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

Reverend Krueger: "In the name of the Father, the Son and the Holy Ghost. Amen. O Lord, Bless this House to Thy service this day. Amen. Frederick Wilcox said: Progress always involves risks. You cannot steal second base and keep your foot on first. Let us pray. O Eternal Father, we Thy servants who serve Thee with Thy grace and holy fear do give Thee most hearty and humble thanks for the many pleasures and gifts bestowed upon us; particularly for the privilege of serving as a member of this House of Representatives are we most grateful. Direct our thoughts to the plight of those whom we serve that they suffer not from oppressive taxation and lack of economic consideration; rather let us enact such laws that will alleviate their burdens and which are equitable to all who must bear the responsibility of government administration and service. Let us afford such a climate that the people of this State of Illinois may share equally in the abundance of the Earth and never suffer the indignation of need or the deprivation of sustenance; through Jesus Christ, our Lord, Amen."

Speaker Redmond: "Pledge of Allegiance, Representative Friedland."

Friedland: "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: "The Regular Session will stand in recess until 10:30. Recess."

Speaker Redmond: "Does anybody know the language of flowers? What is the meaning of red roses in the language of



flowers? Anybody know? Representative Giorgi, what is it? That's correct. Now who sent the flowers? Representative Friedland."

Friedland: "Thank you, Mr. Speaker. My spies tell me they came from a secret admirer."

Speaker Redmond: "What did your spies tell you?"

Friedland: "The flowers that Representative Pullen has on her desk came from a secret admirer."

Speaker Redmond: "I wonder if it would be appropriate to ask the Legislative Investigating Committee to ferret ...out the secret admirer."

Friedland: "Naturally."

Speaker Redmond: "I guess maybe..."

Speaker Redmond: "The Third Special Session will come to order. We will be led in prayer by the House Chaplain. He's caught without a prayer."

Reverend Krueger: "In the name of the Father, the Son and the Holy Ghost. Amen. O Lord Bless this House to Thy service this day. Amen. Martin Luther said: Even if we knew that tomorrow the world would go to pieces, I would still plant an apple tree. Let us pray. Almighty Father, our Lord God of heaven and earth, Thou who out of nothing hath created order and out of order has given purpose, we come to Thee today beseeching Thee in Thy goodness to provide us with courage and fortitude to meet the challenges to be laid before us and enable us, O Lord, to conform our determination in such direction as will permit rapid and proper conclusions of the legislation we are facing as Members of this House of Representatives. May our actions be prudent yet stem from a hearty desire to do that which is provident for the people of the State of Illinois, through Jesus Christ, our Lord. Amen."



Speaker Redmond: "Representative Hannig, Pledge of Allegiance."

Hannig: "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: "The Third Special Session will stand in recess till the call of the chair. The Regular Session is in recess. The House will come to order. The Members please be in their seats. Introduction and First Reading."

Clerk O'Brien: "House Bill 2827, Jaffe - Kosinski - Schneider. A Bill for an Act to amend Sections of the Criminal Code of 1961. First Reading of the Bill. House Bill 2828. Schlickman. A Bill for an Act to amend Section 13 of the Consumer Finance Act. First Reading of the Bill. House Bill 2829. Schneider, et al. A Bill for an Act to amend the title and the Sections of an Act authorizing, for a period of time, public corporations to issue bonds. First Reading of the Bill. House Bill 2830. Bullock. A Bill for an Act to amend Sections of the Illinois Horse Racing Act. First Reading of the Bill."

Speaker Redmond: "Agreed Resolutions. Representative Giorgi."

Clerk O'Brien: "House Resolution 504, Capparelli. 505, Currie. 506, Griesheimer. Take out 506. 507 is a Death Resolution too. 508, Johnson. 509. J. J. Wolf. 510, Bullock. 511, Vinson. 512, Donovan...no, pull that out, Death Resolution. 513, Harris. 514, Madigan. 515, Pechous. 518, Terzich. 519, J. J. Wolf. 520, Pechous. 521, Kulas. 522, Braun. 524, Younge. 526, Currie. 527, McCourt."

Speaker Redmond: "Representative Giorgi."



Giorgi: "Mr. Speaker, House Resolution 504 by Capparelli honors P.J. Cullerton. 505 by Currie wants to study Medicaid Management Information Systems. 508 by Johnson allows a Dixieland Jam Session at the University of Illinois. 509 by J. J. Wolf tells about a 65th anniversary of the Latvian Independence Day. 510 by Bullock asks change in money policies. 511 by Vinson tells of a retirement. 513 by Harris calls Pope County Deer County of the World. 514 by Madigan allows Emergency Medical Services. 515 by Pechous congratulates John Nelson, Eagle Scout award. 518 by Terzich marks the 85th anniversary of the Croatian Fraternal Union. 519 by Wolf honors Lieutenant Thomas Ehmann. 520 by Pechous records a Marathon Winner. 521 by Kulas tells us about flagrant violations of human rights. 522 by Braun asks that Illinois not be made the dumping ground for nuclear waste of the United States. Younge notes the application of Donald...appointment of Donald McHenry as Ambassador to the United Nations. 522 by Currie congratulates Theodore Schultz and 527 by McCourt honors a 90th Birthday and I move for the adoption of all the Agreed Resolutions."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Would the Gentleman yield? Could you tell me more about the one that deals with the deprivation or denial of human rights? And the one dealing with the United Nations, please."

Giorgi: "Younge's Resolution recognizes the successor of Andrew Young to the United Nations. Is that... It recognizes the successor of Andrew Young to the United Nations."

Schlickman: "What does she say about Andrew Young?"

Giorgi: "She doesn't say anything about Andrew Young. It was lauding the new person. Mrs. Younge will



elaborate on it herself. But the other Resolution is by Kulas on the imprisonment of a person in a foreign..."

Giorgi: "Mrs. Younge's Resolution says nothing about Andrew Young . It deals exclusively with the successor, wishing him well."

Speaker Redmond: "Representative Younge, for what purpose do you rise? At Representative Yourell's desk."

Younge: "I rise to explain the Resolution. An East St. Louisan has been appointed the successor of Andrew Young . The purpose of the Resolution is to commemorate and to congratulate the successor, who is an East St. Louisan."

Schlickman: "Who is from S.I.U.?"

Younge: "Who is from S.I.U. and Lincoln High School, 15th and Pickett."

Speaker Redmond: "Play basketball?"

Younge: "Played basketball."

Speaker Redmond: "Where did he go to college?"

Younge: "He went to S.I.U. and Howard and Harvard."

Schlickman: "I accept it. How about the United Nations?"

Speaker Redmond: "Anything further?"

Schlickman: "There was one on the United Nations I was..."

Giorgi: "That was different...United Nations..."

Schlickman: "What about the one that dealt with the deprivation or denial of...rights."

Giorgi: "Representative Kulas tells us about an arrest in the Soviet Union of a Croatian, who is being denied his human rights and he's asking for some help."

Schlickman: "Thank you very much."

Giorgi: "I renew the motion to adopt the Agreed Resolutions." I move for the adoption of the Agreed Resolutions."

Speaker Redmond: "Representative Giorgi."

Giorgi: "I renew my motion for the adoption of the Agreed Resolutions."



Giorgi: "Clerk, are you going to read all the Death Resolutions at one time?"

Speaker Redmond: "Wait a minute now. The question...the question is on the Gentleman's motion for the adoption of the Agreed Resolutions. Those in favor say 'aye'; 'aye', opposed 'no'. The 'ayes' have it, the motion carries, the Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 506. Griesheimer - Friedrich - Matijevich. In respect to the memory of Doctor Earl V. Claren. House Resolution 507. Griesheimer - Friedrich - Matijevich - Pierce - Deuster and Reed. In respect to the memory of Mr. Richard Neulan. House Resolution 516. Catania - Goodwin - Bullcok - Taylor - Gaines - Alexander and Braun. With respect to the memory of E. F. Sampson. House Resolution 517. Schlickman - Chapman. In respect to the mrmory of Mr. Richard L. Lehman. House Resolution 525. Bell. In respect to the memory of Mrs. Marie B. Lundall."



Clerk O'Brien: "House Resolution 528. Schlickman - Walsh - Redmond - Ryan and Vinson. Take that out of the record. House Resolution 512 and 523, Donovan - Matula - Klosak. In respect to the memory of Mrs. Frances A. Pechous."

Speaker Redmond: "Any discussion? Representative Schlickman."

Schlickman: "Mr. Speaker, Members of the House, with respect to House Resolution 517, concerning Dick Lehman, Dick Lehman experienced an untimely death on October 1, 1969 (sic) some of you may have known Dick. He served with the Department of Children and Family Services as Assistant to the Director and also served in that very awesome capacity as guardian for all of the state wards in Illinois. It was my privilege to have known Dick, to have associated with him and to observe that while he served under a variety of Directors of the Department of Children and Family Services, he constantly fought to maintain the integrity of that Department. Dick was a man who spent his life in public service and...spent his life on behalf of dependent, neglected children otherwise in need of supervision. Mr. Speaker, Members of the House, the State of Illinois is better because of Dick Lehman."

Speaker Redmond: "Any further discussion? The questions is on the Gentleman's...Representative Giorgi's motion for the adoption of the Death Resolutions. All in favor say 'aye'; 'aye', opposed 'no'. The 'ayes' have it, the motion carries and the Death Resolutions are adopted. Any further Death Resolutions? Mr. Schlickman, get back to your seat."

Clerk Leone: "House Resolution 528. Schlickman - Walsh - Redmond - Ryan - Vinson. Whereas, the House



has learned with deep regret, of the recent death of one of the greatest Legislators in Illinois history. Our beloved friend and revered former colleague, the Honorable W. Russell Arrington. And whereas, born on the 130th anniversary of American independence, Senator Arrington, throughout his long and illustrious career of public and private service, was a living demonstration of those qualities of character which...which have made this country great. And whereas, after a decade of distinguished service in the House of Representatives, where he served in the 64th through the 68th General Assemblies, as Chairman of the House Judiciary Committee and was elected to the Senate, where his brilliant and outstanding service during the 69th through the 77th General Assemblies was perhaps unparalleled in Illinois legislative history. And whereas, although Senator Arrington's public and private achievements are...are so many as to defy enumeration, it is primarily because of his herculean labors and magnificent accomplishments as President Pro Tem of the Senate, that he occupies the unique place in Illinois history. For he, more than any other person, was responsible for revitalizing the Legislative Branch of Government and enabling it to play more effectively its proper role in our system of government. Therefore, be it resolved by the House of Representatives of the Eighty-first General Assembly of the State of Illinois, that we express our profound sorrow at the death of our beloved friend and former colleague, the Honorable W. Russell Arrington. That to his belated family we extend our heartfelt sympathy and that we express our appreciation for his many



contributions, not only to the effective functioning of the General Assembly, but also to the welfare of our State and Nation. Be it further resolved that a suitable copy of this Resolution be presented to the Arrington Family."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Mr. Speaker, Members of the House, literally, there have been thousands of persons who have served in the Illinois General Assembly since the founding of this state. In my opinion, and I know others share this, Russ Arrington was the greatest of the Members that have served in the Illinois General Assembly. He served 10 years in the House, went to the Senate and left a heritage that we, as Members of the House of the General Assembly, are now benefitting from. Russ Arrington, by his foresight, by his unique character, by his determination, turned the Illinois Legislature around and made it what we have all been claiming it is, a co-equal Branch of Government. We all individually, as Members of the House, and as citizens of the State of Illinois are indebted and shall always be indebted to Russ Arrington for what he gave to us and to the State of Illinois. Mr. Speaker, Members of the House, I move for the suspension of the rules and for the immediate consideration and adoption of House Resolution 528."

Speaker Redmond: "The question is on the Gentleman's motion for the adoption of the Resolution. Those in favor say 'aye'; 'aye', opposed 'no'. The 'ayes' have it, the motion carries, the Resolution is adopted."



Speaker Redmond: "Page 6. Amendatory Veto Motions.

Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker. I rise on a point of personal privilege."

Speaker Redmond: "State your point, Sir."

McGrew: "I would just like to have it indicated in the record, as you know, yesterday I had some trouble in getting to Springfield. My car broke down and I spent some three hours in Lincoln getting it fixed, during which time I missed the vote on Senate Bill 47. The veto was overridden and it was my intention to vote for that override and I would just like that stated in the record. I realize it was verified and there's no provision in the rules to get on the Roll Call but I would like to have it as part of the record."

Speaker Redmond: "Senate Bill 48. Representative Terzich. Roll Call for attendance. Representative Ryan."

Ryan: "Thank you, Mr. Speaker. Would the record show that Representatives Oblinger and Polk are absent for today and also for yesterday. I didn't excuse them for yesterday."

Speaker Redmond: "Is there any objection? Let the record so show. Representative McClain."

McClain: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I've asked for leave for the Subcommittee, the Environment Committee to continue having...hearing testimony downstairs. I've checked with you, Mr. Speaker and with the Minority Leader and with the Minority Spokesman on the Committee and I'd ask for leave for them to continue hearing testimony."

Speaker Redmond: "Do you want it from here on in or from here back? Do you want to continue now?"

McClain: "Yes, Sir."

Speaker Redmond: "Does the Gentleman have leave to continue



the Sub-Committee? Representative Kane. Representative Kane has objected. Representative Darrow's objected. Objection has been raised, Representative McCain Senate Bill 48. Representative Terzich. I'll be back to you. Representative Terzich."

Terzich: "Yes, Mr. Speaker. Senate Bill 48 makes it a Class II Felony for any person to solicit, offer or receive kickbacks or bribes in connection with the furnishing of an abortion or a referral for one. The language in the Governor's Message felt that the Bill was satisfactory. However, the Bill would make it a Class II Felony for a doctor to legitimately receive a fee for performing an abortion. They felt that this was too strong of a penalty so they thought that the penalty should be changed. A Class II Felony offense would virtually assure that no offender would be imprisoned. The minimum sentence being three years appears to be severe for the offense and they felt that the Judges would undoubtedly propose probation in lieu of carceration. While a Felony is necessary to subject an offending doctor the license revocation process is a Class IV Felony designation with a one year minimum would provide a Judge a more meaningful incarceration and I would move for adoption of the Governor's Amendatory Veto of Senate Bill 48."

Speaker Redmond: "Is there any discussion? The question is on the Gentleman's motion that the House concur with the Senate action in accepting the Governor's specific recommendation for change with respect to Senate Bill 48, by adoption of the Amendment. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. This motion, having received the Constitutional



Majority, prevails and the House concurs with the Senate action and accepts the Governor's specific recommendation for change regarding Senate Bill 48 by adoption of the Amendment. 65. Representative Katz. Representative Katz, 65."

Katz: "Yes, Mr. Speaker and Ladies and Gentlemen of the House I move to concur in the Amendatory Veto to Senate Bill 65. The Bill, in general, is one that defers the implementation of the 911 emergency system. It...it provides that in counties, the Governor's Amendatory Veto, provided that in counties having 100,000 or more inhabitants, that there would be a deferral of the obligation to fund until the General Assembly funds. It eliminates totally counties under 100,000. While I would wish that we would not have to eliminate counties under 100,000 the constraints of the budget and the practicalities make it so that some small counties are not able to do so, so that what the Amendatory Veto does is to make 911 mandatory only in counties over 100,000 and only three years after we have provided funding. I would move to concur in the Governor's Amendatory Veto."

Speaker Redmond: "Representative Skinner."

Skinner: "If I understand you correctly, that means that Kane County, which has more than 100,000 people will have to implement 911 by some date certain?"

Katz: "No. No, that...the date varies with the...with the availability of funding. In other words, when we... when we provide funding available for such counties to be able to do it that there will be an elastic funding date. As it now is, they are required to fund...they are required to comply with a specific date."



Skinner: "Okay, I understand. That means it will never get done..."

Katz: "This now makes it elastic. In other words, it depends upon the availability of funding."

Speaker Redmond: "Representative Dunn."

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

Katz: "Yes."

Dunn J: "Representative, as I read our analysis it indicates that in counties over 100,000 the 911 service will be mandated after the county has provided a revenue source to pay for it by means of a referendum. Is that...my real...really, what my question is, is supposing a county has a referendum which fails. What is the obligation of that county over 100,000 to provide this service."

Katz: "There is no obligation to provide the service unless the funding is provided. This, however, is not limited to county funding, it includes state funding of such a system. If funding is not made available there is no obligation, legally, to provide for the system."

Dunn J: "Thank you."

Speaker Redmond: "Representative Vinson."

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

Speaker Redmond: "Yes."

Vinson: "If I recall from the Spring, we considered two Bills on the 911 system and one of them made it permissive. And I think...didn't the Governor amendatorily veto that one too? And if the answer is yes to that, where's that one stand in the whole process?"

Speaker Redmond: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. Those two Bills that Representative Vinson is referring to, House Bills 203



and 204 were concurred in, the Amendatory Veto was concurred in in the House. I understand that yesterday the Senate concurred in those and essentially they say that no counties under 100,000 are mandated to provide the 911 system. As Representative Katz has correctly explained, counties over 100,000 are mandated to comply with the 911 system only, only three years after the state provides the funding. Is that correct, Representative Katz?"

Katz: "Yes, only three years after the funding is provided."

McMaster: "And I think the language says the state provides the funding. That does not mean local funding."

Katz: "Well if no funding is provided local or state, there is no obligation to provide the system."

McMaster: "That's right and it does not prevent a county or any county from establishing the system if they so wish to fund it themselves."

Katz: "Yes, I concur in what Mr. McMasters has said. I would hope that the counties of over 100,000 would continue to implement their systems but this eliminates the mandatory nature of it in the absence of funding."

McMaster: "Mr. Speaker, I concur with Representative Katz and encourage a 'yes' vote on the acceptance of the Governor's Amendatory Veto on Senate Bill 65. I think that we are following the course the General Assembly has adopted over the last year or two of not mandating anything to local governments unless we of the state provide the funding of a means of funding. So I think this is good legislation. I think we should adopt the Amendatory Veto."

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

Bradley: "I think Mr. Katz just answered my question. If not, he can correct me. But I understand that.. If I understand the Amendatory Veto of the Governor



correctly there is no mandate unless there is funding, is that correct? And who provides the funding? Could it be local funding or state funding either one?"

Katz: "It could be either one but if no funding is provided there is no mandate. That's the point of this."

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

Speaker Redmond: "Is there anything further? The question is, shall the House concur with the Senate and accept the Governor's specific recommendation for change with respect to Senate Bill 65, by adoption of the Amendment? All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there's 156 'aye' and no 'nay'. The motion, having received the three-fifths Constitutional Majority, prevails, and the House concurs with the Senate and accepts the Governor's specific recommendation for change. 133. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Seante Bill 133, you may recall, is a Bill that was introduced last year in response to the Supreme Court decision on the Donald Lane case. On that particular case, it was a result of the problems that we have with the existing law where a defendant who is incompetent to stand trial but not in need of hospitalization under the Mental Health Code, goes into a procedural limbo. He must either be held in jail without treatment or released on bail. In this particular case the legislation itself proposed and set forth a mechanism which this defendant would be examined in answer to a situation that developed in the Donald Lane case. The Governor has reviewed the Bill in great detail and has a number of Amendantoty Vetoes throughout, some ten or twelve, which basically



relates to the procedure of the examination, ranging from permitting the...the bonafide doubt of confidence where it has not actually been raised to relettering some of the Section numbers and clarifying the competency hearing Section. We agree with the changes in that. If this is not accepted, of course, the legislation would fail and would die and would not become effective as of the date of the passage, but we are accepting the Amendatory Veto and recommending your approval of the same."

Speaker Redmond: "Any discussion? The question is, shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 133 by adoption of the Amendment? All in favor indicate by voting 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there's 139 'aye' and 4 'no'. The motion, having received the three-fifths Constitutional Majority prevails and the House concurs with the Senate and accepts the Governor's specific recommendation for change. 359."

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

Gaines: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is really a Bill that was put in by the Legislative Advisory Committee on Public Aid, of which I'm a Member, to add certain other departments; Law Enforcement, D.V.R, to the agencies that we advise. And we also added to House Amendment #1 a proviso that persons who were...had certain illness from a type of disability would also be eligible for Public Aid under a certain set of circumstances. And the Governor amendatorily vetoed it out of the Bill. And it did not...affect the



main Bill. So therefore, I'm going to ask that we accept his Amendatory Veto and I shall join Representative Telcser next Session in trying to get the other one in as a law on its own. So I move that we accept the Governor's Amendatory Veto."

Speaker Lechowicz: "Any discussion? The question is, shall the House concur with the Senate and accept the Governor's specific recommendation for change with respect to Senate Bill 359? 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 'aye', 1 'nay', 0 recorded as 'present' and the House does concur and recommend the Governor's recommendation for change on...by a three-fifths Constitutional vote on Senate Bill 359. Senate Bill 362. The Gentleman...The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker and Members. The Governor's Amendatory Veto of Senate Bill 362 merely eliminates basically duplicative changes that were made in the Bill and were signed into law in another piece of legislation. The Governor indicates, by way of implication, that he's taking the Section out of this Bill but he does because it's covered in his approval of legislation proposed by the State Employees Retirement System. I would move to accept the Amendatory Veto of the Governor on Senate Bill 362."

Speaker Lechowicz: "Is there any discussion? The question is, shall the House concur with the Senate and accept the Governor's specific recommendation for change with respect to Senate Bill 362? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish?"



Have all voted who wish? The Clerk will take the record. On this question there's 152 'ayes', 1 'nay', 4 recorded as 'present' and the Gentleman's motion pre...having received the three-fifths Constitutional Majority, prevails and the House accepts the Governor's specific recommendation for change on Senate Bill 362. Senate Bill 419. The Gentleman from Cook, Mr. Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Governor, in his action on Senate Bill 419, made two specific recommendations and they were merely designed to clarify the language of the Bill. The first involved changing authorizers to implement since rules are more properly implemented instead of authorizing. And the other change involved addition of the phrase, 'as practical under the conditions', unquote, to limit the provisions from imposing impossible demands on the agency. The Senate, of course, heard this recommendation of the Governor and accepted the specific recommendations for change by a vote of 50 to 0 and I move that we accept in the House the specific recommendation for change by the Governor relative to House...Senate Bill 419."

Speaker Lechowicz: "Any discussion? The question is, shall the House concur with Senate...specific recommendations for change with respect to Senate Bill 419? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 142 'aye', no 'nay', 1 recorded as 'present'. The Gentleman's motion prevails and the it receives a three-fifths Constitutional Majority and the House accepts the Governor's recommendation for change on Senate Bill 419. Senate Bill 438. The Gentleman from Cook, Mr. Farley."

Farley: "Thank you, Mr. Speaker. I would move to accept the recommendations by the Governor's Amendatory Veto in Senate Bill 438. Because of a drafting error the commencement date specified by the law in 1971 applies to both a student and his spouse. This error



would make students who have already received benefits still eligible, retroactive to '71. And this change is not intended by the original Bill. So I would move for the acceptance of the Amendatory Veto."

Speaker Lechowicz: "Is there any discussion? The question is, shall the House concur with the Senate and accept the Governor's specific recommendations of change with respect to Senate Bill 438? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Mr. Schwartz...Mark... The Clerk will take the record. On this question there's 155 'aye', 1 'nay' and the Gentleman's motion prevails and Senate Bill 438 is passed with a three-fifths Constitutional Majority. Senate Bill 495. The Gentleman from Winnebago, Mr. Hallock."

Hallock: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The House, as you recall, this past Session enacted two sunset Bills. The Governor signed one and amendatorily changed this one to make it work along with the other Bill. And I would move that the House accept the Governor's amendatory change to this proposal."

Speaker Lechowicz: "Is there any discussion? The question is, shall the House concur with the Senate and accept the Governor's specific recommendation for change with respect to House...Senate Bill 495? All in favor vote 'aye', all opposed vote 'nay'. Turn Yourell off. Have all voted who wish? The Clerk will take the record. On this question there's 153 'aye', no 'nay', 2 recorded as 'present' and the Gentleman's motion prevails. And having received the three-fifths Constitutional Majority, Senate Bill 495 is passed. Senate Bill 666. The Lady from Sangamon, Mrs. Oblinger. Out of the record."



Senate Bill 696. The Gentleman from Tazewell.
Mr. VonBoeckman."

VonBoeckman: "Well, Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 696 is the new Act to provide for the reimbursement of school districts and local government, the cost of loss conducted by state government... I move that we accept the Governor's Amendatory Veto. It's the same as...it's the same Bill that went out of the House and is now over..."

Speaker Lechowicz: "Any discussion? The question is, shall the House concur with the Senate and accept the... The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, I wonder if the Sponsor might tell us what the Amendatory Veto does."

Speaker Lechowicz: "Mr. VonBoeckman, would you kindly repeat what the Amendatory Veto does?"

