Mr. Mautino to no. The Gentleman from Cook, Mr. Patrick, what purpose seek recognition?' As aye. Mr. Pouncey as aye. Mr. Flinn as aye. Mr. Daniels, what purpose seek recognition?"

Daniels: "Well Mr. Speaker I rise to a point of order here because I think that some of the Members of this House are changing their vote unwittingly and unknowingly that House Bill 1710 which the gentleman referred to in



debate is, in fact, different from Senate Bill 1239. This Bill has no cap on the limit of deduction whereas House Bill 710 has..."

Speaker Lechowicz: "I'm sorry sir, your point is not well taken. Anyone else want to change or be recorded? Gentleman from Effingham, Mr. Brummer as aye. Gentleman from Red Oak, Mr. Rigney as aye. Mr. Pechous. The Gentleman from Macon, Mr. Donovan. Change him from no to aye. What's the count? On this question there are 89 ayes, 78 nos... Gentleman from Cook, Mr. McAuliffe. McAuliffe. Kindly record Mr. McAuliffe as aye. Mr. O'Brien. You're recorded as aye sir. What's the count now, 90? On this question there are 90 ayes, 78 nos. Request for a verification has been requested. Clerk will proceed to verify the affirmative vote. Kindly record Mrs. Younge as aye. Mr. Ewell as aye. That's 92. Kindly poll... verify the affirmative vote. Would you kindly be in your own seats? And would you kindly respond accordingly. Now who's taking the verification? Mr. Daniels are you taking the verification sir? Mr. Schlickman, alright. Fine."

Clerk O'Brien: "Alexander. Balanoff. E.M. Barnes. Jane Barnes. Bianco. Birchler. Bowman. Bradley. Braun. Breslin."

Speaker Lechowicz: "Gentleman from Livingston, Mr. Ewing what... excuse me... what purpose seek recognition?"  
Ewing.

Ewing: "As courteously as I can, I would request that Mr. Daniels be accorded the same courtesy that was given to Representative Madigan the other night when he had his verification when we were all ordered to our seats. I think what's fair for one side is fair for the other."

Speaker Lechowicz: "Well Mr. Ewing if you weren't talking to Mr. Edgar. I made that request that the Membership kindly be in their own seats..."

Ewing: "But we were ordered the other night into our seats by



the Speaker and..."

Speaker Lechowicz: "I don't order anybody. All we can do is request."

Ewing: "Mr. Speaker, I try to be very respectful in my request, but they kept at it from the chair until they obtained people in their seats. I think what's fair for the Majority Leader is fair for this side."

Speaker Lechowicz: "Proceed with the verification."

Clerk O'Brien: "Breslin. Brummer. Bullock. Campbell. Capparelli. Capuzi. Catania. Chapman. Collins. Conti. Cullerton. Currie. Darrow. Dawson. DiPrima. Domico. Donovan. Doyle. John Dunn. Dyer. Ewell. Farley. Flinn. Garmisa. Getty. Giorgi."

Speaker Lechowicz: "Mr. Epstein could I see you for a second?"

Clerk O'Brien: "Goodwin. Greiman. Hanahan. Hannig. Harris. Henry. Jaffe. Emil Jones. Kane. Kelly. Kornowicz. Kosinski. Kucharski. Kulas. Laurino. Lechowicz. Leon. Leverenz. Madigan. Margalus. Marovitz. Matijevich. McAuliffe. McBroom. McPike. Murphy. O'Brien. Patrick. Peters. Pierce. Pouncey. Prestin. Reilly. Richmond. Rigney. Ronan. Ryan. Sandquist. Schisler. Schraeder. Stanley. Stearney. Steczo. C.M. Stiehl. Stuffie. Taylor. Telcser. Terzich. Vinson. Vitek. Watson. White. Williams. J.J. Wolf. Younge. Yourell. Mr. Speaker."

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

Kelly: "Yes, Mr. Speaker. Could I give leave to be recorded yes?"

Speaker Lechowicz: "You want to be verified?"

Kelly: "Verified."

Speaker Lechowicz: "Leave. Leave is granted."

Kelly: "Thank you."

Speaker Lechowicz: "We would like to keep you around McAuliffe.

Gentleman asks leave to be verified, Mr. McAuliffe.

Leave is granted. Mr. Stearney asks leave to be verified.

OK. Hanahan's got to go to the Senate. He wants to be



verified too. Alright. Any questions of the affirmative  
 vote? Mr. Schlickman."

Schlickman: "What are we starting off with Mr. Speaker?"

Speaker Lechowicz: "I don't know. Ninety-two or three I  
 think. 92 ayes."

Schlickman: "Representative Preston."

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

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

Speaker Lechowicz: "Is Gentleman in the chamber? I don't  
 see... Take him off the Roll Call."

Schlickman: "Representative Currie."

Speaker Lechowicz: "Who?"

Schlickman: "Representative Dawson."

Speaker Lechowicz: "Representative Dawson. How is the  
 gentleman recorded?"

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

Speaker Lechowicz: "Gentleman in the chamber? Take him off  
 the Roll Call."

Schlickman: "Representative John Dunn."

Speaker Lechowicz: "John Dunn. How is the Gentleman recorded?"

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

Speaker Lechowicz: "Is the Gentleman in the Chamber, John Dunn?"  
 Take him off the Roll Call. Kindly put Mr. VonBoeckman  
 as aye."

Schlickman: "Representative Farley."

Speaker Lechowicz: "I'm sorry. Who was that Gene?"

Schlickman: "I asked for Representative Farley but he's here.  
 Representative Flinn."

Speaker Lechowicz: "Monroe Flinn. He's in the chamber."

Schlickman: "OK. Representative Garmisa."

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

Schlickman: "Representative Jaffe."

Speaker Lechowicz: "Jaffe. Mr. Jaffe. How is the gentleman  
 recorded?"

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





Speaker Lechowicz: "Take him off the record."

Schlickman: "Representative Leverenz."

Speaker Lechowicz: "Leverenz is in the chamber."

Schlickman: "Representative Marovitz."

Speaker Lechowicz: "Marovitz is in the chamber."

Schlickman: "Representative McClain."

Speaker Lechowicz: "Put John Dunn back on the Roll Call.

Mr. McClain.. Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Schlickman: "Representative O'Brien."

Speaker Lechowicz: "Kindly... Kindly verify Mr. Flinn.

They've already verified you. They questioned you.

Gentleman from Madison, Mr. McPike." What purpose seek recognition?"

McPike: "Could I be verified?"

Speaker Lechowicz: "You want to be recorded first?"

McPike: "No I'm recorded as voting aye."

Speaker Lechowicz: "Your light isn't working up here. OK.

Leave to be verified. Leave is granted. O'Brien is right here in the chamber."

Schlickman: "Representative Richmond."

Speaker Lechowicz: "Who was that?"

Schlickman: "Representative Richmond."

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

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

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

Schlickman: "Representative Ronan."

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

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

Speaker Lechowicz: "Remove him."

Schlickman: "Representative Schraeder."

Speaker Lechowicz: "Schraeder. He's there."

Schlickman: "Representative Slape."

Speaker Lechowicz: "Slape."



Schlickman: "He voted no, I'm sorry. Representative Stuffle."

Speaker Lechowicz: "Stuffle. How's the Gentleman recorded?"

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

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

Schlickman: "Representative Williams."

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

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

Speaker Lechowicz: "The Gentleman in the chamber? Remove him."

Schlickman: "Representative Yourell."

Speaker Lechowicz: "Put Representative McClain and Dawson  
back on the Roll Call. Who was that Gene?"

Schlickman: "Representative Yourell."

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

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

Speaker Lechowicz: "Gentleman in the chamber? Mr. Yourell?  
Take him off the Roll Call."

Schlickman: "Representative Birchler."

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

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

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

Schlickman: "Representative Patrick."

Speaker Lechowicz: "I'm sorry, who was that? Who'd you ask  
Gene?"

Schlickman: "He just walked in. That's OK."

Speaker Lechowicz: "Alright."

Schlickman: "That's it Mr. Speaker."

Speaker Lechowicz: "What's the count Mr. Clerk? Kindly put  
Mr. Richmond back on. You need three. Gentleman from  
Cook, Mr. Gaines, what purpose seek recognition?"

Gaines: "How am I recorded Mr. Speaker?"

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

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

Gaines: "Yes, Mr. Telscher is voting green. I'll vote green  
also."

Speaker Lechowicz: "Kindly record Mr. Gaines as aye. Put Mr.



Yourell back on the Roll Call. We need one."

Schlickman: "Representative Taylor."

Speaker Lechowicz: "Are you... You were... You were completed  
I thought. Who? Mr. Pechous, what purpose seek recognition?"

Pechous: "Recorded Mr. Speaker."

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

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

Pechous: "Please mark me present."

Speaker Lechowicz: "Present: Mr. Taylor's right here."

Schlickman: "Representative Rigney."

Speaker Lechowicz: "Sir, I thought you were completed. Oh,  
you're not completed. Alright. Mr. Rigney. Yes, Mr.  
Cullerton, what purpose seek recognition?"

Cullerton: "When a man says there's no other questions, people  
might leave the chamber. I don't think it's fair to  
continue on after he's indicated he was through."

Speaker Lechowicz: "And Mr. Schlickman, I believe that was the  
case."

Schlickman: "Seems to me, Mr. Speaker, that I have a right  
to question until you declare the results and you haven't  
declared the results."

Speaker Lechowicz: "Nō sir. It's always been a matter of  
form in this chamber that we ask if you're completed  
and once you are completed, then we, if anybody else  
wants to be recognized we do that and then we declare the  
result. Mr. ..."

Schlickman: "Thank you Mr. Speaker."

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

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

Speaker Lechowicz: "OK, Mr. Madigan. What's our count?"

We need one. Who? Rigney wasn't taken off. Gentleman  
from Franklin, Mr. Rea. Kindly record his as aye.

Rea. Jimmy Rea. What's the count Mr. Clerk? On this

question there are 91 ayes, how many nos? 76 nos.

This Bill having received the Constitutional Majority  
is hereby declared passed. Senate Bill 1277."



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

Speaker Lechowicz: "1277, you want to take it out of the record, ma'am? Out of the record at the request of the Sponsor. Senate Bill 1316, Mr. Marovitz. 1316, Jack."

Clerk O'Brien: "Senate Bill 1316, a Bill for an Act..."

Speaker Lechowicz: "Thank you, Reilly."

Clerk O'Brien: "...Prohibiting the pumping of gasoline containing excess water and sludge, Third Reading of the Bill."

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

Marovitz: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill, 1316, sponsored by Senator Chew in the Senate is a new Act which prohibits the pumping of gasoline from a storage tank containing a level of more than 1 inch of water or sludge. It will be enforced by the Department of Agriculture. That was an Amendment that was added in Committee. This Bill is similar to legislation that was enacted in the State of New York and requires daily testing of water levels in storage tanks. In order to test those levels all they have to do is put a dipstick into the storage tank with some stuff on the end of it and pull it up and as many inches of red are on the end of the stick, that is how many..."

Speaker Lechowicz: "Excuse me, Mr. Marovitz. The Clerk wants to inform...I want to inform the Membership the Clerk made a clerical error on...on that last Bill, Senate Bill 1239, it was 89 votes, 77 'nos', and the Bill having received the Constitutional Majority is hereby declared passed. I made the announcement that it was 91. It was 89. I'm sorry for that. Please proceed, Mr. Marovitz. It's still 89, Lee. I'm sorry. Mr...Mr. Marovitz, would you kindly explain Senate Bill 1316, and I want to apologize for the interruption, but I thought it was important."

Marovitz: "Thank you, Mr. Speaker...thank you, Mr. Speaker, this



Bill was introduced as a result of a...a 3 day exposé by NBC Television because of a problem that exists in the State of Illinois. There were substantial amount of cars that received water in their gas tanks during this winter as a result of seepage in storage tanks. As a result the cars had to be overhauled and the carburetors cleaned out at a rather substantial cost to drivers around the State of Illinois. The Department of Agriculture testified and said over television that to remedy this situation they needed legislative action, that they had received many more complaints this winter than they ever had, and that daily testing is a very simple thing to do, no additional cost to anybody whatsoever. I would ask for your 'aye' vote for this important Bill to the drivers of the State of Illinois, especially in view of the gas shortage that we have today."

Speaker Lechowicz: "There has been a request to put the TV cameras on."

Marovitz: "No, I object."

Speaker Lechowicz: "Request is granted."

Marovitz: "Mr. Speaker, I think at this time..."

Speaker Lechowicz: "Alright, would the Membership kindly..."

Marovitz: "Mr. Speaker, I'd like to take this Bill out of the record at this time."

Speaker Lechowicz: "Take the Bill out of the record. Senate Bill 1412."