VonBoeckman: "Well, the Amendatory Veto gives the Governor the power of appointment of the Members instead of the Speaker of the House and the Minority Leader. It's contrary to what we've done in the past, giving the Governor that power, so we accept that Amendatory Veto."

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

Leinenweber: "I have one question for the Sponsor. Representative VonBoeckman, is this exactly the same Bill as Representative Yourell's Bill that we accepted the Governor changes..."

VonBoeckman: "Right..."

Leinenweber: "Why didn't he veto one entirely, as he usually does? Why are we handling two Bills?"

VonBoeckman: "Well, we have a Senate Bill, which is identical to the House Bill and we've felt that we'll leave the Governor to make the decision. I'm the Co-Sponsor of the House Bill and the original Sponsor of the mandated program law. And I think we should leave it up to the Governor."

Speaker Lechowicz: "The question is, shall the House concur with the Senate and accept the Governor's specific recommendation for



change with respect to Senate Bill 696? All in favor vote 'aye', all opposed vote 'nay'... Yes. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 129 'aye', 14 'nay', 6 recorded as 'present'. The Gentleman's motion prevails. Senate Bill 696, having received the three-fifths Constitutional Majority, is passed. Let's back up to Senate Bill 666. The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. At the request of the Senate Sponsor I am handling Senate Bill 666 for Representative Oblinger, who is...who is absent. Senate Bill 666, I would request that we accept the Governor's Amendatory Veto to this Bill. The language changes are basically technical to bring them in line with Senate Bill 369 and to correct a reference that was made in the Bill to the wrong Section in the Illinois Controlled Substance Act. This Bill provides for the suspension or revocation of teaching certificates upon conviction of certain sex and narcotic offenses and extends the same provisions to the teachers in the public school in this state, which conform with the provisions which exist for teachers in the Chicago Public School System. I ask your support for the acceptance of this Amendatory Veto."



Speaker Lechowicz: "Any discussion? The question is, 'Shall the House concur with the Senate and accept the Governor's specific recommendations for change with respect to Senate Bill 666?' All in favor vote 'aye'; all opposed vote 'nay'. Jesse Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 154 'aye', no 'nays', none recorded as 'present'. The Gentleman's motion prevails. Senate Bill 666, having received the three-fifths Constitutional Majority, is hereby declared passed. Senate Bill 790. The Gentleman from Will, Mr. Davis."

Davis: "Thank you, Mr. Speaker. The Senate Sponsors of the Bill, Senator DeAngelis and Senator Shapiro, chose to override.. to file an override motion from the Senate on Senate Bill 790 and I think wisely so.. And indeed, the Senate did override the amendatory veto by a vote of 42 to 3. They simply chose to override because the Governor used the amendatory veto in such an extensive manner as to throughly, just absolutely rewrite the Bill while not striking the enacting clause. He did indeed rewrite the Bill. And consequently we think he's got some pretty good ideas, but we also think that maybe they ought to be in a separate Bill. So rather than jeopardize the Bill Constitutionally by the.. by a challenge of the amendatory veto, Senate Sponsors chose to override and so do I and I would solicit your 'aye' support on a Bill that passed out of the House 109 votes.. or 112 votes and passed out of the Senate with the override motion 42 to 3."

Speaker Lechowicz: "Discussion? The Gentleman from Macon, Mr. Dunn."

Dunn J: "Will the Sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Dunn J: "In the event we override, would you just briefly indicate what will be the... how one will become a habitual juvenile offender?"

Davis: "How one will become one?"



DunnJ:"Yeah."

Davis: "Well, it's.. it's after the.. after two felony juvenile delinquency adjudications or more are on a record of a juvenile . At any subsequent felony adjudication level one can be designated as a.. by the State's Attorney as an habitual juvenile offender and tried under this Act then with the .. with the possibility of a jury trial and then designated on that third or subsequent juvenile delinquency adjudication as an habitual juvenile offender and incarcerated in the Department of Corrections until he's 21."

DunnJ:"Is it mandatory that the incarceration be until age 21 or is it optional...?"

Davis: "It would mandatory on that third or designated conviction or subsequent conviction that be committed to the Department of Corrections juvenile facility until age 21. There's a good time provision in the Bill so he could serve a day off and so forth."

DunnJ:"And how does this dovetail with the treatment of adults who are habitual offenders?"

Davis: "Well, I don't think the two are at all identical, John, because the adults a.. three time loser Billor habitual offender is a life time committment without benefit of parole. This has no benefit of parole under the age of 21, but release at 21 is mandated. And there is good time provisions in the Bill.. a day off for a good day's service."

DunnJ:"Okay. Thank you."

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

Greiman: "Thank you, Mr. Speaker. Just as a question, perhaps a hypothetical question, if a 14 year old or 12 or 13 or 14 year old kid steals something.. tires, maybe swipes a car for a little while, maybe steals fruit from a farmer and he's convicted by.. 3 times, he would then have to serve



on a mandatory basis in a correctional institution until he is 21 years old. Is that right, Mr. Davis?"

Davis: "I'm sorry, Mr. Greiman. I was distracted. I..."

Greiman: "Well, okay. I don't mind doing it over again. I'd like to do it over again. I'd like to ask the question again I think.. What you're saying..."

Davis: "...I don't know if I have a list of the included offenses with me, Alan. I'm terribly sorry. For that I'm not prepared..."

Greiman: "Well, it's a... it's a felony, you know, to steal ... to steal is a felony so that if a.. if a kid who's 12, 13, 14 years old stole some stuff, and I am sure nobody here ever stole anything when they were 12 or 13 or 14, and was convicted by a kind of hard nosed prosecutor, he would then serve from the 14th year to his 21st year in a correctional institution. Is that right?"

Davis: "Well, Mr. Greiman, as you well know, the felony theft has a level of monetary value attached to it."

Greiman: "How much is that level, Mr. Davis?"

Davis: "Well, I believe it's \$150..."

Greiman: "100... you mean that..."

Speaker Lechowicz: "Excuse me. Excuse me, Mr. Greiman. Excuse me, Mr. Greiman. Could we give the Gentleman some attention please? Could we have some attention please? Please continue."

Davis: "Let me say this to you, Mr. Greiman. I suppose hypothetically that you're circumstance could be quite correct. However, the idea that the change in the amendatory veto was simply that all of the included offenses were class X and that all juveniles, regardless of age, would be mandatorily tried as an adult completely ignoring the idea of the possibility of rehabilitation within the juvenile system. And that's what 790 is trying to address. Now your situation could hypothetically be correct. One would think that the jury mechanism within the Bill would



prevent that sort of thing from happening in judicious prosecution...."

Greiman: "Well, I don't know.. I don't know why all of a sudden ... on the Bill, I haven't the faintest idea why all of a sudden we have so much faith in judiciary.. in our system of justice. What I have heard here and perhaps we should just take a relook.. or rethink 790 altogether. What I have heard here is that a kid of 12,13,14 year old kid can steal \$150 worth of merchandise..maybe he can do the whole thing in an afternoon in 3 separate occasions and that will be 3 separate convictions so that a wild afternoon that a kid could have where he steals \$150.. that's a suit... that isn't even a suit today in Illinois. You can't get a suit for \$150. If he steals that and he's 14 years old, we can send him or we will mandatorily put him in jail till he's 21 years old. We don't do that to any adult . There's no adult ' who would serve time... that kind of time and we're saying this kid is going to spend all of his time in a penitentiary.. in a penal institution till he's 21 years old. Where.. something's wrong with a law that says that. Something's wrong with a law that forgets about kids. Something's wrong with a law that doesn't understand putting kids away... ware- ware housing kids till they're 21 in a penal institution... is not going to make them good citizens when they're 21. When they come out 21 they're going to be animals under our system. We should forget about 790. We'll rethink it next year."

Speaker Lechowicz: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "Mr. Speaker and Members of the House, Representative Greiman has done a masterful job of misplacing or misstating the substance of this Bill and also in trying to elicit sympathy for a situation that this Bill tries to address itself to. Number one, he's completely incorrect in saying that our adult criminal system doesn't have



similar sanctions for adults because it does and in more substantial measures. As a matter of fact, our fifteen hundred recodification would provide in some cases for up to life incarceration for a third time offense. Number 2, we're not talking about somebody who goes in and steals bubblegum. We're talking about 3 time felons. Number 3, we're not talking about an individual who commits 3 crimes in one day. We're talking about a situation where you have a third offense after two previous trials and after two previous convictions or adjudications. This Bill specifically does not include a situation where the individual has not already been adjudicated or convicted prior to the commission of the third offense. And number 4, we're not talking about sending juvenile convictees into Menard or Pontiac or Joliet. We're talking about sending them to juvenile facilities. Our law and the whole series of common law and statutory law provisions specifically prohibit common incarceration between juveniles and adults in incarceration facilities. But the substance of this Bill is to say this, that individuals who have the capacity to commit a felony, rape, or deviate sexual assault or burglary and they're convicted, and then they're given a second change and they go out and commit another felony, a burglary, or deviate sexual assault or whatever it might be, and then they go and do it a third time after society's given them two chances already, shouldn't be on the street to commit a third felony and endanger the lives and safety of the citizens of Illinois. And to incarcerate them until their 21st birthday in a juvenile facility, when they've been given two chances and commit a third felony under Illinois law, is not unreasonable, not unreasonable in any sense. We provide them due process. We presume they're innocent until convicted, but once they're convicted of a third felony the citizens of Illinois, the victims of crime, and society in general



position that he is the law and order Leader of your party, you are now trying to indicate that the Veto Message that he has given is soft on crime. It isn't at all that. I wish that you could read his Veto Message. If there is one area where you could rely on your Governor, I would think, it would be precisely the area of serious crime. The Governor has felt that this Bill, Senate Bill 790, is a mistake, that it is not Constitutional. He shares the concern of the General Assembly about juvenile crime, but he believes that this is not a good way to deal with this, that it will result in putting into incarceration young people who have not, in fact, committed serious crimes, who have committed criminal activity, but not of a serious nature and that, in fact, the process that will be followed by Senate Bill 790 will result in an increase in crime, will result in converting some young people who are juvenile delinquents into permanent criminals for the rest of their lives, supporting them in our penitentiaries as long as they live. It is a fact that they're.."

Speaker Lechowicz: "Will the Gentleman kindly bring his remarks to a close?"

Katz: "...There are differences between young criminals and older criminals. The Governor's amendatory veto correctly points out the deficiencies in this Bill. It is an area where I think Republicans ought to be able to follow the leadership of their Governor. He is an acknowledged authority in this field and I would certainly oppose the override of the Governor's amendatory veto of Senate Bill 790."

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

Ronan: "I'm amazed at some of the testimony that's just been given on reasons why we should not vote green on this override. People are not paying attention to what's going on in the city of Chicago. Last week I was Chairman... was appointed Chairman of a Gang Crime Study Commission where we have 24 expert witnesses come before that Com-



mission and describe the problems of what some of the juvenile delinquents in the city of Chicago are doing to the citizenry. This is the type of legislation that we need right now. There are 13 and 14 year olds who are performing murder, that are performing arson, and they're performing the most heinous crimes against society and yet we stand here and pretend that we want to protect these types of individuals. A hard core criminal is bad for society and must be gotten off the streets and I don't care if he's 13 or if he's 40. It's about time that we start standing up and protecting our citizenry. Rights for individuals are very important, but rights for criminals have to be reviewed very carefully. I'm going to vote for the override of this Bill and I urge the people in this Body to do the same thing to protect the people of my district because my district's been terrorized and the people there need help. Thank you very much."

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

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I couldn't agree more than I do with the Speaker from Glencoe, the honorable Representative from Glencoe. I think if there's one thing.."

Speaker Lechowicz: "Excuse me, Mrs. Macdonald..Give the Lady some order please. Please continue, Ma'am."

Macdonald: "I think if there's one thing we can rely on from the Governor on the second-floor is that he is familiar with crime and with punishment of the proper proportion. I think that this Bill is an overkill Bill and I agree most heartily with the Governor in what he has done with the amendatory veto. He has not eliminated Class X felony. He would indeed prosecute those juveniles for those particular crimes and I think that it is unreal, it is unwise for us at this point in time, not to look down the road and not to thoroughly have an overview of what we are doing here if we reject the Governor's veto. It is a reasonable



veto. It is a compassionate veto and it is one that will prevent, rather than cause, further crime down the road and I ask you to sustain the Governor's veto on this very important Bill."

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

Leverenz: "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's been moved. The Gentleman from Will, Mr. Davis, to close."

Davis: "Thank you, Mr. Speaker. I think Representative Johnson and Ronan summed it up very well. I don't know what else I could add except to say to Representative Macdonald, since the Senate has overridden this and it was at the request of the Senate Minority Leader, that this override motion be put in and that there is no alternative at this point, Representative Macdonald, except to override or lose 790. Now if you want the Bill to go down, that's the way you ought to vote, but if the only game in town is an override motion at this point, and that's the only thing that can be done with this Bill to make it viable, let me say, I'm a little bit amazed at the distinguished Chairman of the House Judiciary Committee for trying to obfuscate the fact by bringing the Governor's law and order policy into this debate. The Governor is strong on law and order. He is a marvelous law and order person, as we all know. And let me say to you once again that his amendatory veto made this Bill much tougher, much more difficult in a law and order position, but unfortunately he rewrote the Bill and therein lies the problem. What the Governor would have had you done with his veto... with his amendatory veto and rewriting the Bill, is to mandate.. to mandate that juveniles be tried as adults. There would be no latitude given to the State's Attorney or the juvenile court any longer. He would mandate



that juveniles be tried as adults. Now that's a very tough and a very hard change and probably should be a Bill that would be introduced next year and passed, and why not? We should address that as a separate issue. This issue is simply, 'Do we still believe there is some small hope of rehabilitation while still incarcerated in the juvenile system under the Habitual Juvenile Offender Act?' That's the issue here. Representative.. the Chairman of the Judiciary Committee is trying, as the former Speaker from Skokie said, to hide and obfuscate the issues here. The issue is, 'Do you want to do something about juvenile crime?' And if you do, 790 is the way to do it. I respectfully request that you override the Governor's amendatory veto on Senate Bill 790."

Speaker Lechowicz: "The question is, 'Shall Senate Bill 790 pass notwithstanding the Governor's specific recommendations for change?' All in favor signify by voting 'aye'; all opposed by voting 'nay'. The Gentleman from LaSalle, Mr. Anderson, to explain his vote. The timer's on."

Anderson: "Mr. Speaker, I have a question of the Chair. If we don't.. if we don't override the Governor's veto, what will be the disposition of the Bill, since it has been overridden in the Senate?"

Speaker Lechowicz: "It will fail. This is final action."

Anderson: "Thank you."

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

Brummer: "Well, first of all, I would like to point out just what the Speaker did. It's not a matter of whether we're going to accept the Governor's veto or not. The Senate overrode the Governor's veto and either the Bill is going to fail right now, or we're going to override the Governor's veto. Secondly, there have been issues that have been raised here that just appear to be totally erroneous. We're not talking about 3 crimes on the same day because



deserve that kind of protection. Now if you want to turn them loose again and you want to pat their little haloed heads and say this is some kind of.. somehow the victim of a rape or an armed robbery or deviate sexual assault, is somehow less injured because the perpetrator of that crime is a juvenile, then you ignore yourselves to the reality of crime today. 53% of violent crimes in Illinois and around the country today is committed by juveniles. And if you want to turn 53% of them loose to do it again, and again and again, after they've been convicted 3 times, then you, and not the citizens of Illinois, are responsible for the terrific increase in juvenile crime. I urge a strong 'yes' vote and an overwhelming indication of support for Representative Davis' Bill and I hope we can get it out of here with 120 or 30 votes."

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

Katz: "Yes. Would the Gentleman yield? I wanted to make one thing perfectly clear to everyone. You are voting not to accept the Governor's amendatory veto. This is to reject the Governor's veto and to override. Is that correct, Representative Davis?"

Davis: "That is correct, Sir."

Katz: "Alright. I think that that ought to be very clear. Now I'm a little surprised here at some of the remarks that are being made. If there is anything that this Republican Governor is noted for is his.. it is his law and order stand. He is not soft on crime. He is, in fact, Mr. Class X. And what he has said in his Veto Message is that the Bill, in its present form, violates due process, that it is not Constitutional, and that it is also an unwise Bill. I am surprised at the large... the Speakers that we've had all on the Republican side who were saying that the Governor of the State of Illinois, who taught Criminal Law at Northwestern University, who was the U.S. Attorney who prosecuted crime, who you go to the voters on with the



the offenses referred to have to occur after a prior adjudication. Now, so we are not talking about crimes that occur in the same day unless the individual was in court in the morning, was adjudicated a delinquent, and went out in the street that afternoon and was back in and was adjudicated a delinquent a second time that day and went back out that night. Secondly, with regard to the crimes not being serious, I would like to read to you the crimes. We're talking about murder. We're talking about voluntary manslaughter. We're talking about rape, aggravated or heinous battery involving permanent disability, burglary of a home, armed robbery or robbery, home invasion, or aggravated arson. I think those are all very serious crimes and we ought to pass this Bill, notwithstanding the Governor's veto."

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

Kelly: "Yes, Mr. Speaker, Members of the House, I want to make one point here this morning.. or this afternoon and that's regarding the Governor's position of being a crime fighter and hard on crime. Here's an example right here where the Governor is not taking a hard position on crime. I'd also like to point out that Representative Davis sponsored legislation during the last Session which dealt with hard drugs where anyone convicted of pushing dangerous drugs 3 times would receive a stiff mandatory prison sentence. The Governor vetoed that Bill. I'm of the opinion..I certainly think it'll probe out in the long run, that the Governor is not hard on crime. He's soft on crime."

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

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, I think we should override this Bill. We're talking about here protecting the rights of those who are being victimized



in this country. We have to have a little faith in our courts that they won't implement this law on little children that might be caught shoplifting. In fact, the law doesn't even apply to that. But I think it's time that we start thinking about those people who are victims that we start getting tough on it and that we put enough green votes up there to assure that this veto is overridden. Thank you."

Speaker Lechowicz: "The Lady from Cook, Mrs. Alexander. The timer's on."

Alexander: "Thank you, Mr. Speaker. I rise in explanation of my vote. I'm going to vote 'no' on.. 'no' on this particular Bill because #1, I live in the communities you all are talking about... this is not the correct procedure to take care of this problem. What we really need to do to readjust this and evaluate it is to have more positive law clinics. I've worked in the criminal justice system for some 25 years. There is not proper representation and I know who's going to be hurt by this Bill if it passes. So I have to vote 'no' on it because it's going to be the minorities and persons in the poor who cannot get proper legal redress in the courts who are going to be hurt by it. I agree that we should have something to deal with this problem, but not this method."

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

Borchers: "Well, Mr. Speaker, let's don't forget that it's the victim that we should be thinking of and the prospective victims, not the ones that are committing the crimes all the time. Think of the victims that these young people put in the hospital, or murdered, or stabbed or whatever. Let's think of them."

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



there's 121 'ayes', 40 'nays', 6 recorded as 'present'. The motion, having received a three-fifths Constitutional Majority, prevails and Senate Bill 790 is declared passed, notwithstanding the Governor's specific recommendations for change. Senate Bill 800. The Gentleman from Cook, Mr. Bowman."



Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Governor's Amendatory Veto to Senate Bill 800 is purely tech..."

Speaker Lechowicz: "Please, continue. It's my fault. Mr. Bowman."

Bowman: "Thank you very much. I don't have much more to say but another minute or two. It's purely technical in nature. Senate Bill 800 was part of the package of four Bills recommended by the Joint...Special Joint Committee on long termstate debts. The...one of the provisions in that package was that the economic and fiscal Commission was called upon to work with state agencies in preparing multi-year capital plans. The Bill, as originally introduced provided for five year capital plans. They were amended to provide for three year capital plans. We changed the five year to three year requirement in all places in this package except one. There is one oversight in Senate Bill 800. The Governor's eagle eye caught that and changed the number five to the number 3 to be consistent with the rest of the package. It's purely technical and I ask for an affirmative Roll Call."

Speaker Lechowicz: "Is there any discussion? The question is, shall the House concur with the Senate's specific recommendations for change with respect to Senate Bill 800? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 156 'ayes', 2 'nays', 1 recorded as 'present'. The motion, having received the three-fifths Constitutional Majority, prevails and Senate Bill 800 is passed. Kindly record Mr. Wolf as 'aye'. Senate Bill 801. The Gentleman from Cook, Mr. Bullock. Mr. Bullock. Take it out of the



record. Senate Bill 802. Mr. Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Governor made certain changes in Senate Bill 802. What the Bill did originally is amend the Public Aid Code to change the method in which the appeals to denial of public aid assistances are handled in portions of suburban Cook County. The original statute required that a public aid Committee consisting of five supervisors to be appointed by the President of the County Board consist of that Committee. Then the Governor, because of a recent court case, decided that the township supervisor serving as a board of appeals or a committee... appeals committee, would be ruling on cases in which they had a direct financial interest and thus creating a conflict of interest in certain areas. And so, I move now to accept the specific recommendations of the Governor as it relates to Senate Bill 802."

Speaker Lechowicz: "Is there any discussion? The question is, shall the House concur with the Senate and accept the Governor's... The Gentleman from Cook, Mr. Birkinbine."

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

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

Birkinbine: "The township official who would have to be dropped off the board when a complaint arose from that township would that...would that person be replaced for that appeal so that you would still have five on the Committee?"

Yourell: "That's right."

Birkinbine: "Thank you."

Speaker Lechowicz: "The question is, shall the House concur with the Senate and accept the Governor's specific recommendations for change with respect to Senate



Bill 802 by the adoption of the Amendment. All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 159 'aye', no 'nay', none recorded as 'present'. The motion, having received the three-fifths Constitutional Majority, prevails and Senate Bill 802 is hereby declared passed. Senate Bill 801. The Gentleman from Cook, Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that the House concur with Senate Bill 801, Amendatory Veto. This Bill amends the Comptroller Merit Employment Code and provides that the Director of Personnel Services will have a two year term and take it subscribe the bath of the office. The Comptroller agrees with the Amendatory Veto and the Senate Sponsor agrees. The Bill passed the Senate unanimously and I would urge the Members of the House to concur in the Amendatory Veto on Senate Bill 801."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Peoria, Mr. Schraeder. The question is, shall the House concur with the Senate and accept the Governor's... The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, will the Sponsor yield for a question?"

Speaker Lechowicz: "He indicates he will."

Vinson: "Do we legislate...legislatively mandate the salaries for any other employee of the Comptroller's Office?"

Bullock: "No."

Vinson: "And is your motion to accept or to override the..."

Bullock: "It is to accept."

Vinson: "Thank you."

Speaker Lechowicz: "The question is, shall the House concur with the Senate and accept the Governor's specific recommendation for change with respect to Senate Bill 801



by adoption of the Amendment? All in favor vote 'aye', all opposed vote 'nay'. Marco... Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 145 'aye', 7 'nay', 5 recorded as 'present'. This motion, having received a three-fifths Constitutional Majority, prevails and House Bill...Senate Bill 801 is hereby declared passed. Senate Bill 828. The Gentleman from Effingham, Mr. Bower."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This merely corrects a typographical error in the legal description of an easement Bill. I urge its adoption."

Speaker Lechowicz: "Is there any discussion? The question is, shall the House concur with the Senate and accept the Governor's specific recommendation for change with respect to Senate Bill 828? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 153 'aye', 1 'nay', none recorded as 'present'. The Gentleman's motion prevails and Senate Bill 828, having received the three-fifths Constitutional Majority, is hereby declared passed. Senate Bill 950. The Gentleman from Cook, Mr. Taylor."

Taylor: "Thank you, Mr. Speaker. Senate Bill 950 deals with reimbursement to Cook County Hospital for inmates that were given service while awaiting trial in jail. The Governor approved the portion collecting from the individual and the insurance companies but because of the federal statutes dealing with the public aid Department he thought that that part should not be allowed and he amendatorily vetoed that portion of the Bill. I move to accept the



Governor's recommendation for change and solicit your 'aye' vote."

Speaker Lechowicz: "Is there any discussion? The question is, shall the House concur with the Senate and accept the Governor's specific recommendation for change with respect to Senate Bill 950 by adoption of the Amendment? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 150 'aye', 1 'nay', 4 recorded as 'present'. The Gentleman's motion prevails and having received the three-fifths Constitutional Majority, Senate Bill 950 is hereby declared passed. Senate Bill 990. The Gentleman from Henry, Mr. McGrew. Sam ."

McGrew: "Thank you, Mr. Speaker. I move to accept the Governor's specific recommendation regarding Senate Bill 990. There basically were two changes that he made. One was to insert language specifying that money spent...not spent in a fiscal year may be retained by the State Scholarship Commission and the second one deleted the reference that placed that unspent money in the General Revenue Fund at the end of the fiscal year. Number one, I think it's good for the Bill. Number two, is in keeping with the Governor's program of having the option as to whether or not to transfer money into the General Revenue Fund at the end of the year. I would move to accept those changes."