Clerk O'Brien: "Senate Bill 1412, a Bill..."

Speaker Lechowicz: "Take it out of the record. Senate Bill 1246, Mr. Farley."

Clerk O'Brien: "Senate Bill 1246, a Bill for an Act to amend the Unemployment Insurance Act, Third Reading of the Bill."

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

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1246 is designed to correct an administrative problem in the Department of Labor which now has conflicting court decisions on whether to allow un-



employee benefits in addition to company holiday pay or deduct the amount of holiday pay from the weekly benefit amount. In Cook County as a result of a court decision by Judge Curry, holiday pay is deducted or will be, but since the judge's jurisdiction is only limited in Cook County, Senate Bill 1246 would correct this for..."

Speaker Lechowicz: "Excuse me, Mr. Farley. Would the caucus on the right-hand side over there break up? Mr. Cullerton, Mr. Pierce, Mr. Barnes...would you kindly give the Gentleman your attention? Please continue, Mr. Farley."

Farley: "Yes, as I said, Mr. Speaker, Senate Bill 1246, because of a decision as a result of Judge Curry's decision, holiday pay is deducted or will be, but the judge's jurisdiction is only limited to Cook County, the rest of the state may not have to deduct holiday pay. The Department of Labor needs clarification, and Senate Bill 1246 would do just that. So I would appreciate a favorable Roll Call."

Speaker Lechowicz: "Is there any discussion? The question is 'Shall the House pass Senate Bill 1246?'. All in favor vote 'aye'. All opposed vote 'no'. 'Aye'. The Gentleman from Bureau, Mr. Mautino to explain his vote. No... Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 134 'ayes', 14 'nays', 2 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. We took a number of Bills out of the record earlier this afternoon because the Amendments were not distributed. The Amendments have been on the Memberships desks now for a while. I'd like to go back to Senate Bill 659. The Gentleman has leave to bring back Senate Bill 659 from Third to Second for the purpose of an Amendment. Any objections? Hearing none, bring the Bill back to Second Reading."

Clerk O'Brien: "Amendment #7, Hannig, amends Senate Bill 659 as amended by inserting immediately after the last sentence and so forth."



Speaker Lechowicz: "The Gentleman from Macoupin, Mr. Hannig. Amendment #7."

Hannig: "Thank you, Mr. Speaker and Members of the House. Amendment #7 exempts from the disposal fee, bottom boiler ash, and fly ash from all incinerators which process solely municipal waste. I've discussed this matter with the Minority Spokesman and the Chairman of the Environmental Committee, and it's an agreed Amendment, and I would move for its adoption."

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

Schneider: "I wasn't clear on that why it would be exempt. I mean, what's the...from nuclear waste? Is that what you said, Gary?"

Speaker Lechowicz: "Mr. Hannig."

Hannig: "It was never our intention to include these in the Bill, and it was just asked that this was more clarified that we did not intend to put municipal fly ash into the Bill. These power companies are generally regulated...that we did not want to regulate them further."

Schneider: "Okay."

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

Skinner: "Excuse...Excuse me for inflicting one of my pet peaves upon you, but Springfield has got to be one of the dirtiest towns in the entire state because of its municipal utility companies, and I'm wondering if this Amendment is going to allow Springfield to spew its soot upon the city in a manner as it is now. If your Amendment isn't adopted, do we have a chance maybe in the next decade or so to have a cleaner Springfield? Does anybody know the answer except the Representative from Springfield who don't like scrubbers back of me?"

Speaker Lechowicz: "Mr. Hannig?"

Hannig: "Senate Bill 659 does not address the problem of utility companies or air pollution and scrubbers. This is simply to make it perfectly clear that we didn't intend to charge them a fee for people who dispose of this waste in a proper



fashion..."

Skinner: "Well, does that mean..."

Hannig: "This is for the incinerator of this ash."

Skinner: "Does that mean that if the...if Springfield happens to buy a part of Clinton at some point, that...that 2% or the 1% that Springfield might buy would mean that only 98 or 99% of the privately owned Clinton nuclear plant refuge would have to be disposed safely?"

Hannig: "This Amendment merely ex...this Amendment simply says that they do not have to pay the fee. It...they are not included in the Bill as it's structured...definitely."

Skinner: "Even...even if they own part of a nuclear power plant they wouldn't have to pay any fee."

Hannig: "The Bill doesn't address nuclear power. It is simply chemical disposal...the disposal of chemical hazardous waste."

Speaker Lechowicz: "The question is 'Shall Amendment #7 be adopted?'. All in favor signify by saying 'aye'. 'Aye!' Opposed. Amendment #7 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Third Reading. Also in the same category as Senate Bill 756, Mr. Cullerton. Where did he go? Cullerton. Okay. Senate Bill 1183, Mrs. Stiehl. The Lady from St. Clair, Mrs. Stiehl, requests that Senate Bill 1183 be brought back from Third Reading to Second for the purpose of an Amendment. Are there any objections? Hearing none, bring the Bill back to Second Reading. Any Amendments?"

Clerk O'Brien: "Amendment #1, C.M. Stiehl, amends Senate Bill 1183 on page 1 by deleting line 1-21 and so forth."

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

Stiehl: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, House Bill...Senate Bill 1183 is a Department of Transportation easement Bill, and the Amendment simply is a consolidation of easements that passed out of this House and are placed on the Bill at the request of the Department so





that they can be sure that nothing happens to them. I would ask for the adoption of this Amendment please."

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

Getty: "Would the Sponsor yield? Representative Stiehl have appraisals been filed on each of these parcels?"

Stiehl: "Yes they have, Representative Getty. Every one of these were passed as a Bill out of the House. However, when they got to the Senate, they were placed on various other Bills and the Department was afraid that they couldn't keep track of them all, and they...these are all identical to the Bills that passed out of this House."

Getty: "So for each one there has been an appraisal filed on this."

Stiehl: "Yeah, uh-huh...uh-huh."

Speaker Lechowicz: "What...Any further debate? The Gentleman from Cook, Mr. McCourt."

McCourt: "Mr. Speaker, would the Sponsor yield? I've gone over this Amendment for the last few minutes since it has been laid on my desk. It's about a 50 page Amendment, and of course a legal description...gives me no indication exactly where the properties are, but I see that we're... Section 2 on page 2 we're selling 5.3 acres of land for \$5,600. Section 3 we're selling 3½ acres of land for \$1,000. Section 4 we're selling over...almost 5 acres of land for \$2,500. I...Section 6 we're selling over 9 acres for 2,550. I'm just amazed that land in Illinois is selling so cheaply. They've been telling me that some of this land is worth 2 to \$5,000 an acre. What are we giving this away to some cozy deals?"

Stiehl: "No, these have all been appraised, gone through the legal process, and it is just land along the highway. There is... all these Bills were..."

McCourt: "You mean just like 9 acres that you might be able to put up a Holiday Inn or a Burger King, or a McDonald's..."

Stiehl: "No..."



McCourt: "I'm really questioning this. I haven't had a chance to look this over, but it sure seems to me that I'd like to be able to buy 9 acres for \$2,500 along a highway."

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

Leinenweber: "Well, I was just going to put that Gentleman at ease. These were all heard extensively in Executive Committee and the idea of consolidation was the Department's. They're all Department easements...excuse me...they're all Department Bills where surplus land that they don't want or need, and they're all subject to appraisals. Now, appraisers, I suppose, are appraisers, but according to law and according to the rules of this House, so I would certainly support the Amendment."

Speaker Lechowicz: "Is there any further discussion? The question is 'Shall Amendment #1 be adopted?'. All in favor signify by saying 'aye', opposed. The 'ayes' have it. Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Third Reading. Senate Bill 983 was advanced to Third Reading earlier this...today. The Gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, I would like leave to move Senate Bill 983 back to Second for the purpose of reconsidering an Amendment. It was adopted this morning. It was somewhat controversial, and then...tabled then. So I...request..."

Speaker Lechowicz: "The Gentleman asks leave to bring the Bill back from Third to Second for the purpose of reconsidering the Amendment that was adopted. Is there any objection? Hearing none, Second Reading. What is the Amendment number?"

Pierce: "Mr. Speaker, I now move...having voted on the prevailing side, to reconsider the vote by which Amendment #1 was adopted this morning."

Speaker Lechowicz: "The Gentleman moves that the House...moves to reconsider the vote by which Amendment...what?"

Pierce: "Number one was adopted..."



Speaker Lechowicz: "...Number 1 was adopted. All in favor vote 'aye'. All opposed vote 'no'. On the question the Gentleman from Cook, Mr. Schlickman."

Pierce: "May I speak on the question first?"

Speaker Lechowicz: "Yes you may, Sir."

Schlickman: "Dan, would you explain...Amendment."

Pierce: "After listening to the...after listening and analyzing the very persuasive arguments of Representatives Meyer and Schlickman this morning on the adoption of that Amendment, we have now determined that this needs further work...this bonding provision...this school conservation bonding provision and that we want to take it up in a separate Bill. It's not...it's not ready to go to the Governor's desk in the form that we had it, and therefore, I am now moving after analyzing and reflecting on the very persuasive arguments of Mr...Representatives Meyer and Schlickman, I am now going to move to reconsider that Amendment then to table it, to put the Bill back in the excellent form that it came from Senator Nimrod over in the... over in the Senate...to take off this Amendment and to work on it with the Energy Resources Commission..."

Speaker Lechowicz: "The Gentleman moves to reconsider the vote by which Amendment #1 is adopted. All in favor vote 'aye'. 'Aye'. All opposed."

Schlickman: "Mr. Speaker, I would just like to say that the Gentleman's fairness once again prevails. Thank you."

Speaker Lechowicz: "Have all...have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 102 'ayes', 4 'nos', 1 recorded as 'present', and the House moves to reconsider the vote by which Amendment #1 was adopted. Now the..."

Unknown: "Mr. Speaker..."

Speaker Lechowicz: "...Gentleman moves to table Amendment #1 which was adopted. All in favor signify by saying 'aye', 'aye'. Opposed. Amendment #1 is tabled. Any further Amendments? Third Reading."



Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Senate Bill 407. The Lady from Adams, Mrs.

Kent asks leave to bring the Bill back from Third to Second for the purpose of an Amendment. "Are there any objections? Hearing none, Senate Bill 407 is on Second Reading."

Clerk O'Brien: "Amendment #1, Kempiners-Richmond, amends Senate Bill 407 by deleting the title and inserting in lieu thereof and so forth."

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

Kempiners: "Thank you, Mr. Speaker. This Amendment would... extend until January 15, 1980 the report of the task force in the future of Illinois. The final report was due on October 1, and we don't feel we could prepare the report and have it printed by that time, so we're asking for an interim report on October 1 and a final report on January 15, and I would move for its adoption."

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

Getty: "Would the Gentleman yield?"

Speaker Lechowicz: "He indicates he will."

Getty: "Is the purpose of this that the Illinois future's task force just report further in the future?"

Kempiners: "Would you repeat the question?"

Getty: "Is the purpose of this that the Illinois future's task force just report further in the future?"

Kempiners: "I would say that's a good explanation of the Amendment."

Getty: "Verygood. If it's in the future, that's fine."

Speaker Lechowicz: "The question is 'Shall Amendment #1 be adopted?'. All in favor signify by saying 'aye', 'aye'. Opposed. Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Third Reading. On the Calendar on Second Reading is Senate...page 9 is Senate Bill 864."

Clerk O'Brien: "Senate Bill 864, a Bill for an Act to provide for



the ordinary and contingent expense of the Secretary of State, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Yes there is. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "There was supposed to be one filed. I know I signed it, but whatever happened to it I don't know."

Speaker Lechowicz: "It's here."

Matijevich: "Alright. We had...the Sponsor of the Bill and the Minority Spokesman and myself, we've gotten together... Committee Amendment #1 was a mere 25,000 from the contractual services line items in the fiscal services division and we felt that that mere pittance we ought to leave the Bill in the same shape as it left the Senate. So I...I would ask leave to table Committee Amendment #1."

Speaker Lechowicz: "The Gentleman asks leave. Any objections? Hearing none, Committee Amendment #1 is tabled. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Sandquist, amends Senate Bill 864 on page 4 line 29 and so forth."

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

Sandquist: "Yes, Mr. Speaker, I'd like to withdraw Amendment #2."

Speaker Lechowicz: "The Gentleman withdraws Amendment #2. Any further Amendments?"

Clerk O'Brien: "Amendment #3, McClain, amends Senate Bill 864 on page 6 line 12 and so forth."

Speaker Lechowicz: "I spoke to Representative McClain and he wanted to withdraw Amendment #3. Amendment #3 is withdrawn. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Third Reading." (Continued on next page).



Speaker Lechowicz: "Senate Bill 883."