Speaker Lechowicz: "Is there any discussion? The question is, shall the House concur with the Senate and accept the Governor's specific recommendation for change with respect to Senate Bill 990 by the adoption of the Amendment? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have



all voted who wish? The Clerk will take the record. On this question there's 166 'aye', no 'nay', none recorded as 'present'. The Gentleman's motion, having received the three-fifths Constitutional Majority, is hereby declared passed...Senate Bill 990 is declared passed. Senate Bill 1000. The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that we accept the Governor's Amendatory Veto to Senate Bill 1000, which is a product of the work of the School Problems Commission, sponsored in the Senate by Representative Berman and by me here in the House. Senate Bill 1000 makes several changes to provisions relating to the reimbursement of school districts providing special education through private schools and public out of state schools and non-public special education facilities. These changes provided needed clarification to legislation that we passed the previous year to bring Illinois in conformity with public law 94-142. The Governor made two changes in the legislation. One, which we agree with and that is the insertion of an immediate effective date which makes it possible for reimbursement to school districts for room and board costs to come on a current basis. Another change that he made in the legislation that we were not as happy with but we will continue to work on this issue, he amended the Bill to provide that school districts should assume the risk when the only alternative is to have a pro-ration rather than to have that responsibility for room and board be the obligation of the appropriate state agency. The Commission still feels that that should be the obligation of the state agency. However, they felt that the other parts of the Bill



were more significant. We should continue to work on this issue in the future and the Commission, at their recent meeting moved that we accept the Amendatory Veto of the Governor to Senate Bill 1000 and I, as Chairman of the Commission, ask you to support us and accept the Amendatory Veto of the Governor to Senate Bill 1000."

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

Schlickman: "Will the Gentleman yield?"

Speaker Lechowicz: "He indicates he will."

Schlickman: "You indicate that there's some good and there's some bad and the issue that confronts each of us now is whether or not the good outweighs the bad. The bad being that the Governor, by his Amendatory Veto, imposes upon local school districts the direct and immediate obligation to reimburse private placement facilities for the cost of room and board and then make application to the state for reimbursement to the local school districts. A procedure that is contrary to what had previously been agreed upon sometime ago. Would you mind, for my benefit at least, restating or stating a new what the good is that outweighs this bad?"

Hoffman: "When we look at the Bill on...on balance, I would put a 90 - 10 figure, 90 good, 10 bad and the Commission will continue to work on this issue. There are a number of changes in the legislation which clarifies legislation that we previously passed in terms of what constitutes a non-public school facility. We defined that. We indicate the...what is covered by tuition costs. We clarify the language so we made sure that we know what we're talking about when we deal with summer school payments relative to the...the entire year."



In fact, we provided that summer school payments will be treated fractionally the same way that regular school payments are and this is a big improvement over the 500 dollar figure that we used before. The Governor amended the Bill to provide that the school districts shall be reimbursed by the State Board of Education on a current basis for these costs to which we refer. We still feel that these costs should be more clearly nailed down to the appropriate state agency, whether it be the Department of Mental Health, of Public Health or Children and Family Services. We'll continue to work from this issue but on balance that we believe that this should be...should be adopted. And I appreciate your questions."

Schlickman: "You kind of generalized with respect to the good and I'm just wondering if in the good there is any financial relief that is being provided to the local school districts that will offset the additional costly mandated burden that is contained in the Governor's Amendatory Veto?"

Hoffman: "The Governor's Amendatory Veto was in language that the Commission was placing into the law. In effect, what happened with the Amendatory Veto it in effect leaves things as they stand now, not as we had wanted them to be. Which I think answers... you know, answers your question. The Senate Bills that we passed the preceding Session limited the...the cost of the school to twice the tuition cost of a regular student and a number of other things. That's already in the law. This was just clean up legislation which...we felt we had a total package. We wanted to extend it to the point that's in the Bill now. The Governor pulled us back



and what we're saying is that we're going to continue to work on this issue."

Schlickman: "May I address myself to the Bill, Mr. Speaker?"

Speaker Lechowicz: "Please, proceed, Sir."

Schlickman: "Mr. Speaker and Members of the House, it seems to me that we ought to nip something in the bud rather than allowing an Amendatory Veto to bring about a breach of a prior agreement and an Amendatory Veto to bring about the imposition of an additional burden and cost to public school districts. It seems to me, Mr. Speaker and Members of the House, we should not vote for concurrence or acceptance...concurrence with the Senate and the acceptance of the Amendatory Veto because by doing so we are going to be changing the previous practice when there is no justification for it. From what I've heard the good does not outweigh the bad and as a consequence I would urge a 'nay' vote on behalf of the school districts in this state who are assisting and working with the state in providing services to kids who are in need of special education which is available only through private facilities. Please vote 'no'."

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

Satterthwaite: "A question of the Sponsor."

Speaker Lechowicz: "Indicated he'll yield."

Satterthwaite: "Looking in my veto analysis, there is an item that says that the Governor's Veto allows for reimbursement of a full term on a part term basis. I just wondered if you could explain to me what that means."

Hoffman: "I'm sorry, would you run that one by me again?"

Satterthwaite: "In the Veto Analysis book, item #3, under Government Statement, says, 'allow for reimbursements for a full term on a part time basis.' I wondered if



that meant in some way we are paying a facility for caring for a child for a full term even if they're only there for a month?"

Hoffman: "No. I wonder if that has reference to tuition payments for summer school, which are fractionalized in the Bill at 1/185 of the tuition costs for the regular school term for each day of attendance. Rather than, you know, the summer school payment that we had before as kind of a lump sum basis. This provides for fractional payments depending on the number of days that he's there. It may refer to that."

Satterthwaite: "But we are not in any way paying for educational services for a time when the student is not receiving them?"

Hoffman: "No."

Satterthwaite: "Thank you."

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

Katz: "Yes, will the Gentleman yield?"

Speaker Lechowicz: "Yes, he will."

Katz: "Mr. Hoffman, is it correct that if we adopt this Amendatory Veto the local school districts will become financially...or will be financially responsible for special education, the costs that exceed 45 hundred dollars? Is that...do I read that correctly?"

Hoffman: "45 hundred dollars...you're looking at the standards for payment in terms of the...of the break out. In other words, we have...in legislation... I believe it was Senate Bill 395 last time, provided that we...up to the 45 hundred dollars, the school district paid a per capita costs. The state picked up the rest until we got to 45 hundred. And at that point the school districts picked up this per capita costs again and then the pay...the state



paid whatever was the rest of that. That is, you know, we just clarified that in the language, we didn't change that."

Katz: "Well I was told by a person who is very knowledgeable in school board matters that the effect of this will be to put the residual responsibility for special education costs on the local school districts rather than on the state. Is that correct or incorrect?"

Hoffman: "The...the law, as it is amended by the Governor would provide that room and board costs, not provided by state agencies other than the State Board of Education, shall be provided by the school districts and shall be reimbursed by the State Board of Education on a current costs. The law presently reads, room and board costs not provided by a state agency other than the State Board of Education, shall be provided by the State Board of Education on a current cost. The agreement for the provision of...of private... private placement is a contract between the local district and the...the agency which is providing the service. It's not...and the...this language that the Governor has put in puts that issue consistent with that contract between those two people and they're saying if there's ever a pro-ration it will not be the responsibility of the local provider because the local provider won't go along with taking a contract when he doesn't know what he's going to get and the...puts the responsibility on the local school districts to be reimbursed by the State Board of Education on a current cost. I understand where the people who are opposed to this are coming from. We appreciate their concern. We concur with it. The position of the Commission is that notwithstanding this issue, which we will continue to



work on, we believe that the changes in the Bill are important enough that it should be supported even though it does have this particular concern in it."

Katz: "Well, Mr. Hoffman, I... to my simple question about the person knowledgeable in school board matters, who told me that the effect of your Bill, of this Amendatory Veto would be to put the residual responsibility for special education on local school districts rather than on the state. You gave me a very long and detailed answer that went over about all of Illinois' 102 counties but I interpret your answer to be that there is some justifiable concern that the effect of this Bill may be to do exactly that. Now, if that is so... excuse me. If that is so, Mr. Hoffman, I would like to express some reservations with regard to what the state has done. Now, I happen to have opposed Illinois' complying with 94-142 because of the almost unbelievable potential costs that are involved. As I understood the argument that was made at the time that happened, perhaps two years ago, the argument was, well the State of Illinois is going to provide these residual costs. I felt that it was a monstrous burden that would have no limit in terms of the amount of services that would have to be provided and the cost of providing those services and I opposed the Bill. But, as I understood your position at that time, that was the costs the State of Illinois was going to assume. Now, I gather that what is happening with this Bill is that the local school districts are going to be made responsible for the costs and that is my concern. That was the reason for my question and particularly in light of Mr. Schlickman's comment. I really was seeking an answer, 'Oh no, it



isn't so.' And I didn't really get that answer and I'm very concerned about what this could mean."

Speaker Lechowicz: "Mr. Hoffman...Mr. Hoffman, would you give Mr. Katz an answer?"

Hoffman: "In terms of my somewhat verbose response, I have followed the lead of some other Members of this Body who want to make certain that everyone has an opportunity to see the entire parameter of the issue being discussed. Now..."

Speaker Lechowicz: "Would you give us a big picture?"

Hoffman: "I've been attacked, in more ways than one. And if you took my comments personally, Mr. Katz, please do so if you wish. Let me...let me clarify the point and I'll try to be as distinct and parsimonious as I possibly can and I'll also try not to be wordy about it. What...what is happening here is that the State Board of Education is still responsible for those costs and responsible to reimburse the school districts for those costs for which, in this amendatory language, they will have the initial responsibility. The only difficulty will arise when you get involved in the issue of pro ration. And that is our responsibility. So that the responsibility still rests with the state because it's got to be reimbursed."

Speaker Lechowicz: "Thank you. The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker, will the Sponsor yield?"

Speaker Lechowicz: "I'm sure he will."

Stuffle: "Representative Hoffman, what would happen if this Amendatory Veto is not accepted and the Bill went down the tubes, with regard to who pays, provider or school districts?"

Hoffman: "It seems to me the situation is such that you have a pro ration of funds here. You're talking about



who gets stuck with the pro ration. Who is...what would the situation be without the Bill?"

Hoffman: "The situation without the Bill would be that...if the state funds are pro rated the provider would be... would carry the burden."

Stuffle: "And if the Bill passes the school district is burdened."

Hoffman: "Pardon me?"

Stuffle: "And if the Bill passes with the Amendatory Veto the school district is burdened?"

Hoffman: "If the...correct."

Stuffle: "What's the position of the various associational groups in education on the Bill? Say the School Board Association, the Superintendents, the IEA, the IFT and so forth, do they have a position?"

Hoffman: "The only group that has a position that I'm aware of the Ed. Red. Group from the Northwest Suburban area."

Stuffle: "And they're opposed to the Amendatory Veto?"

Hoffman: "Yes, they are."

Stuffle: "To the Bill, Mr..."

Speaker Lechowicz: "Please, proceed, Mr. Stuffle."

Stuffle: "Speaker... Representative Hoffman attempts, by acceptance of the Amendatory Veto, to clarify a situation that I think ought to remain as it is now. If we have to choose between providers suffering because of pro ration and school districts suffering because of pro ration, I think we should choose a situation where the school district doesn't. And I think Representative Hoffman honestly answered the questions and if I perceive his answers correctly he's indicated that those of you who would vote for the school districts and the taxpayers to the greatest extent would vote against the Amendatory Veto on this Bill."



Speaker Lechowicz: "The question is, shall the House concur with the Senate and accept the Governor's specific recommendations for change with respect to Senate Bill 1000 by the adoption of the Amendment? All in favor vote 'aye', all opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Gentleman from DuPage, Mr. Hoffman, to explain his vote. The timer is on."

Hoffman: "Thank you, Mr. Speaker. Just to point out to the Members of the House, that this issue is something which will continue to be worked on, there's a lot more in this Bill than just this one issue. So if you're not supporting this Bill on the basis of this one issue, I would suggest that there are other things in the Bill which are as...which are very significant and should be supported for that point and we will continue to work on this issue."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "How many votes do I need for this?"

Speaker Lechowicz: "107."

Hoffman: "Amendatory Veto?"

Speaker Lechowicz: "It's got an effective date and it needs 107. And the effective date was in the Amendment. Poll the absentees. It needs 107. I said that."

Clerk O'Brien: "Poll of the absentees. Beatty. Bianco. Chapman. Christensen. Dawson. Ralph Dunn. Ebbesen. Epton. Ewell. Flinn. Gaines. Garmisa. Greiman. Harris. Huff. Kane. Kempiners."

Speaker Lechowicz: "Reilly, 'aye'. Mrs. Chapman, 'no'."

Clerk O'Brien: "Continuing with the poll of the absentees..."

Speaker Lechowicz: "Please, proceed, Sir."

Clerk O'Brien: "Laurino. Leverenz. Marovitz. McBroom."



Speaker Lechowicz: "Excuse me. Mr. Greiman is 'aye'.
Continue with the poll of the absentees, please."

Clerk O'Brien: "McBroom. McGrew. Oblinger. Peters.
Polk. Richmond. Stearney. Terzich. Totten.
Williams."

Speaker Lechowicz: "Excuse me. Leinenweber. Kindly change
Mr. Leinenweber from 'no' to 'aye'. Mr. Kempiners.
'aye'. Kindly record Mrs. Hoxsey from 'no' to
'aye'. Mr. Hannig as 'aye'. Mr. Yourell...kindly
record Mr. Yourell as 'aye'."

Yourell: "No."

Speaker Lechowicz: "No? I'm sorry, Kindly record Mr. Yourell as
'no'."

Clerk O'Brien: "'Aye' to 'no'."

Speaker Lechowicz: "'Aye', to 'no'. Mr. Neff, as 'aye'.
Mr. Deuster."

Deuster: "I want to request a verification."

Speaker Lechowicz: "You're in order for that, Sir.
Mrs. Breslin as 'aye'. Mr. Laurino as 'aye'.
Kindly change Mrs. Balanoff from 'aye' to 'no'.
Balanoff. Leverenz, 'no'. Mrs. Macdonald, for what
purpose do you seek recognition?"

Macdonald: "Yes, I'd like to change my vote from 'aye'
to 'no'."

Speaker Lechowicz: "Kindly record Mrs. Macdonald as 'no'.
Mr. Rea as 'no'. Mr. Bower. Change Mr. Bower
from 'no' to 'aye'. Mrs. Stiehl."

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

Speaker Lechowicz: "Kindly record Mrs. Stiehl as 'no'.
Kindly record Mr. Dawson as 'aye'. Mr. Schoeberlein
as 'aye'. Mr. Garmisa as 'aye'. Mr. Christensen...
for what purpose do you seek...wants to be
recorded as 'no'. Mr. Mulcahey. Kindly record
Mr. Mulcahey as 'aye'. Mr. Robbins. Change him from



'aye' to 'no'. We'll give the Clerk a minute to tally. Okay. Is there anyone else? Mr. Jones, for what purpose do you seek recognition? Kindly record Mr. Jones as 'no'. Was there anyone seeking recognition? Are we ready, Mr. Clerk? Another minute for the Clerk, please. The Gentleman from Lake, Mr. Griesheimer, for what purpose do you seek recognition?"

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

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

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

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

Speaker Lechowicz: "Change Mr. Griesheimer to 'no'."

Excuse me, Mr. Darrow, for what purpose do you seek recognition? Kindly record Mr. Darrow as 'no'. Mr. Bullock as 'no'. Mr. Jones as 'no'. What's the count, Mr. Clerk? Mr. Bluthardt, for what purpose do you seek recognition? Kindly record Mr. Bluthardt as 'no'. Yes, Mr. Mulcahey. Kindly record now, Mr. Mulcahey as 'no'. All right, we're going to dump this Roll Call. We're going to dump this Roll Call and take another Roll Call. All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Kindly record Mr. Schoeberlein as 'aye', over there please. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 77 'aye', 73 'nay', 3 recorded as 'present'. The motion, having not being...receiving the Constitutional Majority, is hereby declared lost. On Senate Bill 1000. Senate Bill 1040. The Gentleman from Cook, Mr. Dawson."

Dawson: "Mr. Speaker, Ladies and Gentlemen of the House. We passed this out of here before and the Governor



statement on it...I believe he attempts to draft it to change the minimum wage applicable to the earners of any age from a flat amount to 70 percent so it's all the minimum wage. Senate Bill 1040 makes this change for the learners of 18 years of age and omits...the change that omits the mention of learners under 18 years of age altogether. What we're trying to do is to get these young people aware and try to give them...put them to work, rather than have them running around. So I'd ask for a favorable Roll Call and override the Governor's Veto."

Speaker Lechowicz: "No, actually your motion, Mr. Dawson, is to accept. Accept the Governor's Veto."

Dawson: "Accept, yes."

Speaker Lechowicz: "All right... Amendatory Veto. Is there any discussion? The question is, shall the House concur with the Senate and accept the Governor's specific recommendation for change with respect to Senate Bill 1040 by the adoption of the Amendment? All in favor vote 'aye', all opposed vote 'nay'. The Gentleman from Macon, Mr. Dunn."

Dunn J: "Yeah, I had my light on, Mr. Speaker. I have a question."

Speaker Lechowicz: "What's your question?"

Dunn J: "The question is, if we vote green will someone under 18 years of age be able to be put to work for 70 percent of the minimum wage or will they have to be paid the full minimum wage?"

Speaker Lechowicz: "Mr. Dawson." Would you repeat the question, Mr. Dunn?"

Dunn J: "As I understand the problem with this Bill, there's a problem with people under 18 years of age, and if you vote green will someone under 18 years of age have to be paid the minimum wage or 70 percent of the



minimum wage if you vote green."

Dawson: "I believe this...this applies to 18 and over."

Dunn: "It does or it doesn't?"

Dawson: "This only applies when you're 18 or over. So the regular state minimum wage at \$2.30 per hour."

Dunn: "Then will someone under...if this Amendatory Veto is accepted will someone under 18 years of age as a learner be paid the full minimum wage and someone over age 18 will be paid 70 percent of the minimum wage?"

Dawson: "They will be paid 70 percent of their prevailing wage, for either one."

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

Dawson: "Mr. Speaker, as I mentioned before, I believe it's time that we give some relief to try to get these people...to entice employees to hire somebody that is unskilled in their profession and also give the employer a reduced wage to make that possible. So that in the beginning he would not be receiving 100 percent capacity of that employer. So I ask for a favorable roll."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 118 'ayes', 36 'no', 4 recorded as 'present'. This motion, having received the Constitutional Majority, prevails and the House concurs with the Senate and accepts the Governor's specific recommendation for change regarding Senate Bill 1040 by the adoption of the Amendment. Senate Bill 1341. Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1341 was amended by the Governor to delete the...two of the Sections in the



Bill and to leave the other two Sections as they were. We accept the... I move that we accept the Governors Amendatory Veto to Senate Bill 1341, which in effect, now clarifies the County Superintendent maintaining control in the district which resides within two counties. And then in another Amendment, Representative Hallstrom was interested in, allows persons who are qualified to vote in school elections to vote for trustees of schools which have jurisdiction over the elementary school which the person resides in. And so I would move that we accept the Governor's Amendatory Veto to Senate Bill 1341."

Speaker Lechowicz: "Is there any discussion? The question is, shall the House concur with the Senate and accept the Governor's specific recommendations for change with respect to Senate Bill 1341 by the adoption of the Amendment? All in favor vote 'aye', all opposed vote 'nay'. Marco. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 157 'aye', no 'nay', none recorded as 'present'. The Gentleman's motion prevails, having received the three-fifths Constitutional Majority, Senate Bill 1341 is passed. Senate Bill 1396. The Gentleman from Cook, Mr. Emil Jones." The Gentleman from Cook, Mr. Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Governor has made specific recommendations for change in House Bill...Senate Bill 1396 in that we in the Bill appropriated 2.2 million dollars to the Office of the Comptroller for the election costs and implementation and consolidation of elections. The Governor, in his Message, indicated that although the money is not in his budget he believes that we should assist in assuming the financial burden of a mandated program



that like consolidated elections will benefit the entire state. And he has no quarrel with that. The only change in the Bill is to provide that instead of the Comptroller...the Office of the State Comptroller be the one to dispense the funds it should rather be with the Board of Elections... State Board of Elections. And also, that...he changed the date from July 1, 1979 and in its place put in 'on becoming law'. I move to accept the Governor's recommend...specific recommendations for change in Senate Bill 1396."

Speaker Lechowicz: "Is there any discussion? The question is, shall the House concur with the Senate and accept the Governor's specific recommendations for change with respect to Senate Bill 1396 by the adoption of the Amendment? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 138...39 'ayes', 15 'no', 1 recorded as 'present'. The Gentleman's motion prevails, having received the three-fifths Constitutional Majority. Senate Bill 1396 is passed. On the Calendar on page 2, House Bills, Third Reading. House Bill 2795. The Gentleman from Cook, Mr. Taylor."

Clerk O'Brien: "House Bill 2795. A Bill for an Act to make an appropriation for certain claims against the State of Illinois in conformity with awards made by the Court of Claims. Third Reading of the Bill."

Taylor: "Thank you, Mr. Speaker and Members of the House. House Bill 2795 is an award Bill for the Court of Claims of 471 thousand dollars. These cases have all been heard in court and they have been awarded by the Court of Claims and I solicit your support for



House Bill 2795."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Will the Gentleman yield?"

Speaker Lechowicz: "Medely is not in there."

Ryan: "Thank you."

Speaker Lechowicz: "Is there any other discussion? The question is, shall House Bill 2795 pass? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 154 'ayes', no 'nays', 1 recorded as 'present'. On House Bill 2795...2795 is hereby declared passed. House Bill 2813. The Gentleman from Cook, Mr. Collins."

Clerk O'Brien: "House Bill 2813. A Bill for an Act to amend Sections of the Election Code. Third Reading of the Bill."

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

Collins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill...or House Bill 2813, as introduced, was a simple corrective Bill which changed an erroneous reference to County Clerks when it should have been the Board of Election Commissioners and this Bill would make that change. Yesterday, you will recall, Representative Totten offered what he termed a technical Amendment. It's... the Amendment is perfectly acceptable to me. It's made a good Bill much better and I would ask for the support of the House."

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

Telcser: "Well, Mr. Speaker, Members of the House, Representative Collins is correct. An Amendment was offered yesterday which was labeled as a technical Amendment. Let me say that I did not vote for the Bill



that altered the method by which delegates to the national nominating convention are changed. That is to take away the candidate designation after they've named the delegate candidate. So I was with Representative Collins on that issue. Mr. Speaker and Members of the House, the Gentleman offered the Amendment yesterday said it was a technical Amendment. But there was...rather than technical it was a very substantive Amendment. The Amendment that, as Representative Collins terms it, highly technical. It was in fact a very substantive Amendment which will completely change the legislation which the assembly passed in the regular Session. And I thought it was important to point out to the Members of the House that the Bill has been changed drastically from its original concept and that the Amendment, which was adopted yesterday as a technical Amendment, in fact was very substantive."

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

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to support House Bill 2813 in its original form and more enthusiastically in its present form. Although I may have misled Members of this House as to the form of the Amendment I just want to remind you of what happened with the original legislation. The original legislation that dealt with the blind primary was a nickname Bill that went through the Elections Committee with a... as a device to revamp the Election Code in regard to delegates to the National Convention for our side of the aisle. That was done in a manner that was less than admirable to the operations of this House. At the last minute on the last day it was amended into a blind primary Bill taking the right from the voters to choose as to who their



delegates would be. And it was then passed and quickly signed by the second floor. I think many Members of this House have since then had a chance to review the ramifications of such a measure. And although I will apologize to the Members of the House for the manner in which I presented the Amendment, I did want to remind them of the manner in which we accomplished what we did. What the Amendment now does is, it restores to the Election Code, the right to the voter to determine who delegate candidates are going to be on the ballot for. I think from the time in June when we first inadvertently passed that till now, here at the end of October we may have realized the error of our ways. For those on this side of the aisle who have always claimed that we're for openness and giving the voters a lot of information the mistake that we made in the original Bill can now be corrected. I think for those of you on the other side of the aisle, your state party has chosen wisely to ignore this provision of the election code and to allow the Democratic primary voters to be able to select delegates who may be committed or may not be committed to presidential candidates. What we are doing is allowing the Republican Party to do the same thing. In essence, it says a delegate candidate can run uncommitted or they may choose to put a name of a presidential candidate next to their name. I think that's only wise, it's good politics, it's good government and we ought to correct the law and I would ask for your support for House Bill 2813."