Clerk O'Brien: "Senate Bill 883. A Bill for an Act to authorize the Department of Public Health to make and administer grants to aid and expand community services essential to problem pregnancies. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Lechowicz: "What was that Jack?"

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

Speaker Lechowicz: "Any motions?"

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

Speaker Lechowicz: "The Lady from Cook, Mrs. Chapman on the motion to table."

Chapman: "Mr. Chapman... Mr. Truman... Mr. Speaker. Whoever you are up there Mr. Lechowicz. Amendment #1 is the opposite of the kind of clause one often finds in a Bill. One often finds a severability clause. That is one that says if there's any part of this Bill that is unconstitutional the rest of the Bill will still stand. Amendment #1 which I believe you should table is an anti-severability clause. It says that if any part of this Bill is unconstitutional the entire Bill will fall. I think this would be a very sad event because this is a Bill that is aimed to deal with problem pregnancies with unwanted pregnancies. And it provides grants to certain agencies for health care for pregnant women. I cannot understand how the sponsor of a Bill like this would add an anti-severability clause to the measure and I would ask you

" to table Amendment #1."

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

Jones: "As the Sponsor, the House Sponsor of the Bill, I object to the tabling. This has been approved by the Senate Sponsors, Davidson and Rock and..."

Speaker Lechowicz: "The lady moves that the House table Amendment #1. All in favor signify by saying 'aye' aye,



oppose. Amendment #1 stands... OK. That Lady moved, it was seconded by Representative Dave Jones, is that correct? Oh, I'm sorry, you objected. Please continue sir."

Jones: "This has been approved by the Senate Sponsors, Davidson and Rock, and I object to the Amendment being tabled."

Speaker Lechowicz: "OK. The question is... On the question, Gentleman from Cook, Mr. Greiman."

Greiman: "Mr. Speaker and Ladies and Gentlemen of the House. I think that this Bill was a very initially a very good and significant and important Bill and I think that I'm... and I read the preamble of it and I see its purposes and its purposes are indeed good purposes. They... the preamble suggests that it's to help with problems with essential services to provide educations of poor services to encourage health coordination, to establish linkage between various health programs and to extend community services. Those are incredibly important programs for people and this Bill, therefore; is a good Bill. But what this Amendment #1 says is that if one part of this, one line of this is declared somehow unconstitutional then the hell with the health problems and the hell with the education support and the hell with the encouragement of, of health coordination and the hell with the establishment of linkage between programs and the heck with extension of community services and that's what it's saying. And it's a cruel Bill, it's a cruel Amendment because it says that a very important Bill, a very important Bill which has great aimination is to be destroyed because one line of it may be unconstitutional. It's a complex funding Bill. It may be unconstitutional for many reasons or parts of it may and yet the mission of this Bill may be able to be carried out and it seems to me the cruelest, the cruelest of things to say that this good mission will not be served because of some very narrow reason. I think that



Mrs. Chapman is correct. I think that we should table Amendment #1."

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

Leinenweber: "Mr. Speaker I would like to speak also in opposition to the motion to table Amendment #1. If you look at Senate Bill 883 and you look down the road a little bit to Amendment #3 you'll see the real intention of the Sponsor. Now, the idea of the Sponsor of this particular motion, the sponsors of this Bill is clear from Section 4-100 on page two of the Bill was to provide a money in the form of grants to agencies for alternatives to abortions for problem pregnancies, not for abortions. Now, we've had a lot of problems in Illinois with the Federal Courts in some of our legislation and it's obvious intent of the sponsor of the, of the amendment and also of the sponsors of the Bill is not to create a vehicle to dispense money to abortion clinics, but on the contrary to dispense money in the form of grants to those types of counseling clinics who are, as an alternative to abortions, So if we want to have a Bill as an alternative to problem pregnancies other than sending these people to the abortion mills then we should certainly vote against the motion to table because that's going to be the obvious intention of the sponsor either hopefully that the particular provision limiting it to those clinics not dealing in abortions and of course if that fails then down the road there's amendment #3 which strikes out the language of remedying the grants to those agencies who do not counsel for abortions so I certainly join with the House sponsor and the Senate sponsor of the Bill in resisting the motion to table Amendment #1."

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

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

I offered this amendment in the Committee and the reason for this is that we have, and when I say we I'm talking about





pro-life people who have tried to work with, with others in trying to work with these young people and their pregnancies. We have found experiences in other states that when this legislation has gone through, it's gone through without this inseverability clause and what has happened is that the courts in their liberal wisdom has, has stricken out those provisions that are pro-life and have, actually, prevented those of us who have a great concern in this area from having this type of counseling. and that is why our, I for one feel very strongly that this is an ~~ea~~amotion which should fail and I would like to see the amendment stay adopted and it's a good one."

Speaker Lechowicz: "The Lady from Cook, Mrs. Chapman to close."

Chapman: "Mr. Speaker, this Bill has nothing to do with abortion clinics and my motion to table Amendment one doesn't have anything to do with abortion clinics either. What the Bill is designed to do is to make grants to non-profit agencies and organizations and the wording in the Bill now is, 'which didnot refer~~to~~counsel for abortion' and to provide health for women who are having their babies. To provide social services. To provide health care. To provide educational services. One out of eight teenagers in this nation become pregnant every year. Nineteen percent of the children born in this state each year are born to child~~ren~~. Surely, the sponsors of this Bill want to see all women with problem pregnancies helped with their health and educational and social service problems and surely they do not want them denied this assistance simply because some clause in the~~Bill~~ might be declared unconstitutional. I ask for you support with a~~yes~~ vote on my motion to table Amendment #1."

Speaker Lechowicz: "All ~~in~~ favor of motion to table say 'aye' aye, opposed. Request for a Roll Call. All in favor of the motion to table vote aye, all oppose vote nay. Have all voted who wish? Have all voted who wish? Clerk will



take the record. On this question there are 45 ayes, 97 nos and the motion does not prevail. Any further amendments?"

Clerk O'Brien: "Floor Amendment #2, Deuster. Amends Senate Bill..."

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

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House.

I've discussed this amendment and two other amendments with the Senate sponsor and the House sponsor of this legislation and because the other amendments are agreeable to the sponsors, I am going to withdraw amendment #2."

Speaker Lechowicz: "Gentleman withdraws amendment #2. Any further amendments?"

Clerk O'Brien: "Floor Amendment #3, Chapman. Amends Senate Bill 883 on page two..."

Speaker Lechowicz: "Lady from Cook, Mrs. Chapman." Amendment #3. Correct the board, Jack."

Chapman: "What happened to amendment #2 Mr..."

Speaker Lechowicz: "It was withdrawn ma'am."

Chapman: "With... withdrawn. OK. Mr. Speaker, amendment #3 is a simple amendment since surely a Bill of this type is intended to help women who have problem pregnancies and surely would not want to limit it to, who knows, agencies which don't even exist today because it's difficult to tell what agency could qualify under the present Bill. All amendment #3 does is to remove the words which do not refer for, or counsel for abortion and so that the Bill would say the department may make grants to non-profit agencies and organizations which coordinate and establish linkages among services which further the purposes of this Act. That is to help women with problem pregnancies. I wonder if the sponsors give thought to their choice of words when they, they only permitted agencies which do not refer or counsel for abortion to receive money. I question whether any legitimate social service agency in this state could receive dollars under this Bill at the



present time. And because I would like to see legitimate social service agencies like the Salvation Army and Lutheran Welfare and Catholic charities receive money under this Bill, I'm offering this amendment which removes this language because it is really impossible for any bonified agency to discuss a problem pregnancy with a women who desires to discuss abortion and not be willing to talk about this with her. I'd like to point out that the language isn't, that the money simply could go to organizations which do not advocate abortion but the language is very, is very specific. You can't counsel. You can't refer and I'm very afraid that passage of the legislation in its present form will be completely meaningless. that the Department of Public Health will not be able to locate a single bonified organization which could qualify to receive dollars under this Bill. And I surely would be appreciative of anyone informing me the names of any agencies that actually could qualify."

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

Jones: "I object to Amendment #3 and so do the Senate sponsors and I move for its defeat. It simply guts the Bill."

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

Leinenweber: "Yeah, I referred briefly to Amendment #3 when I was commenting on the motion the Lady made regarding Amendment #1. Again, I would just point out that the sponsors of the Bill, both the House and Senate, have attempted to provide an alternative program for problem pregnancies other than referring people to abortion clinics for getting abortions. Now there certainly are institutions and groups both profit and not profit who don't refer people for abortion, and, but by striking out the language so that outfits that do refer young ladies to abortion clinics as, in order to take care of a problem pregnancy which would absolutely gut and destroy the Bill which is an alternative to abortions, I would certainly, along with



the sponsor, object to Amendment #3 and urge its defeat."

Speaker Lechowicz: "Lady from Cook, Mrs. Chapman to close."

Chapman: "Again Mr. Speaker, the previous speaker truly misunderstands the Bill which is to provide services for women who have decided to have their baby to provide prenatal and post-natal care for these women and to limit the agencies which can receive grants in this way surely limits the women who can be helped, and I have again yet to hear of the agency that could be, that would be qualified to receive grants. The agencies who would receive grants are health agencies. This goes to the Department of Public Health and not to abortion clinics. Nowhere in this Bill is an abortion clinic mentioned. I ask that, that you approve amendment #3 so that the purpose of the legislation can truly be served. That women with problem pregnancies will be assisted."

Speaker Lechowicz: "Question is shall Amendment #3 be adopted? All in favor signify by saying 'aye', oppose. Amendment #3 is defeated. Any further amendments?"

Clerk O'Brien: "Floor Amendment #4, Deuster. Amends Senate Bill 883..."

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

Deuster: "Amendment #4 is an amendment that I've discussed with the Senate and House Sponsors. It's agreeable to them. It does strike two words from the Bill, the principal word being 'sexuality' and the, I think that word really is not necessary for the purpose of the legislation. I'd be happy to answer any questions, but I move for the adoption of Amendment #4."

Speaker Redmond: "Representative Willer."

Willer: "Yes, would the sponsor yield?"

Speaker Redmond: "He will."

Willer: "Representative Deuster, would you give me a definition of the word sexuality please?"

Deuster: "Yes. I won't give you my own, I'll give you one from Webster's Dictionary. It says, 'a. the condition of



having sex. b. sexual activity. c. expression of sexual receptivity or interest especially when accessive', and I don't think we don't need to spend taxpayers money to encourage that."

Willer: "Well Mr. Speaker, I would like to speak to this amendment."

Speaker Redmond: "Proceed."

Willer: "I have Webster's definition, second edition which says that sexuality is a constitution and life of the individual as related to sex. The whole range of human sexuality is not confined to sexual activity which I think that that is what the sponsor of this amendment is all hung up about. So many Members of this House seem to get all upset because we talk about sex. Now the purpose, let me read to you... Well that's a good example of what I mean. The thigh slapping, rib poking, ho-ho-ho but when you come down to talking sanably about it to teenagers who are pregnant. Oh that's a big no. The Bill says and let me read to you, ' the services which may be included in such projects include education at the community level concerning sexuality and the responsibilities of parenthood. They're tied together. We are talking not about virgins, we are talking about young women who are pregnant who are coming for help and don't want to get pregnant again. Now I agree with you. I don't want to see them go to an abortion clinic. I want them to learn how not to get pregnant again. I want them to learn about human sexuality. The responsibilities of being a sexual person if they're going to be sexually active, obviously they have been. They're pregnant. Why are we so afraid to talk to our young people who obviously have been sexually active. Give them the truth about human sexuality. John go away. You're not going to bust me one bit. I think you people are so silly to be so prudish and the public policy towards our pregnant teenage girls when you act so ridiculous yourselves about the word sex fight here on the



floor of the House. Why in the world can't you grow up. Now, these young women need to be told about human sexuality if they're not going to get pregnant again. They need to learn to respect themselves as part of good human sexuality, and to delete this from one of the services is criminal. You're not going to help them one bit. I think this is a hold over from the puritanical ethic that we all seem to be bothered with from time to time. I've asked you to act like mature adults. Keep this word in. It's a very important part of this whole program which I think is a good program."

Speaker Redmond: "Representative Jones."

Jones: "I move the adopt of this amendment. The Sponsor's of the Bill agreed to it and I move its adoption."

Speaker Redmond: "Representative Alexander. Representative Wade Dwayne please sit down. Representative Alexander."

Alexander: "Mr. Speaker, I've had my light on from the beginning of the presentation of Amendment four because I wanted to ask the Sponsor of this amendment a couple of questions regarding it. One question is, what good would post-natal and pre-natal treatments do if the person who receives it know nothing about the beginning genesis of sexuality. Can the Sponsor of this amendment advise me?"

Speaker Redmond: "Representative Deuster?"