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

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

I think I've said on previous occasions that the Sponsor of the Amendment that really causes the



controversy on this Bill has been a conscientious worker for many of the causes that he believes in. And he has been. And I think that particularly on the subject of state revenue he's been one of the best spokesmen in the House. I think his tactics on this Amendment have been deplorable. He ought to be ashamed of himself. He's had two opportunities to fight this idea and he's lost them both in open votes where they were freely debated. And then he chose an opportunity to try to sneak this Amendment on without Members of the House knowing about it."

Speaker Lechowicz: "And he's had a good week besides."

Vinson: "That's right. And we don't need to make it any better of a week for him. He's got plenty of stuff to talk about on Chicago talk shows already. Now this Amendment ought to be defeated and it ought to be defeated, not only because of the deplorable, sneaky tactics he's used, but it also ought to be defeated because of the merits of the issue. What we're debating here is not a question of who anybody is for for President of the United States, we're debating whether or not a delegate ought to go to the convention and use his conscience. We've chosen to have in this country a republican form of government and there's no...no..."

Speaker Lechowicz: "Excuse me, it's a democratic form of government..."

Vinson: "A republican form, Sir. It's not matter where it is more important that you select men of conscience, experience and good judgement than when you nominate a President of the United States. I've seen this system that we used to have in Illinois used to defeat delegates who are inclined for the very man that the Sponsor of the Amendment is for for President. In



my district last time his candidates for delegate were defeated because of this system. It is not the simple straight forward matter it's laid out to be. I would argue that this gives you a chance to elect a delegate of conscience that...who can exercise some independent judgement at the convention. That's what we need. This Amendment and this Bill ought to be defeated. I would urge a 'no' vote."

Speaker Lechowicz: "The Gentleman from Vermilion, Mr. Campbell."

Campbell: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Amendment and I disagree wholeheartedly with my seatmate, Sam Vinson. We all know what this Amendment is all about. And I want to tell you that this Bill, 2816 or whatever it was, that was passed in the past Session of the Legislature with a mere 89 votes, was simply political expediency depriving the right of the electorate to determine who they want to vote for...their delegates to vote for at the National Convention. And I think this is absolutely ridiculous in depriving those people of that particular right and I think when you vote for an uncommitted delegate you're voting for a pig in a poke. Nobody knows what the hell he's going to do when he gets to the National Convention and this Amendment should be passed overwhelmingly and it's a good Amendment."

Speaker Lechowicz: "In the Bill it calls for an effective immediate date. That will require 107 votes. The Lady from Cook, Mrs. Pullen."

Pullen: "Thank you, Mr. Speaker. It's kind of interesting to hear the charges being thrown around at this point in the process of consideration of this issue. Because the only reason the charges weren't thrown around last time was because the other sneak succeeded in not being caught. Maybe two sneaks make a right,



but at least it is out in the open by Third Reading this time, which it was not the last time. If we want to talk about people's ways of getting legislation passed, we ought to be talking about the Republican State Central Committee Chairman too on this issue. And I'm wondering whether the Gentleman who spoke against this is representing the Governor on this and his ambitions or maybe another former Governor in his ambitions or whether he is really for the voters of the State of Illinois. And I didn't use his name."

Speaker Lechowicz: "Let's give the Lady some attention, please. Please continue, Ma'am."

Pullen: "They are...they are giving me attention, I hope they continue to. The question is whether the voters are going to be given an opportunity to vote in an intelligent manner or whether they're going to make it a beauty contest with all the names that the Tribune loves in print at all times. Whether they will be voting for people because they've heard of them before or whether they will be voting for people because they represent their viewpoints, the delegates should be designated when they run on the ballot so that the voters can cast an intelligent vote. And to have a blind primary, such as was created by the cooperation, shall we say, of some Members of this House and the leaders of my party last spring, is absolutely wrong for the voters of the State of Illinois and makes a mockery of the entire primary process. I urge you to vote 'aye' on this good Bill, which was good when Representative Collins filed it and is infinitely better now."

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

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the



House, I had some qualms about this Bill when it first passed too..."

Speaker Lechowicz: "Mr. VanDuyne...excuse me. Please continue, Mr. Conti."

Conti: "I'm a little concerned about this because many times I've sent delegates to the National Convention as committed candidates. And all of us who've been in it for a while know that when you get down to the convention you end up in a caucus and I think it's a bigger fraud that you're pulling on the people back home because some of the commitments that they made and some of the candidates that they ran for to vote for at the National Convention were caught in the caucus and they had to change their minds. So those people that were voted for Reagan candidates or Ford candidates when they went down to the convention after the caucus was over with they went along as a unit and followed the lead of the delegate...of the Chairman of the delegation. And I think that if they go uncommitted they're not pulling a fraud on the people back home, they're going as party Members. And the worst part of this Amendment that was put on is that any outsider that had nothing to do with party politics runs and gets behind a popular candidate and he beats a man who has been working diligently for his party, whether it be the Republican Party or the Democratic Party, and he takes over the selection of the President of the United States over the party's wishes. And I feel that that Amendment that was put on...and I'm sure that Don Totten didn't do it inadvertently or sneaky, he...it just was an opportune time to put it in. And I also urge defeat of this Bill now with that Amendment on it."

Speaker Lechowicz: "He got a call from California. The



Gentleman from Cook, Mr. Yourell."

Yourell: "Yes, would the Gentleman yield for a question? The Gentle...the Sponsor of the Amendment."

Speaker Lechowicz: "The Sponsor of the Amendment or of the Bill?"

Yourell: "The Sponsor of the Amendment."

Speaker Lechowicz: "Mr. Totten."

Yourell: "Yes, Representative Totten, Illinois has one of the earliest primaries. And if the Amendment to House Bill 2813 is...is adopted and candidates for delegates run as committed to a delegate or to a candidate, or uncommitted, and have that information on the ballot, what happens, for example, if some of those candidates for President are no longer candidates after the first one or two primaries? So they're individuals that really voted, not for the delegates, to use his and exercise his best judgement at the convention but rather because, as it has been mentioned, the popularity of the candidate. What happens to that individual now and to all of those people that voted for a Kennedy or a Carter or a...or a Reagan and whatever candidate and they're no longer in the race anymore when it comes June, July, August and September?"

Totten: "The answer to that question is, first of all the law is not a binding, legal restriction. It is a moral restriction. So that should a candidate no longer be a candidate come either the March primary or the convention, that delegate is free to go any way he wants to if his candidate is no longer on. He's not legally bound to do anything."

Speaker Lechowicz: "The Gentleman from Effingham, Mr. Brummer."

Brummer: "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 Gentleman from Cook, Mr. Collins, to close."

Collins: "Well thank you, Mr. Speaker and Ladies and Gentlemen of the House. One thing I'd like to make very clear right at the outset, that all of the accusations made about Totten being sneaky and devious are absolutely true. We'll plead guilty to that. Secondly, I must say that I am sorely wounded and grieved that my friend, Art Telcser, would fall into the era that was shared by so many of our colleagues when the Bill first was passed in this House. But on a very serious note, I don't think that this is something that should be taken lightly. I think that this House and this Legislature and our Governor made a serious mistake on the original Bill. When you stand for election to be put as a delegate at the National Convention, I don't care what our own egos may tell us, people don't care that we are going to the convention to select a candidate for President, they want to know who we're going to the convention and whom we're going to vote for. And I think that's the important thing. And I don't think that any of us who will run for delegates to the National Nominating Convention of either party should be ashamed or afraid to say who they're for. I know I intend to run for delegate and I'll proudly announce who my candidate is and I'll put it on the ballot and take my chances. And I don't know who...I don't know who you people are trying to hide from. Either you're ashamed of your candidate or you think that you're so popular yourselves that you can run and beat people who represent better candidates. I must



emphasize, the people have the right to know who you are going to vote for in convention because they want to know before they vote for you who you think should be the candidate of your party for the highest office in this country. I think it was a bad Bill, it was a bad Bill when it went through the floor. This rolls it back to a good law. It was...it was run through with substitute and much more sneakiness than on the original Bill when it went through this House, was passed out of this House in one form and then came back amended from the Senate. That was devious, that was sneaky and that was shameful. This is an attempt to absolve this body of the shame that everyone who voted for that Bill should share. And I would urge everyone of you to support House Bill 2813 so the delegates in Illinois can stand before the electorate in their various districts and say, I am for x candidate, now take me or leave me. It doesn't matter who I am or what I am but it's who I support for the presidency of the United States. That is the...that is the bottom line. That is the important question and I ask for your support on this Bill."

Speaker Lechowicz: "The question is, shall House Bill 2813 pass? All in favor vote 'aye', all opposed vote 'no'. Have all voted who wish? The Gentleman from Whiteside, Mr. Schuneman, to explain his vote. The timer is on."

Schuneman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would urge an 'aye' vote on this issue. I think there have been some things said here that have been a little bit misleading. All we're doing is...by the passage of this Bill, is making it possible for a delegate candidate to show the presidential candidate to whom he is committed on the



ballot. The Bill that was ran through here earlier and signed by the Governor is the one that takes away the right of the people to know what candidate the delegate might be committed to. And I suggest to you that the...that that Bill was the one that took away the rights from the people and put it into the smoke filled rooms and is going to permit the party bosses to make decisions rather than the people out in our individual precincts. So I urge an 'aye' vote on this very good Bill."

Speaker Lechowicz: "Have all voted who wish? The Gentleman from Cook, Mr. Birkinbine. The timer is on."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm a bit surprised to see some...some of our Democratic friends and colleagues voting against this Bill. The Democratic State Central Committee, the Democratic National Committee both feel and have a policy that anybody running for delegate to a national convention will declare who they are committed to. The Bill that we passed last spring was roundly condemned by every voting group in the state, every single major and minor newspaper in the state, the independent voters of Illinois said basically what we're doing is keeping the voters in the dark and it's a bad Bill. I encourage all of you to vote in compliance with the way your own party has decided is the best way to run the election. Thank you."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Totten's Amendment to Representative Collin's Bill was attempted to be offered to my Bill yesterday and I resisted. I did



so out of the commitment I'd given to others with respect to the main Bill and not because I fail to support this proposal. In fact, I strongly support this proposal and I too am disturbed to see that there are not more Democratic green lights on the board, because it seems to me that in an election like this, an election for delegate, nobody knows who the candidates are. They...it is a campaign of... a very low visibility campaign and so the only way the people have of making an intelligent decision on the question of this importance is if they know who the person on the ballot is committed to. And it seems to me that if we are in favor of openness in government, good government, that we ought to vote for this Bill."

Speaker Lechowicz: "The Gentleman from Livigston, Mr. Ewing, to explain his vote. The timer is on."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I'm voting 'yes' on this Bill. I think it's a good Bill. Last time I followed the leadership in this House and I voted for the Amendment, which we're trying to take off with this Bill. And all the party people that work, at least the Republican Party in downstate, they need this Amendment so that they can have some say in the selection of our candidate for President. The other way is bossism. Unfortunately I didn't know that when I voted for it but I've seen the error in my ways and I would ask for some help from the Democratic Members today, because there may be a time down the road when you'll want to have the same rights to select your candidate for President that we need in the Republican Party today. We need some more 'yes' votes up there so that the people can decide who our candidate's going to be."



Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich, to explain his vote. The timer is on."

Friedrich: "Mr. Speaker and Members of the House, there are a lot of people who are advocating that we have direct nomination of Presidential candidates directly by the voters. I must confess that I'm not for that because I think that's going too far. But I think that we in our party and the people in the other party have a right to know who the delegates are going to be for. And that way we can have a voice in the convention whether we go or not."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 86 'aye', 46 'no', 4 recorded as 'present'. The Gentleman from Cook, Mr. Collins."

Collins: "Mr. Speaker, I would like to put this on Postponed Consideration and then at the proper time I would like to ask leave to take it back to Second Reading for the reconsideration of the vote by which the Amendment was adopted."

Speaker Lechowicz: "Does the Gentleman have leave to put it on Postponed Consideration? Hearing no objection, the matter is on Postponed Consideration. Senate Bills, Third Reading. Senate Bill 1439. The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, Members of the House, the Auditor General does audits from time to time for the Federal Government and there are some pending now. These are reimbursable by the Federal Government. This is an appropriation request for 150 thousand dollars. The estimated Federal reimbursement will be 208,732 dollars. And not only will the 150 thousand dollars be returned to the General Revenue Fund but the additional 58,732 dollars. I know of no objection



to it and I move the...that the Bill be adopted."

Speaker Lechowicz: "Any discussion? Would you read the title of the Bill, please?"

Clerk Leone: "Senate Bill 1439. A Bill for an Act making an appropriation to the Office of Auditor General. Third Reading of the Bill."

Speaker Lechowicz: "The question is, shall Senate Bill 1439 pass? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 149 'aye', 3 'nays', none recorded as 'present'. This Bill, having received the three-fifths Constitutional Majority, is hereby declared passed. Kindly record Mr. Kornowicz as 'aye'. Now, on the area of Postponed Consideration is House Bill 2813. The Gentleman from Cook, Mr. Collins."

Collins: "Thank you, Mr. Speaker. I ask leave to return House Bill 2813 to the Order of Second Reading for the purpose of reconsidering the vote on Amendment #1."

Speaker Lechowicz: "Any discussion? Does the Gentleman have leave? Hearing no objections, Second Reading."

Collins: "Now, Mr. Speaker, I ask that the vote by which Amendment #1 was adopted to House Bill 2813 be reconsidered."

Speaker Lechowicz: "The motion is to table the Amendment. It was a voice vote. All in favor...on that question, the Lady from Cook, Mrs. Pullen."

Pullen: "Well, the Gentleman did move to reconsider and I was going to question whether he has the right to move to reconsider since there's no recorded Roll Call, so we don't know whether we voted on the prevailing side."

Speaker Lechowicz: "The motion is to table."

Pullen: "That's not how he phrased it."

Collins: "Well, I didn't say it. My motion is to table."



Speaker Lechowicz: "All in favor signify by saying 'aye', opposed. The motion is tabled...and the Amendment is tabled. Any further motions or Amendments?"

Clerk Leone: "No further motions or Amendments."

Speaker Lechowicz: "Third Reading. Consideration Postponed. So it's on Third Reading, Consideration Postponed. On the Calendar on Consideration Postponed, Third Reading appears House Bill 2813. The Gentleman from Cook, Mr. Collins."

Collins: "Too late, Totten, we're on Third Reading. Thank you, Mr. Speaker. What was an excellent Bill now reverts to being just a very good Bill. And it is a simple clean up in the Elections Code, where the reference that should have been made to the Board of Elections Commissioners erroneously was made to the County Clerk. It has caused some confusion in the Board of Election's Commissioners and I would ask for the passage of House Bill 2813."

Speaker Lechowicz: "Is there any discussion? The question is, shall...the question is, shall House Bill 2813 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 155 'aye', no 'nays', none recorded as 'present'. This Bill, having received the three-fifths Constitutional Majority, is hereby declared passed. House Bill 2813. Senate Bills, Second Reading. Senate Bill 1436."

Clerk Leone: "Senate Bill 1436. A Bill for an Act making a supplemental appropriation for the expenses of the Senate in the Eighty-First General Assembly. Second Reading of the Bill."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk Leone: "Amendment #1. Marovitz. Amends Senate Bill 1436 on page 1, line 2, by insering before the period,



the following."

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

Telcser: "Mr. Speaker, Members of the House, Representative Marovitz had to leave to make another appointment. He's asked me to handle his Amendment. He's asked that this Amendment be withdrawn and it will be replaced by Amendment #7."

Speaker Lechowicz: "The Gentleman withdraws Amendment #1. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2. Mugalian. Amends Senate Bill 1436 on page 1, line 1."

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

Mugalian: "Yes, thank you, Mr. Speaker. This Amendment provides for funding of the Land Resources Management Study Commission. A Bill which was amendatorily vetoed and accepted by the House and has just been accepted by the Senate. So that Commission is now in existence and it is now necessary to fund that Commission. The Chief Sponsor of this Bill is Senator Phil Rock, the President of the Senate, who has encouraged me to put this Amendment on this Bill and it has his full approval. I ask your favorable vote on this Amendment."

Speaker Lechowicz: "Is there any discussion? The question is, shall Amendment #2 be adopted? All in favor signify by saying 'aye', opposed? The question is, shall Amendment #2 be adopted? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? The Clerk will take the record. On this question there are 82 'aye', 36 'no', 4 recorded as 'present'. The Amendment is adopted. At the request of the Sponsor, we'll take this Bill out of the record. Amendment #2 is adopted though. Senate Bill 1444. Mr. VanDuyne, do you want to have that Bill called?"



Take it out of the record. Senate Bill 1445. Mr. Kane. Leroy, Do you want your Bill called? Go back to 1444."

Clerk O'Brien: "Senate Bill 1444. A Bill for an Act to make an appropriation of certain Federal Funds to the State Board of Education. Second Reading of the Bill. No Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1. Hanahan. Amends Senate Bill 1444 on page 1..."

Speaker Lechowicz: "The Gentleman from McHenry, Mr. Hanahan. He's over at his office. Do you have any objection with the Amendment, Mr. VanDuyne? The Gentleman moves the adoption of Amendment #1. Would you kindly explain it?"

VanDuyne: "As I understand this, Mr...Mr. Speaker, this is 50 thousand dollars and it's Federal Funds. There's no...no state match. I will defer to Mr. Barnes."

Speaker Lechowicz: "Mr. Barnes."

Barnes: "Thank you very much, Mr. Speaker, Members of the House. This is a 50 thousand dollar grant for...to the State Board. The grant is from HEW for the center of educational statistics. It is authorized by party of Title 1 of the Vocational Education Act of 1963. The purpose of the grant is to develop and enhance long term capabilities of the state to collect, process and analyze reports and statistics data about vocational education. Specifically, specific outcomes as the elimination of duplicate reporting requirements now enforced by the Illinois Community Colleges, improvement in the timeliness of data reporting and improvement in quality of post-secondary vocational education data. Number four, the development of a model to



satisfy the vocational education of data systems required for the vocational educational program. These funds will be granted to the Illinois Community College Board, which will be responsible for implementing the provisions of the grant. These are all Federal Funds for those items listed above."

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

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, just to concur with the explanation made by Chairman Barnes in regard to this Amendment and to encourage the House adoption of Amendment #1."

Speaker Lechowicz: "The question is, shall Amendment #1 be adopted? All those in favor signify by saying 'aye', opposed? Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2. Gene Hoffman. Amends Senate Bill 1444..."

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

Hoffman: "Thank you very much, Mr. Speaker and Gentlemen... Ladies and Gentlemen of the House. I move the adoption of House Amendment #1..."

Speaker Lechowicz: "2."

Hoffman: "I'm sorry. Thank you. Amendment #2, which appropriates 20 thousand dollars of Federal Funds to be used to carry out the study required under House Bill 1463, which we passed last Session. The State Board of Education has been awarded a Federal Grant to assist in this implementation. This Amendment appropriates 20 thousand dollars of that grant for use in FY 1980. The results of this will be reported to the General Assembly July 1, 1981. This has to do with the demonstration projects for testing the efficacy of generically defined programs for handicapped children."



Speaker Lechowicz: "Any discussion? The question is, shall Amendment #2 be adopted? All in favor signify by saying 'aye', opposed? Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3. Mulcahey - Schneider. Amends Senate Bill 1444 on page 1, by inserting immediately after Section 2(b) and before Section 3, the following and so forth."

Speaker Lechowicz: "Mr. Mulcahey."

Mulcahey: "Mr. Speaker, Representative Schneider is going to handle this Amendment."

Speaker Lechowicz: "Representative Schneider."

Schneider: "Thank you, Mr. Speaker and Members of the House. This too is appropriating federal money for purposes of emergency school...from the School Aid Act. It is an Amendment that will expend funds for districts which are planning, or dealing rather, with plans for desegregation. It identifies educational problems and solutions that may arise as a result of those plans and the money is used for that purpose. I would move its adoption."

Speaker Lechowicz: "Any discussion? The question is, shall Amendment #3 be adopted? All in favor signify by saying 'aye'... The Gentleman from Cook, Mr. Peters."

Peters: "Yes, Mr. Speaker. Just so that at some point we don't have to come back and have some problem with this Amendment. I think the Membership should be aware and listen carefully how they voted. Certainly their business and what they intend to do in terms of their districts. But what this Amendment is, it is a grant award to the State Board of Education for a special project under the emergency School Aid Act. And it has two purposes. The first purpose is to encourage local education agencies to voluntarily prepare, adopt and implement plans to correct



conditions of racial separation in their schools. Not the result of state or local law or official action. And secondly, to help local education agencies to identify educational problems and solutions to those problems that have an answer or may arise from the implementation of the plans regarding racial desegregation of the schools. So that is what this money is for."

Speaker Lechowicz: "Any further discussion? The Gentleman from DuPage, Mr. Schneider, to close."

Schneider: "Well thank you, Mr. Speaker and Members of the House. This is not an unusual request, as the ominous tones of Mr. Peters would suggest. What is accurate to say is that we have had over the past couple of years, involuntary relationships with school districts, expenditures for these various purposes that he has defined. We have had, I think, over the last two or three years about five million dollars. We should point out that it is voluntary. The thing that also ought to be pointed out is that districts that have done these kinds of programs have been losing money and have been using the money from other sources, hopefully to resolve some of the changes and the kind of problems that have been faced, that a district has faced. The cost of opening a workshop or conference or dealing with other needs in the building or the districts for the purpose of desegregation are not the kind of things that should frighten anyone. It is indeed voluntary. The money is there, it's from the Federal Government, we should appropriate it. It is one that we sorely need and I would certainly hope we would adopt the Amendment."

Speaker Lechowicz: "The question is, shall Amendment #3 be adopted? All those in favor signify by saying 'aye'."



opposed. The Gentleman requests a Roll Call.
 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 49 'ayes', 71 'no'. The Amendment fails.
 Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Third Reading. Senate Bill 1445."

Clerk O'Brien: "Senate Bill 1445. A Bill for an Act making
 a supplemental appropriation to the Board of
 Higher Education. Second Reading of the Bill.
 No Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1. Peters. Amends
 Senate Bill 1445."

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

Peters: "Mr. Speaker and Ladies and Gentlemen of the
 House. The series of Amendments which I will offer
 to Senate Bill 1445 come by way of consultation with
 both Chairman Barnes and Chairman Matijevich and
 Representative Wolf who is the Minority Spokesman
 on the Appropriations I Committee, as well as the
 approval of the Sponsor of the Bill, Representative
 Kane." All of these are supplemental appropriations
 mostly from Federal Funds to the various state s
 departments." Amendment #1 is a appropriation to
 the Department of Public Health for the purposes
 of completing their consulting plans in regard to
 the state's response to the state nuclear emergency
 response Act, which would be required, according
 to my information, by the Federal Government." So
 this would be 50 thousand dollars for transfer of
 these positions." I would move the adoption of Amendment
 #1."



Speaker Lechowicz: "Is there any discussion? The Gentleman from Sangamon, Mr. Kane."

Kane: "Representative Peters, is this what's designated as Amendment #4 on the sheet that you gave me earlier?"

Speaker Lechowicz: "I'm sorry, would you repeat..."

Peters: "I'm sorry. Yes, Representative Kane."

Speaker Lechowicz: "Is there any further discussion? 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: "Floor Amendment #2. Peters. Amends Senate Bill 1445 as amended on page 1, by deleting the title and inserting in lieu thereof, the following, and so forth."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, this is the second half, really, of the implementation of the State Nuclear Disaster Act and these are federal funds for the emergency service administration in the sum of 100 thousand dollars and I would move the adoption of Amendment #2."

Speaker Lechowicz: "Is there 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: "Floor Amendment #3. Peters. Amends Senate Bill 1445 as amended on page 1 and so forth."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3... Mr. Clerk, will you change the board, please."

Speaker Lechowicz: "3, please."

Peters: "Thank you. It is a request for transfers and supplementals in the Department of Mental Health, part of which are to complete the conversion of East Moline to a correctional facility and to



acomodate the transfer of some of the patients and the Department of Mental Health and Developmental Disability, who are residents to Galesburg. To provide funding at Bowen for special and special education contracts negotiated with local school district authorities. To increase the emergency capital funds in order to complete the laundry consolidation at Jacksonville. And finally, to increase the reappropriated items for the line item developmental disability special residential alternative and mental health construction grants to accomodate what we have indicated above. As I've indicated again, this has been cleared with both staffs, with the Chairmen of both Committees. It is a departmental request and we respectfully request the approval of the House in the adoption of this Amendment."

Speaker Lechowicz: "Is there any discussion? The question is, shall Amendment #3 be adopted? All in favor signify by saying 'aye'; 'aye', opposed? Amendment #3 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4. Peters. Amends Senate Bill 1445."

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

Peters: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, this Amendment is an appropriation of some 352 thousand dollars of Federal Funds to the Department of Aging for two proposals. One, to the...one from the Federal Government and the other to a private foundation to fund two special projects for services to the elderly. One having to do with long term care, a demonstration for projects which has been submitted to the Health Care Finance Authority with in H.E.W. to fund a research and demonstration product on long term care for impaired elderly persons and the second part is to the



Robert Wood Johnson Foundation to develop of model of integrated and coordinated services for health impaired elderly. And again, it has been cleared by the Chairmen of both committees and we would respectfully request the approval of the House on the adoption of Amendment #4."

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 O'Brien: "Floor Amendment #5. Peters. Amends Senate Bill 1445."

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

Peters: "One moment, Mr. Speaker. Mr. Speaker, Amendment #5 is an appropriation to the Fair Employment Practices Commission. A supplemental appropriation in order to maintain its program and to avoid falling seriously behind in the processing of the various complaints. A total amount of 57 thousand, 982 dollars in terms of additional funds. And again, it has been cleared on both sides and we respectfully request your approval of Amendment #5."

Speaker Lechowicz: "Any discussion? The question is, shall Amendment #5 be adopted? All in favor signify by saying 'aye'; 'aye', opposed? Amendment #5 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #6. Peters. Amends Senate Bill 1445."

Speaker Lechowicz: "Mr. Peters."

Peters: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, this is an appropriation to the Department of Agriculture in the sum of 12 thousand 800 dollars to cover the remainder of the direct marketing grant approval of some pastoral funding



for a program having to do with grain dealers and a study being conducted by the Illinois Legislative Council. 12,800 dollars cleared by both sides. We respectfully request your approval of Amendment #6."

Speaker Lechowicz: "Any discussion? The question is, shall Amendment #6 be adopted? All in favor signify by saying 'aye'; 'aye', opposed? Amendment #6 is adopted. Any further Amendments?"

Peters: "Thank you, Mr. Chairman...Mr. Speaker."

Clerk O'Brien: "Floor Amendment #7. Brummer - Robbins - Bower. Amends Senate Bill 1445 by deleting the last section of the Bill and renumbering the sections..."

Speaker Lechowicz: "The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, this is an appropriation Amendment. It has been cleared by the Appropriations Committee on both sides of the aisle as well as the House Sponsor and the Senate Sponsor. It's for miscellaneous capital improvements in order to upgrad the Murray Developmental Center annex in Mt. Vernon, in order to meet fire safety deficiencies. Specifically, the State Fire Marshall's office came in and found certain fire safety deficiencies in mid October, the primary one which is for the construction of a fire exit in the stairway. I would respectfully ask a favorable vote."

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

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, we have no objection to the Amendment offered by the...by Representative Brummer. I would ask the Representative Brummer so that we may hopefully avoid some confusion at some point, and although it may be duplication, Mr. Speaker, but if the Representative would also offer that same Amendment to 1436 we could get some of our mechanical insight problems



straightened out. We have no objections to it. Thank you."

Speaker Lechowicz: "Any further discussion? The question is, shall Amendment #7. I'm sorry. The Gentleman from Effingham, Mr. Brummer, to close."

Brummer: "I don't want to close. I have filed an Amendment with regard to 1436, also. And I'm directing this to Representative Peters. I really don't see any reason to have both Amendments. And I understood it was okay with the Senate Sponsor, the House Sponsor and the Appropriations Chairmen on both the Republican and Democrat side of the aisle to offer this with regard to this Bill."

Speaker Lechowicz: "Mr. Peters."

Peters: "Representative Brummer, the decision is yours. I am just trying to be helpful to facilitate what you want to do. You make the decision."

Brummer: "Thank you."

Speaker Lechowicz: "Mr. Brummer moves the adoption of Amendment #7. 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. Senate Bills, First Reading. Senate Bill 1443."

Clerk O'Brien: "Senate Bill 1443. A Bill for an Act making an appropriation to the Comptroller. First Reading of the Bill."

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

Ryan: "Yes, Mr. Speaker. I wonder if the Chair would tell us when we're going into Special Session? It was called for 10:30 this morning."

Speaker Lechowicz: "Mr. Ryan, there just...there was a question as far as on Senate Bill 1443 whether I made the right assignment as far as Rules. And the Bill



was just read for the first time. And that's why I was slightly delayed, but it is.... All Bills have to go to Rules. And as far as the Special Session...the Third Special Session, we're moving in that area momentarily."

Ryan: "Momentarily?"

Speaker Lechowicz: "In fact, Mr. Ryan asks...makes a motion that the House stand in recess till the call of the Chair of the Regular Session. All in favor signify by saying 'aye';'aye'. The House stands in recess till the call of the Chair. Now, the Third Special Session. House Bill 2796. Read the Bill."



Speaker Lechowicz: "The Third Special Session. House Bill 2796. Read the Bill."

Clerk O'Brien: "House Bill 2796. A Bill for an Act to exempt food for human consumption, prescription, non-prescription medicines, drugs, medical appliances and common household remedies for human consumption from certain taxes. Third Reading of the Bill."

Speaker Lechowicz: "House Bill 2796. The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think everybody is familiar with 2796. Its sales tax relief for the people of the State of Illinois and I would ask for a favorable Roll Call."

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

Schlickman: "Mr. Speaker, Members of the House, with respect to the subject of taxation and appropriation there are certain principles that I try to subscribe to. Number one, the best form of tax relief is not to tax at all. Number two, taxation, when needed, should be progressive, rather than regressive. And number three, the easiest way to limit spending is to limit taxing. Ten years ago I voted for the income tax because we needed the money to supply vital services and for the state to stay solvent. Afterwards, I personally tried on three occasions to reform the sales tax by removing it from drugs and medicine. The first time the Bill reached the Order of Third Reading but was never called by the then Speaker. The second time it was passed by the House but got stymied in the Senate. The third time, this year, it didn't make it out of the House Revenue Committee because of the Democratic Task Force's sales tax proposal now apparently dead. At first I thought the Democratic



proposal was too big a bite, but as I thought more of it I concluded that it was a meaningful and substantial implementation of the principles to which I subscribe. Today, as a result of what happened yesterday, I'm dismayed that the Governor of this state, under pressure, by reaction, has offered a crumb and not a loaf. And in so doing, has displayed no principle, just raw political power for the state of a shallow political victory. Politics, it's said, is the act of compromise, and if you can't get a whole loaf you should take a half. But too often, I think, we're seduced to force state principle and accept expediency. That, I shall not do. Instead I want this House to give the Governor a clear message, that he cannot twist the Constitution and shackle the Legislative Branch of State Government. And that we, on behalf of our constituents, want meaningful and substantial tax relief. I shall vote 'no' on House Bill 2796 and I urge others to do likewise."

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

Matijevec: "Mr. Speaker, Ladies and Gentlemen of the House, I join Representative Schlickman in voting 'no' on this Bill. And I do so for various reasons. And probably uppermost, as one who believes strongly in the legislative process, is the way that this whole Bill has come before us. I think that we, as the Legislature, ought to stand firm for the legislative process. If we don't defend the legislative process, I don't know who will. I don't think that any of you believe that a Governor can be so restrictive in bringing forth legislation that we are limited to a Bill and then a Sponsor. Do you understand what that does to you? Now, the fact that we were limited to a Bill, many of us have said on the floor,



'Well, that isn't so restrictive, because we can offer Amendments to the Bill.' But what would have happened, for example, if we did pass the Amendment yesterday, Amendment 12? The Sponsors of the Bill, who are the Majority Leader and the Minority Leader, the two Chief Sponsors, they wouldn't have gone forth with the Bill. So we have not only been limited in this subject matter, to one Bill, we have been taken...our rights have been taken away as Members to introduce Bills, even on the same subject matter. And therefore, if that Amendment were passed, those two Chief Sponsors, thinking alike, marching to the tune of Governor, and the Mayor of the City of Chicago, would have held that Bill until they could have gotten some other deal. I don't think that that's the way either the Constitution thought that the legislative process ought to be run. I really think that...that it is a rape of the legislative process and I think that there's no other way to tell the Governor that it is an unconstitutional process, that we don't believe that it's right and to vote 'no' on it. Now I...Now I realize that from a political standpoint many of you think that you're in the tank, that you have to vote for some sales tax or nothing. And I don't believe that's true. Because I believe that if you all stood firm, if you really voted how you really think you should, that we wouldn't leave home this week or next unless we got the full exemption on food and medicine. Now, I also know that originally, as Gene Schlickman said, many weren't going to vote for this, thinking it was too much. Many weren't going to vote for it thinking it was a Democratic proposal. And now, as we go right down the line we find that if it were a Democratic proposal, those who are in the



power of the Democratic Party have sure jumped the boat. So don't...don't vote on whether something is a Democratic proposal or not. Also, the fact of the matter is that Governor Ogilvie, ten years ago, ten years ago came out for the exemption on the food and medicine. And I recall when he did come out for it he said he changed his position. And the reason that he did was that we were passing an income tax and therefore, that we could afford the food and medicine exemption. If we couldn't afford it when we passed the income tax when could we afford it? Now we all know that this is a battle that's been going on for 45 years, to finally get rid of the food and medicine exemption, the sales tax. We all know that for 45 years people have said it's unfair. It's unfair for the poor, it's unfair for those with big families, it's unfair for senior citizens. And now we are going to let the Governor of the State of Illinois dictate to us what he thinks is fair only because of what he knows to be politically best for him. He's not worried about you individual Republicans, you ought to know that by now. He had a constant advisory referendum and it was a fake one. And here yesterday he puts another fake message on our desks. And how did we respond to that? We responded to that with the Totten Proposition 13. Now, today, the very next day after he put that phoney message of his on our desks we ought to respond in kind and say that we again don't believe him. That we know that the sales...full sales tax is affordable. The only way we can finally end up with the full exemption on food and medicine, the full elimination of it, is to disregard this Bill. To not vote for it. Don't worry about whether



we're leaving here without any tax relief, because something will develop, believe me, something will develop. You ought to be able to look at...read the newspapers and hear the radio, watch t.v. and know that those leaders, who are telling you that you've got to buy this, those leaders have changed their position almost over night. Almost within the...within the hour. One minute one person's endorsing one candidate, the next minute he's endorsing another candidate. If anybody can change their mind that quickly, don't worry about us leaving home, leaving here without tax relief. You've found that the Governor can change his position He's almost a dancing doll when it comes to changing positions. He won't take the heat, you know that. You found that out already. So don't worry about it. You can vote 'no' on this Bill and we can still go home with the best tax relief that we can develop. The full sales tax exemption on food and medicine. That's good for poor people. Is that who you're for? That's good for senior citizens. Are you for that? And that's good for large families. Let's do it, give them something they really deserve instead of nothing, really nothing."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think the process that we've gone through in the past year has been a disappointing and a frustrating process on the subject of tax limitations, tax reduction. I think if you think about what we did last winter and last spring, we limited the scope of the matters that we were going to consider on tax reduction to one item, sales tax. Then, with the Governor's veto and his call for the Special Session, we further limited it to a much smaller section of the sales tax. And finally,



last night, in effect, what we did with those germaneness perplexities that we discussed, was to limit it to one Bill on the sales tax. I think that's sad and I think that's unfortunate. I think it represents an unholy conspiracy to really give us the opportunity to consider real tax reform or tax relief in this state. In my judgement, and I think in the judgement of most of the people of the State of Illinois, the worst tax, the most oppressive, the most onerous tax we have in our system is the property tax. We've all read the stories where 84 percent of the property in the State of Illinois is improperly and inaccurately assessed. We've all seen, we've all heard the stories that in many counties, in many communities around the state, properties which have no right under the law of the Constitution of the State of Illinois to be exempted from the property tax, are in fact exempted from the property tax. That, to me, appears to me to be a most oppressive and onerous situation that we should do something about. I think further, when you think about the property tax, if it were properly administered it would be a bad tax and the worst tax. It's a tax, that in no reasonable fashion is proportionate to the services it's suppose to finance. People pay, in most of the state, the vast majority of school finance out of the property tax. And in no way does the property tax and the amount you pay reflect the benefit that you derive from education. The people who have kids in no way are likely to be the people who own property. And yet it's property tax that finances education. I think when you look at the broader question of tax reform, tax reduction, we ought to think about why we're even talking about the issue. We've gone



through a period in this state, in this country, where we tax our new welfare benefits, new education programs, food stamp programs, fuel stamp programs, the whole list, the whole litany. And in the process of raising the cost of government and increasing the tax bill to the citizens, what we've done is we've choked off this economy. We've frozen it's tracks. We've destroyed its productivity, it's ability to grow and to produce."

Speaker Lechowicz: "Excuse me. The Gentleman from DeKalb, Mr. Ebbesen, for what purpose do you seek recognition."

Ebbesen: "Yes, Mr. Speaker, a point of order here. You know, the Representative Matijevich gave a political speech and in all due respect to Representative Vinson, we're not talking about the Bill. And I think we ought to confine ourselves to the subject on the Bill. We're talking about property taxes, I mean this House has got a lot of business before it and we could do this all afternoon. I think you ought to rule, Mr. Speaker, to keep everybody in line and address themselves to the legislation before us."

Speaker Lechowicz: "Mr. Ebbesen, kindly have your remarks pertain to 2796, that also applies to you, Mr. Vinson."

Vinson: "I think that what we do with 2796 is to refuse to really address the important tax reduction issues before this Legislature and this country. As I say, we choked off this economy. We encourage consumption, not savings and investments. And the only way we can break out of this terrible cycle of inflation and unemployment that we're in is that is we begin encouraging the production, the investment that can encourage productivity, can provide jobs, can stop us from exporting jobs to other counties and other sections of this country."



That is the sad story of what this Bill does. We are not backing out of the cycle we're in, we're digging ourselves deeper into the hole with this Bill and we're refusing to address the really terrible tax, the Illinois Property Tax, that we should be addressing. For those reasons I would urge everybody to think carefully about this vote and in fact vote 'no' on 2796. Insist that when this surplus is spent, and there is a surplus, I believe, that it be used to abate the worst tax in the system, the property tax."

Speaker Lechowicz: "The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker and Members of the House, we tried desperately over the last six months to give to the citizens of Illinois what they've asked for so many times in the past. And I'll try to be brief but I do want to make a couple of strong statements. First of all, I want to denounce on this House floor the leadership of my party with the exception of two people. I want to praise Speaker Redmond, the greatest speaker that I've served under in this General Assembly. Speaker Redmond has consistently fought for good legislative tax relief programs. He's been assisted in that by Monroe Flinn. But look at the other leadership on my side of the aisle. Look at the Majority Leader from Chicago, look at the present Speaker of the House, the assistant leader from Chicago, and look at the other downstate leader, who yesterday cast the deciding vote against good legislative relief. It reminds me of what we have in our county, in our city. And what we refer to as the merry-go-round. Now most people in this General Assembly don't know what the merry-go-round is, but suffice it to say it's an area



of the City of Peoria where the oldest profession is perfected on a daily basis. And let me say that I could put in that merry-go-round area, the Governor of the State of Illinois and my Majority Leader and Assistant Majority Leader and make them the drivers of the big pink cadillacs. I think it's that serious. They belong in the merry-go-round because they professed and are now acting within the profession of the oldest in the country and the oldest in the world, and I think it's a shame. And I will not forget that. But let me get on to the subject at hand. We have before us one single piece of legislation dealing with tax relief. It was watered down only to show the people in the State of Illinois that, yes, we're listening, but we're listening with only one ear. This piece of tax relief, Ladies and Gentlemen, is just nothing but a dry towel. It does nothing but sooth the burns of the citizens of Illinois. We can't, in good faith, oppose this piece of legislation because it does offer some relief, small as it might be. But I'll tell you one thing, come January when we're back here, those of us who have pledged for decent tax relief will introduce legislation and then I would hope that the Mayor of Chicago and the Governor of Illinois and their puppets...and their puppets would dare to oppose meaningful tax relief at that time."

Speaker Lechowicz: "The Gentleman from Champaign, Mr. Wikoff."

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

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

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill, in spite of all the rhetoric



that you've heard here in the last few minutes, provides identically the same tax relief as would have been provided in the Bill that everybody is upset about. This is genuine tax relief, it's real tax relief. And if you're sincere about providing it you'll vote green. Thank you."

Speaker Lechowicz: "The question is, shall House Bill 2796 pass? All in favor vote 'aye', all opposed vote 'nay'. The Gentleman from Cook, Mr. Preston, to explain his vote. The timer is on."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is fine to be in favor of the override measure. Men can conceive a marvelous Bill, far-reaching legislation, needed legislation, but that legislation needs one additional element to only the idea itself, and that is bipartisan support so that legislation receives the required number of votes. To do other than to vote for House Bill 2796 would be to playing politics with tax relief legislation. And to be playing politics with the people of Illinois. All the Members of this House saw that politics are being played with on this very measure. This Bill is a beginning to removing the sales tax from food and drugs. The people of Illinois want this legislation, it provides essentially identical measures..."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Kelly, to explain his vote. The timer is on."

Kelly: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is, in my opinion, certainly not a serious tax relief measure. I feel the people of Illinois will be able to see through this and not in any way compare this to the five percent relief package that we had earlier. Ladies and



Gentlemen, in less than 10 hours there's going to be an increase of one percent on this sales tax, which means you'll have one percent added on. You're going to end up with, actually, less than nothing. I think it's unique that the Governor, certainly the Mayor of Chicago, have chosen how to lean to provide this measure, which is actually hiding behind the mask of tax relief and on the other hand not providing any. I feel this is the only measure that will, in the 45 years, and I'm talking about tax relief, we killed that off last week when we reviewed this issue. This one percent, I can easily vote against it, and I'm going to cast a 'no' vote and I'm..."

Speaker Lechowicz: "Excuse me, there will be no filming during explanation of votes. The Gentleman from Cook, Mr. Huskey, to explain his vote. The timer is on. I shut it off."

Huskey: "Well, Mr. Speaker and Ladies and Gentlemen of the House, in explaining my 'yes' vote, I have never had the opportunity to vote to whether there is going to be a tax reduction. This is probably the first time and maybe the last time in history that we'll ever get this opportunity. So, therefore, my vote is 'yes' for tax reduction."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich, to explain his vote. The timer is on."

Friedrich: "Mr. Speaker and Members of the House, I think the Governor might have handled this whole matter a little differently and I suggested that to him on a couple of occasions, but that's loot right now. The truth of it is, if he had signed the Bill that was passed several months ago you would have had a one cent reduction in sales tax January the First. If you vote for this Bill you'll have a one cent



reduction in sales tax January the First. Now I fail to see why all the moaning and groaning is going on because January the First the result is exactly the same. Now, we're going to be back here next year and the if the people who advocated that Bill are really right, and we've got money hanging out of our ears, I'll go for another cent or two, so what's the problem. I can't understand it."

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

Brummer: "Yes, I think we ought to vote for this. It still has to go to the Senate and I hope the Senate has the good sense to add additional tax relief, which can be provided. And the good Mayor of the City of Chicago and the Governor see the necessity and advisability of that and provide more significant tax relief before this is all over."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Bowman, to explain his vote. The timer is on."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm voting for this because I feel that we need to make at least a first step in this direction. But I take serious issue with Representative Ryan and Representative Friedrich, who say this is really the same as the Bill that was killed last week on the floor of this House. It is not. The big difference is that all we have to...to pin our hopes on for future tax relief is the promise of the Governor. And I, for one, will be coming back here again and again until that promise is fulfilled. We will not accept an empty promise from the Governor. And we expect the Governor to deliver on that promise and we will be back again and again until the Governor makes good on that promise. Thank



you."

Speaker Lechowicz: "The Gentleman from Franklin, Mr. Rea, to explain his vote. The timer is on. Rea, please."

Rea: "Thank you, Mr. Chairman, Members of the House. I think that this is only symbolic. It is not really reaching out like it should in terms of tax relief. I don't feel the Governor, the Mayor and much of the leadership has paid attention to the people of the State of Illinois in terms of tax relief. I am going to vote for this Bill, but I feel that this should only be the beginning and that we should come back into the next Session and that we should continue to work on this tax relief measure until we have eliminated completely the sales tax on food and medicine. Thank you."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 168 'aye', 5 'no', none recorded as 'present'. This Bill, having received the three-fifths Constitutional Majority, is hereby declared passed. Representative Madigan moves that the House...the Third Special Session stand in recess till the call of the Chair. All in favor signify by saying 'aye'; 'aye'. The Third Special Ses...All opposed? The Third Special Session stands in recess until the call of the Chair. Back to the Regular Session. Resolutions. House Joint Resolution 68. The Lady from Cook, Mrs. Chapman," moves to suspend Rule 41(a). Would Mrs. Chapman kindly explain the purpose of the suspension?"



Chapman: "Mr. Speaker, I move to suspend the rules so that we may immediately this...this matter of great importance for residents of nursing homes in our state and for those who own and operate nursing homes."

Speaker Lechowicz: "The Lady asks the Attendance Roll Call to be used to suspend 41(a). Hearing no objections, the Attendance Roll Call will be used. House Joint Resolution 68. Mrs. Chapman, on the Resolution."

Chapman: "Mr. Speaker, House Joint Resolution 68 proposes a Committee of the House and the Senate, appointed from among its Members, to study and make recommendations in regard to rate setting for nursing homes. Many of our constituents have contacted us about their concern with various elements of our reimbursement system for nursing homes. Including, for example, the point count system that many feel discourages good patient care and treatment. The time has arrived for a joint study by the House and the Senate of this matter, so that we may act upon it on the basis of information. I ask for your support of this Resolution proposed by the Speaker and me."

Speaker Lechowicz: "Is there any discussion? The question is, shall House Joint Resolution 68 be adopted? 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 'aye', no 'nay', none recorded as 'present' and House Joint Resolution 68 is hereby declared passed. Conference Committee Reports. Regular Calendar. Senate Bill 563. The Gentleman from Cook, Mr. Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The first Conference Committee Report on Senate Bill 563 deals with the reimbursement to



counties and boards of election commissioners for the added cost of elections and election judges. And I move to accept, or adopt, the first Conference Committee Report on Senate Bill 563."

Speaker Lechowicz: "Is there any discussion? The Gentleman moves that the House do adopt the first Conference Committee Report on Senate Bill 563. All in favor vote 'aye', all opposed vote 'nay'. The Gentleman from Cook, Mr. Collins."

Collins: "Just a comment, Mr. Speaker. I...my name appears on the Conference Committee, although I didn't sign the report because I'm still waiting for the Conference Committee to meet."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 126 'aye', 19 'no', 3 recorded as 'present', and the House does adopt the first Conference Committee Report on Senate Bill 563. This Bill, having received the three-fifths Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Mr. Totten. For what purpose do you seek recognition?"

Totten: "Mr. Speaker, parliamentary inquiry."

Speaker Lechowicz: "Yes, Sir."

Totten: "How does a... I wanted to know how the Conference Committee, which is a Bill that we had in the last Session, automatically appears on the Calendar?"

Speaker Lechowicz: "It didn't. The rule was suspended yesterday, Mr. Totten."

Totten: "It was suspended?"

Speaker Lechowicz: "Yes, it was."

Totten: "I'm sorry."

Speaker Lechowicz: "Kindly record Mr. Conti as 'no' on the last...'aye'...'aye' or 'no', Elmer? 'No'.

Ladies and Gentlemen, to the Speaker's Rostrum, to the



left is a very knowledgeable and noble individual, a former Member of the House, Gil Deavers. Gil, good to see you back. And a good coach besides. Okay, Tony, you want to read the Supplemental #1?"

Clerk Leone: "Supplemental 1 to the House Calendar is now being distributed."

Speaker Lechowicz: "On that Supplemental #1 Calendar is Senate Bill 1183. Mr. Christensen."

Christensen: "Mr. Speaker, Members...Members of the House, Senate Bill 1183 is an Act releasing highway easements over the land and several easements throughout the state and I ask that you accept the Conference Committee...the first Conference Committee Report."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Jackson, Mr. Richmond. Your light was on, Mr. Richmond."

Richmond: "Thank you, Mr. Speaker. It's been on. I wanted to explain my vote on the one cent sales tax Bill and I was wondering how long it would take to be noticed."

Speaker Lechowicz: "Any further discussion...as to the Bill having 165 votes? Any further discussion? Your light wasn't on then, Bruce. I didn't see it, I swear. That was a cheap shot... The question is, shall the House adopt the first Conference Committee Report on Senate Bill 1183? 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 169 'aye', 1 'nay', 1 recorded as 'present'. And the House does adopt the first Conference Committee Report on Senate Bill 1183. This Bill, having received the three-fifths Constitutional Majority, is hereby declared passed."



Speaker Lechowicz: "Senate Bills, Second Reading. On the Regular Calendar appears Senate Bill 1436.

It was read, Amendment #2 was adopted, taken out of the record. Now, any further Amendments?"

Clerk Leone: "Amendment #3. Taylor - Catania. Amends Senate Bill 1436, as amended, by deleting the title and inserting in lieu thereof, the following."