Deuster: "I think that the concern over this word would be different if it was some other word such as education concerning the cause of pregnancy in my own mind sexuality is, it's used commonly in this day and age, can note something beyond what the sponsors of this Bill have in mind I think. And I think the responsibility of parenthood is a broad enough subject for them to be taught about to include some necessary words of caution as to how they got to be parents."

Alexander: "Well, may I ask another question Representative Deuster? And to the Speaker... and rather to the Sponsor



of this Bill. Would you except and hold this on Second Reading for an amendment at this point in using the word conception since we're so afraid of the word sexuality? Since you said that seems to have other connotations that you're afraid that it might suggest something else."

Speaker Redmond: "That inquiry directed to Representative Jones is that correct?"

Alexander: "He is the sponsor of the Bill."

Speaker Redmond: "Representative Jones."

Jones: "That would be subject to a clearance by the Senate sponsor of this Bill and if they agree I have no objection but I cannot agree to it at this moment until I check with the Senate Sponsor. This amendment has the approval and I was moving that it be adopted."

Alexander: "Would you be willing, Representative Jones, to hold it until..."

Jones: "I'd be willing to check with the Senate sponsors."

Alexander: "Would you hold it to that point for us please?"

"Thank you very kindly."

Speaker Redmond: "Representative Jones, what is your answer sir?"

Jones: "We can bring it back from Third if there's agreement on that wordage."

Speaker Redmond: "His desire is to move it to Third after we addressed ourselves to the amendments that are here and then if your amendment needs his approval he will bring it back is that correct?"

Alexander: "Alright, thank you Representative."

Speaker Redmond: "Representative Kempiners."

Kempiners: "Thank you Mr. Speaker. You know, Ann Willer had a lot of good points to make and it reminded me back in the 1890's women used to put little skirts on the leg of their piano stools because what those piano stool legs were called were legs and somehow that referred to the human anatomy which was offensive to gentile people. And you know what, this amendment reminds me of that because



you're trying to deny something which exists. And the same people who are standing and making lofty statements about this are the same people who do not want sexual lessons or lessons about sex in the schools. They don't want it in the church. They say it's a family affair. They're the same ones who don't talk about it in the family which means that their kids learn about it in the school yard, in the back seats of cars. You can hide your head in the sand, Ladies and Gentlemen, and you can go out and tell your constituents what a great job you did to protect their children, but the 1890's proved that they knew what sex was then, whether they talked about it or not because we're here as a result of that so go ahead and vote for this amendment but you aren't doing a darn thing but driving it down into something that none of us want it to be and that is something that's dirty. If you can't talk about it that's what you're saying it is, dirty and a lot of us just don't think it is and it ought to be handled in a clean and high level manner. And I think that this amendment is, ought to be defeated."

Speaker Redmond: "Representative Kelly."

Kelly: "Yes, Mr. Speaker. I move the previous question."

Speaker Redmond: "Question is shall the main question be put? Those in favor say 'aye' aye, oppose 'no'. The ayes have it. Representative Deuster to close."

Deuster: "I would ask your favorable support for this amendment. Thank you."

Speaker Redmond: "Question's on the gentleman's motion for the adoption of Amendment four. Those in favor say 'aye', oppose 'no'. The opinion of the chair, the motions fails. Any further amendments?"

Clerk O'Brien: "Floor Amendment #5, Deuster. Amends Senate Bill 833 on page three, line eight and so forth."

Speaker Redmond: "Representative Deuster. Representative Deuster on Amendment five."

Deuster: "Well I think you, you went a little fast, Mr. Speaker."





Amendment #4 is an agreed amendment with the Senate sponsors and I would ask for a..."

Speaker Redmond: "Amendment #5, Representative Deuster."

Deuster: "Alright. We'll go to Amendment #5. Amendment #5 provides and I'll read it to you. This is an amendment also that has been discussed with the Senate sponsor and the House sponsor and has their agreement. It makes a provision that is consistent with the purpose of the Act. It says, 'However, no person shall under the authority of this Act dispense oral contraceptives or other birthcontrol devices or medication.' Now let me tell you what is of great concern to the, to our mothers and fathers and the people, our constituents back home. They find, not only is the government using their tax money to set up educational courses to teach kids at parks and civic centers and other areas about sexuality, but they also are passing out free birth control pills and contraceptives and the parents don't even know about it. That's not the purpose of this Act. That's not the purpose of this Bill and if it were it would be something that would embarrass many of us. The Senate Sponsor doesn't want that. The House Sponsor doesn't. and I would urge that you adopt this amendment to make sure that something does not happen that's not intended by the sponsors. We have law suits from one end of this country to another over this subject and if, if as some of you feel that it's important to instruct young people about sexuality and also to suggest to them that they use contraceptives or that they go on the pill, I think that they ought to go to the drug store somewhere else and buy that rather than have the taxpayers of the State of Illinois subsidizing contraceptives and birth control pills. In many cases for teenage girls whose parents don't even know what they're doing and what they're getting. I'm sorry to speak a little strongly about this but I think I have discussed it with the sponsors. I think it's



a responsible amendment and I would urge your favorable support. Thank you."

Speaker Redmond: "Representative Willer."

Willer: "Well, you know, the parents don't know she's pregnant they have to be blind. We're talking about a pregnant woman, young woman, not I repeat a virgin or someone who is not in trouble. This Bill is aimed at the pregnant teenager, specifically. So if parents are going to find out if they don't know right now. We don't want her to get an abortion. We want her to have the baby and we hope, and we don't want her to get pregnant again if she's unmarried, certainly. Now where we go and get the same hangup again. I'm trying to impose our morals in a program designed to help the pregnant teenager. You know, how can the parents not know? These are going to be responsible agencies that are helping with a broad range of services. One of the things we want to make sure is to understand her sexuality. To respect herself. To have her baby and not have another baby until she gets married. So what you're doing is defeating it in all the pro-life people were so dead set against abortion are now going to say, 'No contraception. Just go get pregnant again kiddo'. Now she may be very poor and she may not be able to afford a contraceptive. She may not even know about it. We know a teenage girl, teenage 12, 13, 14 year old. We know they got pregnant they don't even realize how they got pregnant and that's the truth. We want to teach them to respect themselves, first of all and then not go out and get pregnant again and bring a child into the world under the worst possible conditions. Don't impose... impose your morality on these girls when you say you want to help them, avoid the abortion clinic. It doesn't make sense."

Speaker Redmond: "Representative Dyer."