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

Taylor: "Thank you, Mr. Speaker and Members of the House. Amendment #3 to Senate Bill 1436 appropriates 14...15 million dollars to the Cook County Board, for the purpose of funding the needs at Cook County Hospital. As many of you, the County Hospital in Cook is the only public hospital that works on a 7 day week, 24 hours a day and serve people in...regardless of their inability to pay or not. We are in a dilemma at this time. We feel that this Amendment will, on a short term basis, serve the purpose that we need until the end of this physical year. Because there are some changes that will be made in the Governor's Commission on the County Board Hospital. So, therefore, I move for the adoption of Amendment #3 to Senate Bill 1436."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again we find ourselves in a situation where we are sure that outside negotiations, that none of us have participated in, are going to solve the problem. They haven't solved the problem in anything else and they won't solve the problem on Cook County Hospital. I would urge defeat of this. We have no assurance that's before us that guarantees the Cook County Hospital



will be managed any better next year. We have no assurance that we're going to address the basic question of how best to deal with the problem of medical care in Cook County for the indigent. There are a number of ways we can address that. But we have no assurance that those questions will be addressed. All we deal with here is another bail out, just like we did last spring. There's no reason that we should engage in this subsidy until we know something about management, until we know something about cost containment, until we know something about how we're going to, in the most efficient way, provide for these health needs. Therefore, I would urge defeat of this Amendment."

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

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When this...a proposal very similar to this was heard in the Appropriations II Committee, I was one of those Members that did support the additional funding on the legislation introduced by Representative Taylor. I find myself, at this time, in quite a dilemma. A dilemma that our party says that we should be helping the poor and the unfortunate. But I'd like to mention to those downstaters too, that this is 15 million dollars and take a look at the Amendment. It's appropriating it to the Cook County Board for the purpose of funding the Cook County Hospital. There is nothing here that says that this hospital, basically, is a state obligation in terms of this Amendment. I find it very difficult to support a 15 million dollar give-away to a hospital that does have problems. And we should be addressing those problems.



immediately following a 24 hour period of no help for all the people of the State of Illinois through sales tax. It seems to me, again, that I support Representative Vinson, in the fact that I think something has been put together here, that those of us on both sides of the aisle, many of us... the soldiers out in the trenches, have not been privy too. I don't think it's fair. I think that something has been put together, through Members of the Leadership on both sides of the aisle, and the Governor and the Mayor, for whatever reason. We should address those questions that are most important, first of all to all the citizens of the State of Illinois. And I respectfully request that the downstaters consider their vote very seriously on this most important matter."

Speaker Lechowicz: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "Yes, a question of the Sponsor. Is this an Amendment for a specific amount? Or, does the Amendment refer to that amount or such amount as is necessary?"

Taylor: "The Amendment is for a specific amount, 15 million dollars or so much thereof."

Johnson: "If I could just a second, Mr. Speaker, let me... okay. Up to 15 million dollars, is that right?"

Taylor: "Yes."

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

Kane: "Will the Sponsor yield to a couple of questions?"

Speaker Lechowicz: "He indicates he will."

Kane: "Representative Taylor, could you tell us how much the Department of Public Aid owes to Cook County Hospital at the present time that Cook County Hospital has not yet received?"

Taylor: "I don't have that information with me right now,



Representative Kane, how much the Department of Public Aid owes to Cook County Hospital."

Kane: "Could you tell us how far back the back bills are?"

Taylor: "Well, the back bills are current at this point in time."

Kane: "Could you tell us what percentage of the property tax levied for Cook County Hospital has actually been collected and distributed to the hospital?"

Taylor: "No, I don't have that information."

Kane: "Could you tell us why the money is being appropriated to the Cook County Board rather than to the Cook County Hospital Governing Board?"

Taylor: "Because we feel that the Cook County Board is a legal statutory body...in order to see that Cook County is financed and we are putting that money through the board."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, we're being faced, today, with a problem that causes a number of us a great deal of concern. We're being asked by the power brokers in this state to bail them out once again. And once again they're using the poor and the indigent as the excuse to get the money. We're being faced here with voting for a 15 million dollar bail out for Cook County Hospital. We are not told how much in arrears the Department of Public Aid is in paying the...the Bills that the Department owes to Cook County Hospital. We are not told how much, what percentage of the property taxes that have already been levied for Cook County, have actually been paid to the hospital and instead the power brokers have gotten together in a backroom and decided that the easiest way to bail out Cook County Hospital is to come to the Legislature and ask us for the dollars. I wonder if it's a payoff for



other bills, for other votes. And the other question that I think that we should look at very carefully is what kind of sanctions, what kind of arrangements are going to be forced on Cook County Hospital by the Cook County Board in order for the Cook County Board to release this money to the hospitals. Under the terms of this Bill the Cook County Board doesn't have to release any of those dollars to the hospital. This is an appropriation to Cook County Board. And I wonder what kinds of changes are going to be forced on Cook County Hospital in order to get those dollars. I think that those are questions that we ought to ask. It's obvious that those are questions that are not going to be answered today. I think that until we get the complete picture, until we know what's going to happen, that we ought to resist those who would come to us and say, 'Look at the poor, look at the needy, look at the ill and vote for them.' This is not a vote for them. This is a vote for the power brokers and I would urge a 'no' vote at this time."

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

Bluthardt: "Thank you, Mr. Speaker and Members of the House. You know, we're not dealing with a imagined crisis, we're dealing with a real crisis in the case of the Cook County Hospital and the people it serves. I don't think this is the time to be vindictive because some of the Chicago withheld their votes on the tax override when we feel that it would have been in the best interest of their people to vote to override that Bill. It's not a time for vindictiveness. And I think also it's not a time to be biased, although I think as



I speak here, perhaps I am biased because there's a matter of family pride involved here. My grand-uncle was one of the principle founders of the Cook County Hospital shortly following the end of the Civil War. Maybe it's made me open my eyes and look at the problems, and I'm sure there are problems. Those who would urge you to vote against the 15 million dollars until a further survey could be made are urging you to delay any immediate relief to the hospital. The fact of the matter is that the hospital will probably close within a month if it doesn't get some relief. If they...the easiest way is to come to the Legislature. I think it's the only way. I don't know of any other way that we can get the funds to the Cook County Hospital to keep that institution open for those most needy people. We're dealing here with..."

Speaker Lechowicz: "Excuse me, Mr. Bluthardt. Excuse me, Sir... Let's give the Gentleman some order, please."

Bluthardt: "We're dealing here, you know, not with tax relief, we're dealing with human beings. We're dealing with a life, we're dealing with the health of individuals who have not other place to turn. It seems to me it's about time that we, as a State Government, reached out and helped that populous, helped those who need it most. Help them survive. And without some help from this state, I don't know where they're going to get it. Certainly, the City of Chicago won't give it to them. The County of Cook says that they are hamstrung because they're not permitted to grant anymore, because of the limitations placed upon their authority by this Legislature. So it seems



to me that we should, we should immediately recognize the emergency. We should give the 15 thousand dollars...15 million dollars. Don't worry about what the County of Cook is going to demand out of the County Hospital. The County of Cook is limited by the statute of this state. They can't do a great deal about it. They'll have to use the 15 million dollars to keep the County Hospital open. What a horrible, horrible, thing it would be to close the County Hospital and throw all those poor, the sick, the hurt, the lame, out on the streets, let them die. That is a holocaust. I would urge you to adopt this Amendment."

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

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. You know, I'm not too certain, absolutely that the dilemma that Cook County now finds itself in is not of a constructive nature. By that I mean, it's a dilemma that may have been imposed on the hospital. And let me point this out, the 15 million that we're talking about is not a 15 million dollars bail out. It's a 15 million dollar stop-gap measure. The funding for this hospital is 10 times that amount. I assure you, that if that hospital closed for one day, Ladies and Gentlemen, it will be gone forever. The doctors and nurses that compose that fine staff will be gone to all corners of the nation where they'll be grabbed up and...and taken on in other areas that need good doctors and nurses. I couldn't believe my ears when I heard Representative Vinson state that we should defeat this Amendment. We're not talking about tax status here, Ladies and Gentlemen, we're talking about a life and death



measure. If that hospital closed people will die in the streets. And let me tell Representative Vinson just as coldly. If that hospital closed although he's not in the district as it is, my district, he thinks he has the luxury of being downstate. But if one person dies, Ladies and Gentlemen, Illinois will not be big enough for Mr. Vinson to avoid the condemnation that will be aimed at him and all those who are similarly disposed to his proposal."

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

Collins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I believe some speakers have said that we have no moral obligation to support this... I mean legal obligation, to support this Amendment and that probably is true. And I was one of those who voted against Representative Taylor's Bill earlier...what I did consider was a bail-out of Cook County Hospital. But now we're not talking about bailing things...anything out, we're talking about a moral, compassionate obligation that we have to people and people of this state. We're talking about people who are least able to care for themselves and cannot afford to care for themselves. We're talking about an institution that treats over 400 thousand people a year and is in danger of closing if we don't do something about it immediately. Susan Catania told me, just a few minutes ago, that the first payrolls were missed yesterday...part of the staff of Cook County Hospital and it's in imminent danger of closing. And I say, we cannot afford to have the onus of having this institution closed, upon our shoulders. People are coming to Cook County



Hospital who need help. They can't afford to go anywhere else...I repeat, 400 thousand people a year, how can we even consider letting this thing go under? And to tie this to other political squabbles that we've had during this week just turns my stomach. This thing has to be divorced from any other issue that we may consider this week. We're talking about human misery. And there is hardly a person in this room or in this state that hasn't been touched by Cook County Hospital. This is one of the greatest teaching institutions in the world. Doctors all over this country and all over the world are practicing today who did their internship and did their early medical practice at Cook County Hospital. And thanks to Cook County Hospital we all are better for it and we're getting better medical care in this state and in this country. I say again, we have an obligation. This is 15 million dollars for a short term help...for a hospital that is treating thousands and thousands of people a year. We must...we can do no less than adopt this Amendment. ...as already been stated by Representative Taylor, moves are underway to perform audits, to change the governing conditions back to some other...maybe the County Board or some other board that will run this hospital in a more efficient way. And I say that is absolutely necessary. I don't think the hospital has been run well but the medicine practice there has been excellent and will continue to be excellent if we adopt this Amendment. I implore you, I say you can't...you can't vote 'no' on this Amendment. People in Cook County are sick and dying, babies are being born and everyone of them are in imminent danger if we don't support



LOR.

this Amendment. I just can't imagine anybody voting 'no' on this Amendment."

Speaker Lechowicz: "The Gentleman from Henry, Mr. McGrew. His light was on. The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Thank you, Mr. Speaker and Members of the House. I'd just like to commend the last speaker, if would be in support of the Arts Council they could triple their budget overnight. I didn't really know he was a bleeding heart."

Speaker Lechowicz: "The Gentleman from Coles, Mr... Oh, I'm sorry."

Schraeder: "In regards to this Amendment, first of all, this is political fight taking place within the city...city in the County of Cook. The Mayor... the Mayor of Chicago has said she doesn't want any part of it. Well it's a local problem as well as a state problem. But if the Mayor of Chicago is not willing to take a part in this and try to find a solution in conjunction with the Cook County Board, then something is wrong. If the County...the Governing Committee of the County Hospital is not able to do the job in administration of controlling cost and providing good medical services then something is wrong. And apparently, that's been taking place for many years. Now at this point the Cook County Board is not willing to take any action, so they come to us with the hand out saying, 'We can't do anything, we don't have the authority, we're not willing to do anything, we're going to go to Springfield and we're going to get 15 million dollars without even a hearing, without a hearing.' We don't know whether the University of Illinois Medical Team should be running the



hospital, it's been suggested. We don't know whether the Governor's Committee ought to be ousted and the Cook County Board run it. Why don't we have a few hearings. We're not going to close the hospital and you will know it. This is an opportune time for Cook County, to Cook County Hospital, to come to Springfield with a handout and not say, 'Give us 15 million dollars.' No. We should have hearings on this very important matter. I'm not concerned about the 15 million dollars. I'm concerned about services to the medical and needed... And I would say that this Amendment ought to go down the trough immediately. Representative Taylor can draft a Resolution and have it presented here today for having hearings before the Appropriations process and then we can determine whether or not this 15 million dollars is indeed justified. I can't vote for something that has...had no discussion to the merits of the matter and I have to vote 'no' on this Amendment."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, I find it ironic to stand here in a political Body and listen to people who day after day make deals to cut...each other out and tell us we ought not to retaliate because of votes cast by certain people who support this Amendment. Those same people keep coming back time and again bringing out the crying towel to talk about their needs, here, 15 million dollars and other times several more millions. Representative Vinson's absolutely right, this deal was cut outside this chamber. It was cut between the same people who killed the sales tax. That is the real sales tax relief in this state. And I



don't care what anyone says here, the people on my side of the aisle, the Democrats, I see them stand up today and ask for 15 million dollars. I didn't see them stand up yesterday for poor people and old people, for the infirmed. I didn't see them stand up for tax relief for those same people. They stand up for the needy today and say they're needy enough for health care in Chicago but they're not needy enough for tax relief throughout the State of Illinois. Where were you and why should we be there today? Why are they any better today than they were yesterday? It seems to me we're always supposed to forget, but you're always supposed to remember. And that doesn't make any sense to me. And whether or not we pass this Amendment...and sure, there's a need for it, there's also a question of where the money ought to come from. It's not going to change the situation. You can't alter the facts no matter what you say. The people have had their back turned on and I'm sorry to say, more often than not, by my party. If you're a Democrat, it seems to me that you're supposed to be a Democrat all the time and not just some of the time. If we're going to represent working people, poor people and their needs, you ought to be doing it all of the time and not just some of the time. You ought not just be going back to Chicago and ask for a sympathetic ear from the voters and the needy when it fits your position. You ought not to be hiding behind the issue that somehow, someway, you're going to lose patronage, you're going to lose your jobs, because somehow the Mayor is your conscience, politically, and you don't have your own political conscience. But



you do and you know you do. And to vote this out of here today, in the face of what we've done, is not right. The people will recognize it for what it is. The Mayor of Chicago may not have been involved in this deal but something tells me she probably was. Something tells me that a Mayor, elected because of a snowfall, had better wise up, because she can't continually pass a snow-job over the people of this state. You can't have it both ways. I don't give a damn, I know there are needy people in Chicago and elsewhere, but this is a bailout that could be done otherwise. If you're needy enough today you should have been needy enough yesterday and this Amendment ought to go down the tube."

Speaker Lechowicz: "The Gentleman from LaSalle, Mr. Anderson."

Anderson: "Yes, will the Sponsor yield to some questions, please?"

Speaker Lechowicz: "He indicates he will."

Anderson: "Representative Taylor, you've had hearings now in Chicago, and is this what you've come up with out of your hearings? Is this the short term solution? How long will this money last?"

Taylor: "Representative Anderson, I have here...that we're continuing to hold here...and the Auditor General is now trying to finalize a report. We will have more here in the coming weeks. This is not the complete solution here. This is a short term bail out. I listened to the remarks made by the other speaker. This Bill was here early in the year before we had the tax problem on food and drugs. At that particular time...I requested them then to help me with 37.5 million dollars to get Cook County out of the trouble that they was in...and onto the roles where they could



sustain themselves. That happened back in the early spring of this year and for them to make the statement that they are making now, that my vote was a sell-out, there's something wrong with their thinking. I have never, never once questioned the vote of any Member of this House. I think he has a right to vote what his or her conscience is. And my vote was for the poor people and I feel that way about the tax relief on food and drugs. I voted to help those people in the district that I represent and I will continue to do it that way."

Anderson: "Representative Taylor, how long will this 15 million dollars last?"

Taylor: "Until November the 30th and at that time it's the beginning of the fiscal...year."

Anderson: "All right, Representative Taylor, when will your long term solution, from the hearings that you've had, when will you have this to us?"

Taylor: "Right now, in order to make certain that I get this Bill passed, I'm in the process of trying to draft some legislation in order to change the make-up of the Governing Board. Representative Anderson, I don't know if you were here at the time I introduced a Bill, some three or four years ago, asking for the abolishment of the Cook County Governor's Commission. At that time I said there was some problems and we should have corrected it. We did not pass that Bill. If that need to be the thing...then I would do what is necessary in order to see that I'm able to service the poor people in Cook County and throughout this state."

Anderson: "Representative Taylor, will you have the legislation drafted before you're back for another



supplemental? In other words, will this be the last one before you're..."

Taylor: "I think before the Bill will pass out of this House, I think you will see some substantive legislation that will be drafted, before this Bill passes."

Anderson: "All right, what you're telling me then, is this 15 million dollars will carry you until subsequent legislation is introduced and you will not be back for another supplemental program until we can hear what you propose to correct the situation in Chicago?"

Taylor: "That's correct, Representative Anderson."

Anderson: "Representative Taylor, I support you in your efforts and I think you should be commended for the fine job you've done."

Speaker Lechowicz: "Leave... The Gentleman from Rock Island, Mr. Darrow."

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

Speaker Lechowicz: "The Gentleman has moved the previous question. All in favor signify by saying 'aye'; 'aye', opposed? The previous question has been moved. The Lady from Cook, Mrs. Catania, to close."

Catania: "Thank you, Mr. Speaker and Members of the House. To answer some questions that were raised earlier in the debate by, I believe, the Gentleman from Sangamon County..."

Speaker Lechowicz: "Excuse me...excuse me, Ma'am. The Gentleman from Peoria, Mr. Schraeder, for what purpose do you seek recognition?"

Schraeder: "I didn't mean to interrupt the Lady in her closing remarks, but I'd ask for a Roll Call."

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

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

Catania: "I believe that the Gentleman from Sangamon County



asked some questions about what funds are forthcoming or ought to be forthcoming? About 2 million dollars in certified bills are to be paid by the Illinois Department of Public Aid, but those are not backed up payments, they're not bills that are overdue. About 10 and a half million dollars in tax dollars are tied up in the suit across the street in the Supreme Court about the property tax replacement. About 8 million dollars is outstanding from Blue Cross and Blue Shield. As I'm sure you know, none of that money can be used to pay the suppliers of the drugs, the people that have to provide everything that's needed to run the hospital on a day to day basis. Here, at Cook County Hospital, it costs 315 dollars per day for everything. That includes all surgery, all anesthesia, all tests, everything. Right across the street at Rush Presbyterian, St. Lukes, basis care, just food and room...board costs over 300 dollars before all of the additional costs are added on. Anyone who's been in the hospital recently knows that a total hospital bill, that covers everything, of 315 dollars per day is not an unreasonable. This hospital serves over a thousand people in a thousand beds every day. It is a complex of 22 buildings, which also includes Oak Forest Hospital, Cermak Hospital and 8 neighborhood health centers. This is what is necessary to serve the people who cannot afford to pay their own bills in Cook County. And as you have heard, what we are asking for is money to keep the hospital open so that there will be something to save when the long term solution is worked out. I think you will recall that I stood here in June and asked you to help me to pass a long



term solution. The votes were not there for that long term solution. I think I have proved to everyone in this Body that I am committed to a long term solution for Cook County Hospital, as well as to sales tax relief for the people of the State of Illinois. And I don't think anyone would challenge either of those commitments as mine. I'm here to ask you today, please, to vote to keep this hospital open. The people in my district cannot survive without this hospital. There will be many tragedies if we do not come up with this money. Over 7,500 babies were born at Cook County Hospital last year. Those babies, that number of babies cannot be born anyplace else next year. Not Siani Hospital, Michael Reeves Hospital, Rush Presbyterian St. Lukes, are not going to open their doors to the women who had those babies in Cook County. We desperately need this money. Two people have gone home... two shifts of people, excuse me, have gone home from the hospital in the last 16 hours without paychecks. They have gone home to husbands and wives who've said, 'You can't keep working at that hospital without a paycheck. You must go and find another job.' The staff is dedicated. They have tried to stay, even though they go home to families who say, 'You must come home with a paycheck.' But that cannot continue much longer. We desperately need this money, please vote 'yes'."

Speaker Lechowicz: "The question is, shall Amendment #3 be adopted? All in favor vote 'aye', all opposed vote 'nay'. The Gentleman from Cook, Mr. Taylor, to explain his vote."

Taylor: "Thank you, Mr. Speaker and Members of the House. I do really, truly believe that this is a serious



problem that we have in Cook County and we need this bill badly. Whether my vote was wrong or not I cannot say for downstate. I do think it was right for the district that I represent. Knowing the facts as I do. I continue to solicit your support and I will support all the issues that I have said, in terms of trying to support Cook County Hospital, my committment has been from inception that I would do all that I could to see that Cook County Hospital remains open."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Sandquist, to explain his vote. The timer is on. Sandquist, please."

Sandquist: "Yes, thank you, Mr. Speaker. I won't tell about the need at Cook County Hospital, other people have done that. I'd just like to recall, to you downstaters on both sides of this aisle, what we did here a little over a month ago when we passed a transportation package with no tax increase to any of you downstate. The tax increase was all in Cook County. This is something we really need and we should have enough 'aye' votes up there."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijevich, to explain his vote, the timer is on."

Matijevich: "Well only, Mr. Speaker, because in the debate I heard some say that...that one should not be vindictive. The issue, as to making pawns of poor people was really made by the Governor. And I think that was a shame. I really think that there's enough money for both this and the full exemption on food and medicine. The Department of Public Aid overbudgeted by 90 million dollars in the fiscal year. This health care can be afforded. I do have some problems with



the management and I think it ought to be audited. But I really think that this is a fair measure and I vote 'aye' and it still galls me that we couldn't pass both of them."

Speaker Lechowicz: "The Gentleman from Effingham, Mr. Bower, to explain his vote, the timer is on."

Bower: "Mr...thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, like most of the Members of the General Assembly, are concerned about the health care for all the people of Illinois. But you're being deceived if you think that this is any solution to the problem. The 15 million dollars that seeks to be appropriated now is not a solution to the problem, but it's merely a 15 million dollar mandate that will only run the Cook County Hospital for 30 days. We'll be right back where we started. The waste and inefficiency of the administration of the hospital is notorious and I urge your 'no' vote."

Speaker Lechowicz: "The Lady from Cook, Mrs. Alexander, to explain her vote. The timer is on."

Alexander: "Mr. Speaker and to the House in general, I would just like to make some overviews. Every district here in this House has benefited from the personal property tax. Downstate, you've benefited from the transportation package, new roads. Small as it may seem, citizens throughout this state will benefit from the sales tax relief. Some more than others. A move is afoot right now in this House to generate votes to lift the usury ceilings and loans at a savings association benefit. Amendment studies flow across my desk everyday here for capital development funds to be generated to approve to affix roofs and hog barns and other sundry repairs. The move now is to save Cook County



Hospital, a humane and dedicated institution. And I feel that every person in this General Assembly here, who has any sympathy of humane item in his body, should cast a green vote for Cook..."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Griesheimer, to explain his vote. The timer is on."

Griesheimer: "Thank you, Mr. Speaker. I don't think we can fault either Representative Taylor or Representative Catania for thoroughly representing their districts and trying to help a major hospital in their district. However, I think we have other things to look at when we're voting down here. Precedence is probably the most important feature of this particular vote today. The precedent is, are we going to start bailing out hospitals? Certainly, no district in this state is immune to this problem, we lost our county hospital some time ago, in Lake County, and yet we were offered no money from the state to bail it out. Our Lake County Home is in dire financial condition but we're not getting any money from the State of Illinois. I think the fact of the matter is, just as one of the prior speakers said, we're being asked for a 15 million dollar Band-Aid, much like we were many years ago when the C.T.A. first decided it was running out of funds. Then the C.T.A. became the R.T.A., now the R.T.A. thinks they're going to get more and more money from going out into the hinder lands and drawing this money from people who are really not benefit..."

Speaker Lechowicz: "The Lady from Cook, Mrs. Braun, to explain here vote. The timer is on."

Braun: "Mr. Speaker and Ladies and Gentlemen of the House, I



rise in support of this motion. This Amendment is not a perfect solution, it's a short term response to a long term problem. It will, however, provide funding to keep Cook County Hospital open until that long term solution is worked out. I have some very serious reservations about circumstances surrounding Cook County Hospital. Whether an appropriation to the Cook County Board is...is appropriate in the circumstances. Whether there will be any strings. Will the Cook County Board release these funds? Whether...what if any arrangements have been made for the Governor's of Cook County Hospital. Whether or not the Cook County Board indeed has designed to increase its patronage army through taking over the Cook County Hospital. Why are we going forward with a 3 month solution now...a 1 month solution now, when we've known about this problem for sometime. But my reservations, Ladies...Mr. Speaker and Ladies and Gentlemen of the House, are overwhelmed by the dire and immediate need for funding of Cook County Hospital."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Emil Jones, to explain his vote, the timer is on."

Jones: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Some strange things are happening here. I had one of my colleagues come up to me earlier in the day and ask me to vote against this measure because one of our black colleagues indicated that this is the way we should go. But let me say just to each and every one of you, I have never personally attacked any Legislator in this House or outside this House. We all know County Hospital needs funding, but we've got some one-eyed-jacks around here who think that if they



are not the Chief Sponsor of a piece of legislation it shouldn't pass. Now those of you who are voting 'no', you have seen the other side of their face. They're around there masquerading as blacks but their heart's as white as gold. So...those of you who are voting 'no' because you were asked to vote 'no', I will tell you to get up here and put a green light on this...this piece of legislation."

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

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I was sitting here thinking that it's a shame that some of the Legislators from Chicago who represent the poor, who come from districts that...where there are thousands and thousands of poor and working-class people, were willing to trade 1.4 billion dollars in tax relief for 15 million dollars in support to Cook County Hospital. But one of my colleagues sitting close by pointed out that my reasoning was very faulty and that I was mixing up the issues. That those...that those colleagues from Chicago were...were not doing that because of Cook County Hospital, they were doing that to protect their own jobs of their precinct captains, to protect the patronage jobs for those workers in their area and that Cook County Hospital was being caught in the middle. And it's a shame that that happens, that poor people always seem to get caught in the middle. I, for one, have always voted for the poor here and will continue to do so."

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



explain his vote. The timer is on."

Henry: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to just...to calm down, I've heard some things here today that really upset me. I'd like to forget about the personalities and I'd like to forget about the politics. I think everybody in this room, downstate or upstate, wherever, have a direct concern for the sick. I think we have a direct concern for the operating room at Cook County Hospital and I think you have a direct concern for the emergency rooms at the Cook County Hospital. I think you have a concern for the medicine, for the doctors, for the employees, to serve the sick. They're not all poor that goes there, they're not all black or white or brown, they're all people throughout Cook County, and some, Ladies and Gentlemen, from downstate. When you're visiting Chicago and you get hurt on the Eisenhower-Expressway and you get an emergency vehicle to take you to the Cook County Hospital because you have a burn, I hope... I hope you understand that there is a burn trauma operation room there at the County Hospital that serves everybody, no matter where you come from. No matter what color you are."

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', 64 'nay', 8 recorded as 'present'. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4. Ryan. Amends Senate Bill..."

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



Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #4 transfers 177,500 dollars from the line item to the purchase of turbo prop twin engine executive type aircraft to the line item for the purchase of twin engineer helicopters." I respectfully request a favorable Roll Call."

Speaker Lechowicz: "Mr. Giorgi is not on the floor. I don't know if that was an Agreed Resolution or not."

Ryan: "Mr. Speaker, the problem was that we bought some new airplanes and we put in the line item money for fixed wing aircraft too much and not enough in for the turbo prop aircraft and all we want to do is transfer from one line to the other."

Speaker Lechowicz: "Is there any discussion? The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Is this Amendment going to be for an expenditure of the sales tax money to purchase a turbo prop so our Governor can get from Chicago to Springfield?"

Ryan: "Well I don't know who will use it, Representative Hanahan, maybe you will, I don't know. I understand it can be used as an executive type aircraft or as a trauma aircraft."

Hanahan: "You think, Sir, in this atmosphere of tighten the belt and tax limitations and not being able to afford a one cent reduction in the sales tax over the next five years on food and medicine, that the poor people of Illinois deserve this kind of arrogance from the Executive of this state?"

Ryan: "I don't think it's arrogance, Mr. Hanahan. The money is already, if you'd done your homework, the money is already in the budget, it's already there, all we're going to do is transfer it."

Hanahan: "All right, it can't be spent. It can't be spent,



am I right?"

Ryan: "Pardon?"

Hanahan: "It cannot be spent yet. It cannot be spent unless we adopt this Amendment, right?"

Ryan: "Yeah, it can be spent."

Hanahan: "For what? Not for this one. Not for a turbo prop."

Ryan: "For an aircraft that doesn't cost as much."

Hanahan: "Well, Mr. Speaker and Members of the House, I'd like to speak on this."

Speaker Lechowicz: "Please proceed."

Hanahan: "You know, it's very odd around here how we just somehow always seem to find the money for the luxuries of life for the Executive. I mean, it's bad enough that before he used to use the Chesapeake and Ohio, a regulated concern of this state to pay for his way to go to the Kentucky Derby, you know, concerns of ethics should be apparent to all of us. But now we're going to somehow deny people reasonable tax relief and say at the same time that our Governor and his Executive Officer deserve the ability to fly around in a turbo prop in a state that's only 200 miles either way from its capital. My God, I mean I think it's important. Maybe we ought to have a...maybe we ought to go to the space center at Cape Canaveral and get a...some sort of space shuttle for them so that he can make his press conferences around the state fast enough to put the propoganda out and say what a great Governor he is. You know, it's very odd that the poor people are going to pay for this. The people that were denied tax relief are going to have this great opportunity, by its elected representative to be able to afford a big turbo prop jet to fly from here to Chicago, or from here to Carbondale. I think



that in a time of austerity and to listen to all the bleeding hearts about...talking about we can't afford tax relief until we cut spending. I want to hear those Representatives who are using all that hearts and flowers...you know, stories that they're using a couple weeks ago on the sales tax override stand up now and say that we should put out house in order, that we should deny extravaganza that we don't need. It's obvious somehow that these same people will be voting for their Governor. Maybe they'll get them a job or two in their district. It's very odd how all of a sudden we have priorities out of kilter again."

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

Kosinski: "Mr. Hanahan, your violin is well played.

I have a concern as to whether we, as the General Assembly, should or should not go along with this deal. Now, Mr. Ryan, you are the Sponsor of this Amendment. Precisely, what are we providing the Governor of this state? I can understand Mr. Hanahan's resentment of anything that would increase taxes, but what are we providing the state? Tell me about that, will you?"

Speaker Lechowicz: "Mr. Ryan, please."

Ryan: "First of all, Representative, it's not for the Governor it's for the use of the entire state. Everybody can use it. I mean, all state employees. It's available to you and you may have an occasion to use it." It's not an expenditure of money that's not in the budget. All this is is a transfer, as I stated earlier. And all of this nonsense about the tax relief not being available, if you didn't vote on the tax relief that just went out of here that's not my fault. We did provide the tax relief and there's no...there's no connection here at all.



This is a necessary piece of equipment that's needed for the state and that's why we're transferring the funds. I would bet that you voted for this originally when we had it in the House and when it went out of here."

Kosinski: "I do understand this has no relationship to tax relief."

Speaker Lechowicz: "Mr. Kosinski, does that answer your question?"

Kosinski: "No relationship to tax relief, right? Ryan?"

Speaker Lechowicz: "That's what he said, yes, Sir."

Kosinski: "Thank you."

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

Matijeovich: "Well, Mr. Speaker, I support the Amendment.

Actually there's...as Representative Ryan said, there's no change in funds. It just happens that the state... and I'm actually amazed, I thought those planes that we had were so terrible. What happened was that they got a better trade in on the old planes than they had figured that they would, which was kind of amazing to me. And what happened in their estimate, the helicopter that they ordered cost more than they thought it would. So that's the necessity for the transfer. I've criticized the deals that have been made by the Executive and the legislative leaders and I know that some of those deals are often made in airplanes but I really want them to be...have them to be safe. I sure don't want them to be hurt. And the planes that we have had, if any of you have been in them, they need better planes than they've had and I support this. It's no change in funds at all."

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

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



Speaker Lechowicz: "He indicates he will."

Kane: "Will this helicopter help the Governor go around and see all the needs of the poor and the ill more efficiently?"

Ryan: "I would imagine that if that's what it's needed for he'll use it for that purpose, Representative."

Kane: "So he'll get that at the same time that the poor and the sick will get their help. Sort of a little bit for me while I help you?"

Ryan: "I don't understand your question."

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

Williams: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, it seems really funny here that a Bill that started out with 15 thousand dollar appropriation for the expenses...for...to pick up some kind of printing over in the Senate. But for a Governor and the human cry here that the state could not afford any tax relief here on the sales tax, an especially the people from my district and all the people in Cook County and the collar counties, no they couldn't afford that. But already we have Amendment #1 here which added 50 thousand. Amendment #2, which added 35 thousand. Amendment #3, which added 15 million dollars. And now, four and a half million...4 million, 300 thousand dollars for a turbo prop twin engine aircraft and a helicopter. Boy, I'll tell you, when that penny goes on tomorrow in my district it will be hell to pay...to say how the Governor says we can't afford any sales tax relief in my district but yet they can afford so far here about 20 million dollars here and I see there are about 5 or 6 or 7 other Amendments coming up. And it just seems awfully ludicrous that we can add this kind of money when the state can't afford sales tax relief. I urge a 'no' vote."



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

Wolf: "Well, Mr. Speaker, Members of the House, the time for grandstanding on the sales tax issue is long passed. There's no new money. This money is already appropriated. It's a simple transfer. I would suggest that we get on and take a vote on it and knock off the nonsense. You've heard the Chairman of the Appropriations Committee tell us the same thing. We approved this money. We appropriated it. All it is is a simple transfer from one issue to another. The money has been appropriated, let's get on the ball and on with the business of the House."

Speaker Lechowicz: "The Gentleman from St. Clair, Mr. Flinn."

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

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

Ryan: "Thank you, Mr. Speaker. I ask for a favorable Roll Call."

Speaker Lechowicz: "The question is, shall Amendment #4 be adopted? All in favor signify by saying 'aye'; opposed? Amendment #4 is adopted. Any further Amendments? Roll Call has been requested. The question is, shall Amendment #4 be adopted? 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 85 'aye', 54 'no', 2 recorded as 'present'. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #5. Ryan. Amends Senate Bill 1436 as amended..."



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

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #5 adds 95 thousand dollars to pay for the cost of litigation that the Attorney General has had...been involved in against A.T. & T. for back payments on the Message Tax. I understand that this litigation took longer and cost more than they thought it was going to but certainly it's going to bring back 95 thousand many time over and I would ask for a favorable Roll Call."

Speaker Lechowicz: "Is there any discussion? The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker, I have the Amendment in front of me and I'm always curious about all these Amendments to the Bills being put on. I just wonder if the Gentleman would yield to a question."

Speaker Lechowicz: "He indicates he will."

Hanahan: "There's nowhere in this Amendment, I mean, any place for a submarine for the Governor, I mean now that he got an airforce, in case he has to attack Waukegan or North Chicago or something or he may need a naval vessel to go up and down the Mississippi or...there's no where in this expenditure for that kind of purposes is there?"

Speaker Lechowicz: "That's under Commander Griesheimer's command. Hows the Northern front doing? The answer is 'no'. Any further discussion? The question is, shall Amendment #5 be adopted? All in favor say 'aye'; 'aye', oppose? Amendment #5 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #6. Brummer - Robbins - Bower. Amends Senate Bill 1436 by deleting the last Section and so forth."

Speaker Lechowicz: "Excuse me. There was a Roll Call requested on Amendment #5. We'll bring it back. On Amendment #5



all in favor vote 'aye', all opposed vote 'nay'.
Have all voted who wish? The Clerk will take the
record. On this question there are 90 'ayes',
22 'no', 5 recorded as 'present'. The Amendment is
adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #6. Brummer - Robbins -
Bower. Amends Senate Bill 1436 by deleting the
last Section."

Speaker Lechowicz: "The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, I'd like to withdraw Amendment #6."

Speaker Lechowicz: "The Gentleman withdraws Amendment #6.
Any further Amendments?"

Clerk O'Brien: "Floor Amendment #7. Telcser. Amends
Senate Bill 14..."

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

Telcser: "Mr. Speaker and Members of the House, during
the Regular Session this year we appropriated a
six month amount of money for the Spanish Speaking
Commission because some Senate Members were concerned
about some of the internal activities and the...of
the Commission. During the past six months those
problems have been solved and Amendment #7 appropriates
the second half of the years funds to that Commission
in the amount of 25 thousand dollars and I would
appreciate a favorable Roll Call."

Speaker Lechowicz: "Is there any discussion? The question
is, shall Amendment #7 be adopted? All in favor
vote 'aye', all opposed vote 'nay'. Have all voted
who wish? Have all voted who wish? The Gentleman
from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House,
I wasn't going to speak on this because I just felt
maybe for a change this Assembly would support the
Spanish Speaking Study Commission. I realize that
many vote against Commissions and I've done the same



myself. However, during this Veto Session so much has been said about poor people, so much has been said about poor people on this Bill, in fact. And I've said on this floor of the House that out of the 177 Members here and out of 59 Senators there is not a Spanish speaking person in this whole Legislature. Nobody represents the Spanish speaking people in the State of Illinois as far as an elected leader in this General Assembly. And I think that if there's one thing that we can do by the adoption of this Amendment. At least give a vehicle where the problems of Spanish speaking people can come toward this General Assembly. I just think it's the right and fair thing to do. You've shut out a group of people, a class of people totally by not supporting this Amendment. You are terminating the business of the Spanish Speaking Study Commission. And I think that that's very unfair to a people that have offered so much to this country and I would urge the Membership to reconsider and adopt this Amendment."

Speaker Lechowicz: "The Gentleman from Macon, Mr. Borchers."

Borchers: "I didn't...I did not ask to be recognized, frankly my light is not on but I will have something to say now."

Speaker Lechowicz: "Well now wait a minute, you were screaming."

I'm sorry, you were seeking recognition."

Borchers: "No, I was reminding you of the one minute rule."

Speaker Lechowicz: "Oh no, this is not on the..."

Borchers: "This is on a vote."

Speaker Lechowicz: "I'm sorry, you're absolutely correct."

Borchers: "That's correct. But I will now that you've allowed me to get on my feet..."

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



Wolf: "Mr. Speaker and Members of the House, as most of you know, I'm ususally opposed to every Commission. I'd like to see all of them abolished, especially this one. But I'd just like to call your attention to the manner in which the appropriation for this Commission was cut in half. It was arbitrarily done in the Omnibus Bill at the whim of a special single Senator. Now if we're going to do that with this Commission we ought to do it with all of them. I don't think it's right, regardless of how I feel about Commissions, that any Senator, just because he's got a bug in his ear about something, can take a particular Member's Commission and chop the budget in half and I'm going to vote 'aye' because I don't appreciate that and I hope others will change their votes to 'aye' as well. If we're going to abolish Commission, let's do away with them. Most of them are useless anyway. But if we're going to have Commissions and if this General Assembly voted to continue that Commission then we ought to put the money with it."

Speaker Lechowicz: "The Gentleman from Cook, Mr. O'Brien, to explain his vote. The timer is on."

O'Brien: "Yeah, Mr. Speaker and Members, I rise in support of this Commission. This is an excellent Commission. It is a permanently created Commission in the State of Illinois. The Commission was created permanently back in 1970 by Paul Simon. This Commission has passed important legislation. I remember being a Member of this Commission in 1971. One of the pieces of legislation that it passed was when a child came from a Spanish speaking county and they came to the Chicago Board of Education or into the State of Illinois they were given a test in both Spanish and English before they were truly placed in



their grade level. And before that they had been placed...and the exam had just been given in English in many instances they were very intelligent students and put back into second grade. This Commission has sponsored excellent legislation and we don't have a Spanish speaking Member in the General Assembly and we have the fifth largest Spanish speaking population in the country. I'd urge all Members to reconsider those red votes."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Telcser, to explain his vote. The timer is on."

Telcser: "Well, Mr. Speaker and Members of the House, I'm sorry I didn't, in my opening remarks, throw in some more detail about this particular Amendment. This frankly comes as a surprise to me. Simply because we took a Commission, in effect, that some Members felt had some problems, and we kept a tight reign on that Commission by giving them only a six month appropriation. That Commission has now acted in such a fashion so as to satisfy those Members who didn't feel they were doing things in the way they felt it ought to be done. That Commission has now kept its promise. And we promised to fund them for the second half of the fiscal year if they did so. Now, Mr. Speaker and Members of the House, I think we ought to keep our word. They've kept theirs, we ought to keep ours. If there are Members who want to abolish this particular Commission or others, well you ought to come back next year and do it within the framework of one single fiscal year and not do it in this fashion. This is not the right time to do it or the proper method by which to do so. Representative O'Brien has very succinctly touched upon just a few points that the Commission deals with. I say to



you, my friends in the House, that this Commission has done some excellent work and that this Commission is now prepared to move forward to finish up some of the work. The appropriation is small. It's not a great deal of money and will be helping citizens of Illinois who do not have representation at this time in the General Assembly. I would appreciate an 'aye' vote."

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

Borchers: "I think we should vote 'no'. Go ahead, if you wish, and vote 'yes'. You will, naturally, if you want to. It's okay. But all you are doing is beginning to cut your own throats. They just said, I believe my last Representative just said about they're not represented now. Believe me it won't be long and you're going to see more than representation right in this House. And I think you should read the environmental impact study in relation to what is happening in this country in population and you might change your mind."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Ewell, to explain his vote. The timer is on."

Ewell: "Mr. Speaker, Ladies and Gentlemen, in every civilized country the traditional measurement of the...the traditional measurement of people's compassion is their ability to vote and to do things for people who cannot do it for themselves. It has been specifically pointed out that there are no Spanish speaking Representatives here even though they comprise one of the largest minorities in this country. I think it is incumbent upon us who are here, who have been beneficiary, who have been minorities at one time or another, to allow them the same access to



this great American melting pot and dream and this is but a small step, a meager step, and we owe it to them in terms of the traditions of our country."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich, to explain his vote. The timer is on."

Friedrich: "Mr. Speaker and Members of the House, when my grandfather came to this Country there wasn't any German families...German Speaking Commission and I'm sure that there wasn't any Polish Speaking Commission when Representative Lechowicz' family came to this country and I can go right down the line. And all of you have ancestors who came to this country and the language of this land is English. And the only way you can integrate people and make them successful is to let them talk English. That's the language of this land and all you're going to do by this thing is delay that integration."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 89 'aye', 74 'no', 2 recorded as 'present'. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "Amendment #8. Vinson - Ryan. Amends Senate Bill 1436..."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment would add 597 thousand dollars to the Bill for the purpose of adequately staffing the Lincoln Developmental... What it would basically provide is 100 mental health technicians to cure an understaffing problem. Dr. DiVito, the Director of Mental Health has, I think, publicly stated that the current fiscal year '80 appropriation is not sufficient to deal with the patient load there.



This will bring them up to a level where they can deal with that patient load and deal with it in a compassionate fashion."

Speaker Lechowicz: "Is there any discussion? The question is, shall Amendment #8 be adopted? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 63 'aye', 28 'no', 2 recorded as 'present'. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "Amendment #9. Vinson - Ryan. Amends Senate Bill 1436..."

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

Vinson: "Thank you, Mr. Speaker. This Amendment is similar to the last one. It would add 851 thousand for Mantino Mental Health Center and 561 thousand for Shapiro. It's a similar situation. They are current understaffed for the resident populations. There have been some difficult problems because of that understaffing in terms of there's just not enough patient care attendants on the wards. This will correct that. It basically provides 100 mental health technicians for each facility and 50 support service workers at Mantino, which has some very serious problems. I'd urge adoption of the Amendment."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Livingston, Mr. Ewing."

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

Speaker Lechowicz: "He indicates he will."

Ewing: "Would you tell us the institutions that this was for?"

Vinson: "Yes, this one was for Man...851 thousand for Mantino



and 561 thousand for Shapiro."

Ewing: "For Shapiro?"

Vinson: "Yes, Sir."

Ewing: "Where is that institution?"

Speaker Lechowicz: "Kankakee."

Vinson: "I couldn't hear you."

Ewing: "Is that in Kankakee?"

Vinson: "Yes, both of them are in Kankakee County."

Ewing: "Thank you."

Speaker Lechowicz: "Is there any other discussion?"

The question is, shall Amendment #9 be adopted?

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 78 'aye', 25 'no', 5 recorded as 'present'.

The Amendment is adopted. Any further Amendments?"

Clerk Leone: "Amendment #10. Anderson. Amends Senate
Bill 1436 as amended."

Speaker Lechowicz: "The Gentleman from LaSalle, Mr. Anderson."

Anderson: "Yes, Mr. Speaker, Amendment #10 adds 850
thousand dollars for a roof at Illinois Valley
Community College. I had an Amendment on House
Bill 2427 for 988 thousand dollars that was cut
out in the Conference Committee and instead 1 million
776 thousand dollars was added for structural
deficiencies. At the time the Governor vetoed out
the amount for the Carl Sandburg College and he was...
this was the...there was a special line item. Well,
since that was done Carl Sandburg has been funded
from the 1 million 776 thousand, therefore, there
is not enough money for the five projects. There
were four originally, now the Sandburg is in there,
there's five. There is enough to cover the other
four but not enough for IVCC. The Capital Development



Board was up there as late as yesterday and the amount has been trimmed down from 988 thousand to 850 thousand dollars and I urge the adoption of this Amendment."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Well, I guess I could ask this...or in sort of a rhetorical type of question, I listened to your explanation, Representative Anderson, and my staff's information is that the Capital Development Board has determined that within the total 1 million 776 million lump sum appropriation that there is enough money for all of the necessary repairs that the five community colleges, including Sandburg and Illinois Valley Community College. You seem to think no but I think we ought to rely on the Capital Development Board estimates."

Anderson: "Now my staff tells me that there is not enough money and she has checked as...well, as late as this afternoon on that so this is why I'm asking for this Amendment. I'm sure if the money is not needed it will not be used if it's there. I'm just trying to cover my area with a deficiency that is needed to make sure the repair is done."

Matijevich: "Well, I could just respond by saying that my... there is a discrepancy as between the staff report. My staff indicates to me that your junior college is evidently applying for more repairs than was originally intended in the spring and that's why the discrepancy, evidently."

Anderson: "Well, Representative Matijevich, our estimate has been cut down by 988, which I had an Amendment to 2427 to 850. So if anything we've gone the opposite direction."



Matijevich: "In the estimates. But evidently there's more projects than what they tell me."

Anderson: "That's right, Representative Matijevich."

Matijevich: "And that's why we should vote for it but I'm not going to..."

Speaker Lechowicz: "Is there any further discussion?"

The question is, shall Amendment #10 be adopted?

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 76 'ayas', 32 'no', 1 recorded as 'present'.

The Amendment is adopted. Any further Amendments?"



Clerk Leone: "Amendment #11, Winchester-Harris-Rea, amends Senate Bill 1436 as amended by deleting the title and..."

Speaker Lechowicz: "The Gentleman from Harden, Mr. Winchester."

Winchester: "Thank you. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #11 is offered by Winchester, Harris and Rea basically for the same reasons as the Amendments offered by Representative Vinson and Representative Ryan. The Department of Mental Health has underestimated the...the necessary personnel need for two institutions in our district, the Anna Mental Health Center and the Bowen Center. This appropriation would give 25 additional mental health technicians, support workers and dietary aids at Anna and 15 additional at the Bowen Center."

Speaker Lechowicz: "Fifteen where?"

Winchester: "At the A.L. Bowen Center."

Speaker Lechowicz: "Any discussion? Thirty-five new jobs. The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Would the Sponsor yield for a couple of questions?"

How much is that?"

Winchester: "Well we're talking about 25 jobs at the Anna Mental Health Center versus 100 at Manito and Kankakee and 15 at the Bowen Center verses 100 at Mantino and Kankakee."

Leverenz: "So...it's now a total of 40."

Winchester: "Forty."

Leverenz: "What's the total amount of the appropriation?"

Winchester: "Well there's 250 thousand for Anna and 150 thousand for Bowen. These are roughly 10, 11 thousand dollar a year jobs."

Leverenz: "A half of a million dollars."

Winchester: "I would say that's correct."

Leverenz: "Why wasn't this in the regular budget?"

Winchester: "I...I have no idea. I assume that just didn't anticipate the patient load as it is now. The patient load at the Bowen Center has increased. We're working



towards certification of the institution which would generate as much as 5 million dollars in federal monies to the General Revenue Fund. But in order for the certification you've got to have the points based on the amount of employees that you have at the institution. This additional 15 will not only take care of the patient...the additional patient load we have...but will also add towards the certification."

Leverenz: "What is the per patient load or the ratio of employee per patient at Anna?"

Winchester: "At Anna...I'm...I'm not sure."

Leverenz: "And what would the new employees bring it up to in terms of a ratio?"

Winchester: "I can't answer that."

Leverenz: "Who recommended this?"

Speaker Lechowicz: "Mr. Harris: Do you want to respond to that, Mr. Harris?"

Harris: "Ted, what was the question?"

Speaker Lechowicz: "What did he say?"

Harris: "Thanks Ted, that's the answer."

Leverenz: "What is the patient load per employee or the ratio in...in employees verses patients?"

Harris: "It stands high throughout the state as the comparison goes in your area and other areas in the State of Illinois."

Leverenz: "And...for Representative Harris. What is the total dollar amount of the appropriation?"

Harris: "Representative Leverenz, are you speaking of the Anna Hospital at this time?"

Leverenz: "Yes."

Harris: "Personal Services...do you have the Amendment in front of you, Representative Leverenz?"

Leverenz: "No, was it distributed?"