Dyer: "Mr. Speaker, Ladies and Gentlemen of the House. To borrow the famous words of Representative McCourt, this



amendment is crazy. It's the craziest amendment I've ever seen. Here we're talking about, let me read you what the sponsors wanted to do. They wanted to provide technical assistance to enable other communities to develop successful problem pregnancy preventions and pregnancy related programs for those in need. That's in their Bill. So what Representative Deuster wants to add is they can't provide any kind of birth control devices or oral contraception. Now I ask you how can you possibly prevent a pregnancy unless you at least teach people, or tell people that there are birth control devices available and that there is way to prevent a future pregnancy. No one appreciates more than I do at this moment and time the prize and the preciousness of a baby who is wanted and who is looked forward to by parents, married parents who want to assume the lifetime responsibility for that child. There's nothing more beautiful than a wanted child. But there's nothing ~~sadder~~ sadder than a teenage girl who could be your daughter who is stuck with a pregnancy that she was unprepared for and didn't want. Let's kill this terrible, crazy amendment."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House.

I'd like to abort this debate by moving the previous question so we can all go home."

Speaker Redmond: "Question is shall...Question is shall the main question be put? Those in favor say 'aye' aye, oppose 'no'. The ayes have it. Representative Deuster to close."

Deuster: "I think for Representative Dyer's observation I should emphasize that this amendment does not prohibit any counseling about the need for contraceptives or birth control. All this amendment does is provide that the taxpayers are not going to be paying for these birth control pills, paying for the contraceptives and passing them out free in our communities from one end of the State



of Illinois to another. If that, they can be counceled about the importance on contraceptives and if they're not, if they want to engage in their sexuality that's fine if they want to avoid a future pregnancy that's fine. All this is saying is that the taxpayers are not going to be paying for these. I think it's reasonable and they, a precaution that most, the majority of our constituents would want us to put into the law and I urge the adoption of Amendment #5."

Speaker Redmond: "Question is on the Gentleman's motion for the adoption of Amendment five. All those in favor vote aye, oppose vote no. Have all voted who wish? Have all voted who wish? Representative Kelly."

Kelly: "Yes, Mr. Speaker. I feel obliged to at least explain part of this amendment while I'm supporting it and I'll also bring to your attention that the legal staff for the Americans Unity for Life which is the legal arm of the pro-life group in Illinois are very much in favor of this amendment. I know that in some cases that there are personal conscience has come into play on this but my feeling is that I'm voting for it and it's up to each Member to make their own determination."

Speaker Redmond: "Representative Chapman." It's five after eight."

Chapman: "Yeah..."

Speaker Redmond: "It's 71 to 56."

Chapman: "And I'm going to be very quick. I just want to make sure that the Members know they are not voting on an abortion issue when you're voting on this amendment. This is if you're for or against providing contraceptive devices to students, to problem, to women with problem pregnancies. Are you for contraception. If you're for contraception, particularly for a girl who has an unwanted pregnancy who doesn't want to get pregnant again, vote no."

Speaker Redmond: "Have all voted who wish? Clerk will take



the record. On this question there's 83 aye, 54 no.  
The motion carried. The amendments adopted. Any further amendments?"

Clerk O'Brien: "No further amendments."

Speaker Redmond: "Third Reading. Any announcements? Representative Schlickman."

Schlickman: "Mr. Speaker, Members of the House, the Chicago National League ball club, fondly known as the Cubs, are completing a very successful road trip, 6 and 2, to serve as the basis for the world championship. I think it is appropriate, Mr. Speaker, that at this time we announce that the Third Annual Legislators Day at Wrigley Field will be held on Wednesday, August 8, 1979. There will be a pre-game visit on the field with 'Franks', the manager, Hall of Famer, Lou 'Boudreau', home run leader, King Kong Kingman, and other Cub Statwarts. After the game, dinner at ... Let me know tomorrow if you are interested. Thank you."

Speaker Redmond: "Do you have the magic numbers computed yet?"

Schlickman: "Where is...Shall we have it?"

Speaker Redmond: "Have the magic number next week. Any further announcements? Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker and Members of the House. I...before my announcement I was going to ask Gene Schlickman whether or not on August 8 I would have transferred my loyalties by then and use the CTA bus. But, seriously, the Appropriations II Committee will be meeting tomorrow morning at 10 a.m. promptly in room 118. 10 a.m. promptly."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House. Appropriations I Committee will meet at 9 a.m. in room 114, 9 a.m. in the morning Appropriations I."

Speaker Redmond: "Any further announcements? Any announcements? Anything for the good of the order? Representative Madigan on the adjournment."



Madigan: "Providing 5 minutes for a perfunctory Session, I move that we adjourn to 12 noon tomorrow."

Speaker Redmond: "The question's on Representative Madigan's motion that after 5 minutes perfunctory, the House stand adjourned until noon tomorrow. All those in favor of the motion indicate by saying 'aye', 'aye', opposed 'no'. The 'ayes' have it. Motion carries. After 5 minutes perfunct, the House stands adjourned until noon tomorrow."

Clerk O'Brien: "Committee report, Representative Capparelli, Chairman on the Committee on Executive, to which the following Resolutions were referred, action taken June 20, 1979 report the same back with the following recommendations: 'be adopted as amended' House Joint Resolution 59, Senate Joint Resolution 40. Message from the Senate by Mr. Wright, Secretary, Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in the passage of these Bills of the following titles to wit, House Bills number 1896, 148, 153, 183, 211, 266, 316, 318, 358, 380, 440, 437, 438, 450, 455, 462, 472, 483, 524, 563, 580, 608, 662, 681, 676, 692, 698, 724, 751, 828, 851, 882, 905, 925, 938, 948, 953, and 969 together with Amendments in the adoption of which I am instructed to ask concurrence of the House passed by the Senate as amended June 20, 1979, Kenneth Wright, Secretary. Message from the Senate by Mr. Wright Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in the passage of these Bills the following titles to wit House Bills number 84, 128, 140, 144, 150, 164, 190, 199, 203, 204, 225, 251, 252, 319, 321, 325, 327, 439, 441, 460, 495, 498, 518, 519, 541, 552, 573, 602, 612, 650, 657, 691, 707, 723, 725, 739, 741, 782, 805, 809, 815, 837, 841, 849, 867, 886, 887, 896, 903, 918, 930, and 944 passed by the Senate June 20, 1979, Kenneth Wright, Secretary. No further business, the House now stands adjourned."



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