Harris: "Personal Services, 250 thousand dollars; State Retirement, 20 thousand and Social Security, 14 thousand."



Leverenz: "Why now? Why not in the regular budget?"

Harris: "I beg your pardon."

Leverenz: "Why now rather than the regular budget?"

Harris: "Why now rather than in the regular budget. At the regular budget time they were short of money and we've been advised by the new Director in that area, 27 counties, Doctor 'Bettle', that they are going to be rather short to take care of their patients."

Leverenz: "Is the department in support of this, Representative Winchester?"

Speaker Lechowicz: "Mr. Harris is...and Mr. Rea and Mr. Winchester."

Leverenz: "Is this a tag team speak...?"

Speaker Lechowicz: "It's thirteen a piece. Mr. Winchester."

Winchester: "I think I explained that a while ago, Ted.

We're in the same situation as Representative Ryan and Representative Vinson. The department just underestimated the patient load, the anticipated situation at those two institutions. We're only asking for forty jobs compared to the hundreds of jobs being asked for by other institutions. I think it's...I think incumbent upon the General Assembly to take care of those...those kids that we have at the Bowen Center and those adult clients at the Anna State Hospital. And I think Representative Harris and Rea and I both would ask for a favorable vote."

Leverenz: "There's 595...staff at the end of last year and there's 594 staff now and the patients at the end of fiscal year were 356, half as much as staff. Is..."

Winchester: "I don't think we're talking about at the end of the fiscal year. I think we're talking about the situation right now."

Leverenz: "That's correct. You now have 345 patients. Your patients have decreased and you're asking for an increase in staff. Can you explain?"



Winchester: "Well are your figures based on the end of the fiscal year, which I think they are? I'm talking about right now. Patient load has increased...has increased tremendously."

Leverenz: "Well let me give you both figures, Mr. Sponsor. There were...356 patients on 6-30-79. Three months later there are 345 patients. A decrease of 11 patients and now you are asking for additional...20 or 30 jobs. Is staff filling the beds?"

Speaker Lechowicz: "Mr. Harris."

Harris: "Mr. Leverenz, with the permission of Mr. Winchester, I'd like to make an attempt to answer that question.

Do you show the out-patients on your list?"

Leverenz: "Just total patients."

Harris: "There are out-patients on this list. They're trying to put people back in society. They're trying to get people back on the street with the Ted Leverenzs and the Bill Harris'...and one of these days we might want to be back on the street with these people. There are several people who have been associated or interned within this hospital facility who are now back in society making a living, partial living, for themselves or their families. So I think, knowing a man of compassion like Ted Leverenz, that he will support this Amendment. Ted Leverenz is a man who supports the people. He's a man that comes out and helps the people. He's a man who just wants people to be combined. He's a man who doesn't want to have people behind walls. I know Ted Leverenz. I've been on Committees with Ted Leverenz. I know Ted Leverenz has compassion for people. He doesn't want to see people interned. He doesn't want to see people behind walls. He wants the people out on the street with their families. So, Ted, I'm... appreciate you're going to support this piece of legislation."



Leverenz: "I think it's tremendous and hope that someone would move the previous question."

Speaker Lechowicz: "The Gentleman from Harden. Are...is there any further discussion? The Gentleman from Harden, Mr. Winchester to close."

Winchester: "Thank you, Mr. Speaker...."

Speaker Lechowicz: "Oh...oh, excuse me, Mr. Winchester. Mr. Totten."

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I've been listening to the debate and I don't know who should be on the inside and who should be on the outside. But...let me...let me point out..."

Speaker Lechowicz: "Was that a question or statement?"

Totten: "Just an observation."

Speaker Lechowicz: "Oh, okay."

Totten: "Let me just point out a few figures here. First of all there's three Sponsors of this and there's 25, I want to know who's going to get the odd...'odd boy and out' on this situation. But today almost 18% of all state employees are in Mental Health. And we have a declining enrollment every year in Mental Health facilities. Now we have several Gentlemen coming before us asking us to increase the staffing at the various facilities. There's some 19 million...4½ million being asked for in Mental Health in these Amendments that are before us. There's a total 19 million dollars being put on...in this Bill and...at the same time everybody's talking about tax relief and reducing spending. This does not...this just does not add up. What's going on here severely taxes our mental capabilities and this Amendment should not be put on this Bill."

Speaker Lechowicz: "The Gentleman..."

Totten: "And the department doesn't support..."

Speaker Lechowicz: "Wait a minute. The Gentleman from



Franklin, Mr. Rea. Let's hear the other part of the dynamic trio. Mr. Rea."

Rea: "In answer to your question, I happen to be the one that gets the odd one...the odd numbers that is."

Speaker Lechowicz: "No, that goes to the department."

Rea: "Oh. Actually, there is a need for additional personnel. We have all been to both the Anna Mental Health Center and the Bowen Center and in terms of the number of patients per staff, the percentage is very high. And I don't recall the numbers right off hand. I don't have the file here with me but if you would compare it to the rest of the state...that you'll find it's very high at both of these areas and we need...there is a very much identified need for additional supportive staff. And if you will notice that these staff positions that Representative Winchester is referring to happens to be those of the...of the lower level, not administrative personnel, but the ones that are going to get the work done at those centers. So I would ask that you would join with us in support of this Amendment."

Speaker Lechowicz: "Any further discussion of this good Amendment? The Gentleman from Harden, Mr. Winchester to close."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Where was the Gentleman from Schaumburg when they're...when the Amendment passed out of here... appropriating money for 2 hundred jobs at other institutions. Why wasn't he on his soap box at that time? Instead he comes out, he rises out of his hole to talk against 40 jobs, 40 jobs. Jobs that are mandated by the Federal government to take care of programs that...are mandated by the Federal government. Where's the man? Why isn't he on his soap box when we're talking about millions of dollars. But he rises



out of his hole to talk about 40 jobs. We have an institution, the A.L. Bowen Center, that is not certified or accredited. These 15 jobs will accredit that institution which could generate 5 million dollars to the General Revenue Fund of the State of Illinois, approximately 5 hundred thousand dollars more than we give to the Bowen Center. Wake up, Ladies and Gentlemen. We can make money by appropriating these jobs to those two institutions. I would ask for a favorable vote."

Speaker Lechowicz: "Question is, shall Amendment #11 be adopted. All in favor say 'aye', opposed...Question is, shall Amendment #11 be adopted. All in favor vote 'aye', all opposed vote 'nay'. Yes, Sir. The Gentleman from Macon, Mr. Borchers to explain his vote. Timer's on."

Borchers: "Explaining my vote. I've gone to a lot of mental institutions and I personally saw, a couple of years ago, eight grown women serving lunch to six boys... young men that have been put in by some of our county judges. I also know that in Decatur, for example, that the mental health has to pick up the slack from the people that are being turned loose on the streets and don't get the money from the state to do it. We have to carry it while they reduce the numbers in the mental health...the numbers of patients in the mental health institutions we have. So I'm going to vote 'no'."

Speaker Lechowicz: "Have all voted who wish? Yes. The Gentleman from Cook, Mr. Ewell to explain his vote. Timer's on. Have all voted who wish? The Clerk will take the record. On this question there are 73 'ayes', 41 'nays', 2 recorded as 'present'. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Lechowicz: "Third Reading. The Chair has been asked to announce and welcome to the State of Illinois, Mr.



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Mr. Delcato Bello, the Director of Audit from the State of Cadunion in Nigeria.' Welcome to the State of Illinois, Sir."



Speaker Lechowicz: "Also on the Calendar, under House Bills, Second Reading appears House Bill 2811."

Clerk Leone: "House Bill 2811. A Bill for an Act to amend Sections of an Act in relation to the rate of interest and other charges in connection with the sale of credit and the lending money. Second Reading of the Bill. No Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk Leone: "Amendment #1. Stuffle - Conti. Amends House Bill 2811 on page 1, line 11 and so forth."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker, I would like leave to withdraw Amendments 1, 2 and 3."

Speaker Lechowicz: "The Gentleman asks leave to withdraw Amendments 1, 2 and 3. Any objections? Hearing none, the Amendments are withdrawn. Any further Amendments?"

Clerk Leone: "Amendment #4. Friedrich. Amends House Bill 2811 on page 1, line 13."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, the present law makes a maximum of 8% for the interest of loans between individuals. I know of a case right now where a fellow is willing to loan a friend all of his money to finance the purchase of a house but under the present law the maximum amount he can charge is 8%. Now we're in an area where even before this last go around you were paying 18% on your credit card, you were paying 18% on revolving credit and yet a loan between individuals is you can only charge 8% so it makes it completely impossible because you can stick your money to building loan or a bank or somewhere else and get 12% now. So this merely raises that to 12. It



certainly does not open it up to the juice boys or any of the other activities of that kind, and I urge your support of the Amendment."

Speaker Lechowicz: "Is there any discussion? No, this is Amendment #4. The Gentleman from Cook, Mr. Leon. Leon, please."

Leon: "A question of the Sponsor."

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

Leon: "Representative, this Amendment in no way affects the interest mortgage rate on home loans?"

Friedrich: "None whatsoever."

Leon: "Thank you."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Representative, if you would yield to a question? The change from 8 to 12 here, Dwight, does this affect the signature loan? Or what does this affect?"

Friedrich: "I'm sorry, I got a little...would you go home, Mr. Totten."

Speaker Lechowicz: "I'm sorry, Sir, we could not hear you up here."

Friedrich: "I couldn't hear either, Mr. Totten was..."

Speaker Lechowicz: "Would you repeat the question, Mr. Stuffle?"

Stuffle: "Yes. Dwight, does your Amendment affect the so-called signature note only or what does that affect?"

Friedrich: "Right."

Stuffle: "Okay. Let me ask you..."

Friedrich: "That's for personal use. You know, you...there's no limit on business loans. This is personal loans."

Stuffle: "Right. I understand that. My question is this. We took some action this year, in the last Regular Session to change the rates on signature notes to provide equity between the state and the federal



institutions that make this kind of loan. Now my question to you is, you indicated that someone, I believe, in your district and I didn't hear you necessarily either, had indicated that they were unable to make loans at the current rate."

Friedrich: "Yes. One individual wanted to loan money to another individual and he just couldn't do it, or he couldn't afford to do it at 8% because he could take it to building and loan and get 12."

Stuffle: "Have you...have you contacted any of the financial institutions in your district about what rates that they're being able to charge and they're able to live within the 8% on this type of note other than that situation that you just mentioned?"

Friedrich: "Well I'm sure they're not making loans at 8%."

Stuffle: "Mr. Speaker, to the Amendment, if you would."

Speaker Lechowicz: "Please proceed, Sir."

Stuffle: "In the past 2 weeks I have had occasion to make some inquiry of various financial institutions about this type of note and have found that within the portfolio the type loans that are being made that indeed with this type of thing the state banks have indicated to me, those that I contacted and those were several, that they were able to make this type of loan at 8%. So with regard to that I'm sure, given what Representative Friedrich said, there are situations where people are reluctant to do so but in the main, the banks that I checked, and those include banks in a number of communities, not just in my district, they were indeed able to get by with the 8% and they were indeed happy to receive parity with the federal institutions this year by what they have...Senate Bill 188 that was signed into law. And for that reason, and somewhat



reluctantly, I would suggest that probably this should receive a negative vote and that's only on the basis of what I was able to glean from a number of those institutions in the past 2 weeks, as I indicated."

Speaker Lechowicz: "Any further discussion? The question is, shall Amendment #4 be adopted? All in favor signify by saying 'aye', opposed 'no'. I'm sorry. All in favor signify by saying 'aye', opposed signify by saying 'no'. All in favor vote 'aye'. All opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 68 'aye', 23 'no', 6 recorded as 'present'. The Amendment is adopted. Any further Amendments? One moment please. The very good friend of many of ours here in the General Assembly, the County Treasurer of Cook County, Eddie Rosen is with us. Eddie, good seeing you. May I...may the Chair also point out to the Membership, I believe there are 23 Amendments that have been...are going to be offered on this Bill. So if we could give the person your kind attention, who is offering the Amendment. And if there's any debate or opposition to an Amendment, so we can proceed in an orderly and rather efficient manner, the Chair would appreciate it. Amendment #5."

Clerk Leone: "Amendment #5, 6 and 7 have been withdrawn. Amendment #8. Greiman. Amends House Bill..."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Greiman, on Amendment #8."

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

Speaker Lechowicz: "Excuse me, Mr. Greiman, for what purpose



does the Gentleman from ... from Cook, Mr. Piel, seek recognition?"

Piel: "Could I have a ruling from the Chair as far as if this Amendment is germane."

Speaker Lechowicz: "Yes. Would Tony...Tony... The Amendment please. The Amendment is germane...Proceed, Mr. Greiman."

Greiman: "Thank you...thank you, Mr. Speaker. Ladies and Gentlemen of the House. Amendment #8 is different than any of the other Amendments. Amendment #8 addresses the problem, really, of high interest. Once upon a time in America people bought a home, they paid the mortgage, some of it went to interest, some of it went to principal. And eventually, they had an equity. And when tough times came they could sell their house, they could refinance it, do a lot of things. But when your mortgage interest is 12 or 14 or 16 percent there is no such thing as building up an equity, no such thing at all. For example, a 12% loan, payable over 25 years, after 10 years of that you have only paid off about 10½ percent. 10½ percent of the loan paid off after 10 years of paying. So that this thing...when you have a large interest payment the equity is no...there is no equity building. Amendment #8 merely says that if the mortgage interest is more than 12% then there cannot be a deficiency judgement against the borrower after foreclosure. Yes, he loses his house, of course, if he doesn't pay his mortgage. But at least he doesn't find himself owing money after that. About the only thing I can think of that's worse than losing your home is to lose your home and still owe money. Now the reason why the difference is between the high interest rate and the low interest rate is because



there is no opportunity to build an equity if you have an interest rate of 12, 13, 14 percent. This does not vary any of the interest...any of the aims or the goals of the party who'd like to see House Bill 2811 enacted into law. It respects their need and their judgement and their priorities. But it says, if you charge interest rates at 12, at 13 and 14 percent, and the loses...and women, lose their homes, then at least there is no deficiency judgement hanging over their heads after that. Yes, they lose their house, but they don't at least... they don't find themselves forever running from creditors. It's only fair, it's only just. I ask you to adopt Amendment 8 to House Bill 2811."

Speaker Lechowicz: "Is there any discussion? The Gentleman from DuPage, Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, it seems to me that if I were a money lender and I was to look at this Amendment that I wouldn't grant any mortgage without a 50% downpayment. It seems to me that he...that the Gentleman would accomplish only the reverse of what he's trying to accomplish. This type of Amendment that he's putting on here seems to be created by the devil himself because it wouldn't help the situation of money problems, it would only hurt it and I think that it would be an error to put it on the Bill and a mistake to adopt it."

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

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I hope that everybody is looking at this, especially the people who have been talking about the people who have trouble making big downpayments. If this Bill...or this Amendment is added on the Bill, I can tell you right now that you



won't see a mortgage with less than 25% down. You won't see your 10, 15% mortgages, because your financial institutions, your mortgage houses throughout the state could not afford to make this type of a high rise loan. True, they could get their property back but that's exactly where it would stop. They would not be able to cover any loss. So this is a bad Amendment for the little people in this state and I would ask you to vote 'no' on Amendment #8."

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

Greiman: "Well, Mr. Speaker, if the Savings and Loan has done its job, if it's properly appraised the property, if it's made a proper evaluation, there's no reason why they should lose. Incidentally, financial institutions do lose sometimes, well shit, they're in business. They should...the risks should sometimes be on them. They're not insured and we're not insurers for them. Sometimes financial institutions lose on investments, just as you or I do when we buy a stock and it goes down. We lose, that's one of the risks we take. And those people, those banks, those savings and loans, they're going to be eating money pretty soon if they don't get it out. They're going to have it by piles and bushel baskets. I think it's nonsense. They're going to lend the money out we're giving them by 2811 the rate...they're going to get the rate and they're going to keep the rate and they're going to make the interest. All we're saying is, don't push the...don't let the man lose his house and then find himself still owing money after he's paid this kind of money. And the rationale is, as I said before, that under this kind of interest rate you



cannot make an equity. You cannot build equity. It is a fair Bill, it is a fair Amendment and I ask you to adopt it."

Speaker Lechowicz: "The question is, shall Amendment #8 be adopted? 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 51 'aye', 82 'no', 5 recorded as 'present'. The Amendment is defeated. Any further Amendments?"

Clerk Leone: "Amendment #9. Greiman. Amends House Bill 2811 on page 4, line 14, by inserting before the period, the following."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Greiman. Amendment #9."

Greiman: "Amendment #9 merely provides that if a loan is over 10% that they can't charge any front points, that they can't charge any front commission. That the 10% or over 12 or 13 or 15% should be enough for a lender and that's all it does."

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

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Basically, I'd ask for the same Roll Call we had on Amendment #8. We're getting the same type of a situation. They're going to hold back money because the basic points cover their initial costs. It does not cover the loan, per se, it covers their initial costs, appraisal fee, etc., etc. So I'd ask for a 'no' vote on the Amendment #9."

Speaker Lechowicz: "Any further discussion? Yes. The Gentleman from Bureau, Mr. Mautino."

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



the House. I stand in support of Amendment #9, as well of Amendment 17, which is very similar in nature. But I'd like to point out that if you're going to be fair with the borrower in the State of Illinois, the least you can do is give him a break on the 2% surcharge, the points, if you will, if you're going to take the limit off under the usury rate. That 2% down, the downstroke, is basically for, quote, 'costs', set at the financial institution for services that are provided by the seller of the property and almost in no case it amounts to more than 5/10 of 1 percent of any costs. And I'd like to have someone tell me how 2%...2 points on a 50,000 dollar mortgage will amount to and list out their costs for that service. I contend that if you're going to take the limit off you've got to at least give the borrower a break. The points are extra skin for the financial institutions and I think it should be removed if you're going to take the ceiling off. This is a good Amendment and I stand in support and hope that everyone else supports this."

Speaker Redmond: "The Gentleman from Madison, Mr. Steele."

Steele: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this Amendment. What we're trying to do by this House Bill 2811 is to preserve the ability of people in our state to... to buy and own their own home. We're trying to preserve jobs in Illinois. We're trying to keep a savings in Illinois of people who have saved their money here, keep that savings from going out of the state. Now this Amendment would weaken that ability of people who own their own home. It would weaken the chances of jobs staying here in Illinois and weaken the...Bill entirely. And so



I would certainly urge that you vote against this Amendment."

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

Skinner: "I just don't think that's true. I don't think this is going to weaken the ability to give loans. Now, has anybody here bought a house recently besides me? That's 2. Okay, I had to pay 2 and a half points, which ended up being 800 dollars. Now nobody on this floor is actually going to stand up and with a straight face say that it takes 800 dollars to process a loan, are you? I mean if somebody will do that, you know, I'd like to see them stand up because I'd like to go talk to them privately. This Amendment's almost what ought to be put on this Bill. I think there is a legitimate reason for a service charge. Do you want to make it 50 dollars? Fine. Cover the Secretary's salary. You're already paying for the appraisal extra, you're paying for the title search extra. There is really no reason for points. Now, the Federal Government has a disclosure form which tells you what the effective... the actual effective interest rate is when you buy a house. Now, I'm paying 10 and 5/8 with 2½ points. That equals 11 percent interest. I mean, what I've done is pay 800 dollars for privilege.. I paid 800 dollars in advance for the privilege of paying interest on that 800 dollars, which I have never been loaned for those 25 to 30 years. Now that's not terribly fair, although I suspect it is terribly profitable. I don't know much about the savings and loan industry, but I believe that they probably make the bulk of their money on points. Because the average person owns a home maybe 7 to 10 years and they haven't gotten that much interest



out of it over those 7 to 10 years, but they... every time it turns over they get the points. Now, this Amendment says, 'If the interest rate if over 10% there shall be no points.' I don't see anything wrong with that at all."

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

Greiman: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I do know something about...unlike the last speaker I do know something about savings and loan industry. I...I make sort of a true confession that I was once the special counsel for the F.S.L.I.C., the Federal Savings and Loan Insurance Corporation that regulates and monitors savings and loans. As a matter of fact the points, the points are the juice in it. Every loan...S and L will tell you, we need a spread of 1 point something or 2 points, that's what is our profit. And as a matter of fact, that's lots of profit when you think about millions of dollars. But what we have here, what we have here is the front money, the front money. It's a skim, is what it is. And that's all it is. And that's all it is. It's fine, it's just additional profit. It has no relationship to what the money costs them, because they don't pay anything in front. If you'd like to call a toaster or an electric blanket something in front, the don't pay anything in front for their money. It's just money that they get additionally and all we're saying is that if the loan reaches a certain level they ought to get that. It's...it's just fair. No one will stop buying houses for that. No one will stop lending money. No one will stop building houses because they can't get points on a high interest loan. No one. Think about it. You know that's so."



Speaker Lechowicz: "The question is, shall Amendment #9 be adopted? All in favor say 'aye'. Opposed. The 'nos' have it. Roll Call has been requested. All in favor vote 'aye'; all opposed vote 'no'. Marco... Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 53 'aye', 71 'no', 5 recorded as 'present'. The Amendment fails. Any further Amendments?"

Clerk Leone: "Amendment #10. John Dunn. Amends House Bill 2811 on..."

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

Dunn: "Mr. Speaker, I withdraw Amendment #10."

Speaker Lechowicz: "The Gentleman withdraws the Amendment. Any further Amendments?"

Clerk Leone: "Amendment #11. Stuffle - Madigan. Amends House Bill 2811 on page..."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, this Amendment sponsored by myself and the Majority Leader deals with the issue of public corporations and their inability to market certain of their indebtednesses at this present time. The genesis of the Bill is simply from a number of public corporations, including the school board in the City of Chicago, a number of downstate school districts, some I might specifically note in the 59th District represented by Representative Winchester and Rea and Harris, as well as Belleville and some of the larger school districts downstate. Some library districts have expressed concern and municipalities and other public corporations in their inability to market certain of their indebtednesses at 8%.



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This is, I think, a conservative approach of raising that rate by 1½. We have clear evidence from those entities and others that it's necessary at this time and I would ask for a favorable Roll Call on behalf of myself and Representative Madigan as the Sponsors of the Amendment."

Speaker Lechowicz: "Any discussion? The question is, shall Amendment... Yes, Sir. The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes. I don't have the Amendment in front of me. I have a summary that refers to public corporations. Could you define the public corporations that are included?"

Speaker Lechowicz: "Mr. Stuffle, please."

Stuffle: "The statutory provisions defining a public corporation, Representative Brummer, include the state, school districts, park districts, cities, villages, incorporated towns, counties, drainage districts, etc., etc., ad infinitum. Virtually everyone. And it is not a limit on home rule. None of the provisions in this particular Amendment or the foregoing provisions, the provisions now in the law, affect or limit home rule. But all of those entities are public corporations."

Speaker Lechowicz: "Any further discussion? The question is, shall Amendment #11 be adopted? All in favor signify by saying 'aye', opposed. The 'ayes' have it and Amendment #11 is adopted. Any further Amendments?"

Clerk Leone: "Amendment #12. Schisler. Amends House Bill 2811."

Speaker Lechowicz: "The Gentleman from Pope (sic), Mr. Schisler."

Schisler: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment... Amendment #12 was drafted incorrectly



and Amendment 21 does what I want to do, so I..."

Speaker Lechowicz: "The Gentleman withdraws Amendment #12. Any further Amendments."

Clerk Leone: "Amendment #13. Abramson. Amends House Bill 2811..."

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

Abramson: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #13 provides that lending institutions exempt mortgage lending institutions from the usury restrictions for a period of 2 years, until December 31, 1981, at which time the exemption would expire and the current usury formula will again take effect. The two-year period is necessary for several reasons. In order for a builder to secure construction financing he must demonstrate that he can sell the property and the buyer can secure financing. These projects generally take up to 2 years and so mortgage lenders would have to be giving commitments for a period of 2 years down the road. So this Amendment would solve that problem. Also, by making it expire 12-31-81 the new Spring Session will be just starting shortly after that so if the Amendments are necessary at that time, the Legislature would be able to adjust the rate at that time without calling a Special Session. This is the Amendment that's being supported by the realtors, the home builders and the lending institutions. I urge the adoption of Amendment #13."

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

Hanahan: "Mr. Speaker and Members of the House, I stand in opposition to Amendment #13, based on a few facts that we're talking about. This is not a 2 year... I don't know how the Gentleman adds and subtracts but you're talking about December 31 of 1981, that's 26 months. I'd hate to hang for those extra couple



of months and I'd hate to pay the interest you're talking about for those extra couple of months and put that on the people of Illinois. I suggest that if you want to be honest about it and say 2 years, say 2 years, say 24 months. But you're talking about 26, 27 months here on this...26 months on this judgement of this Amendment. Mr. Speaker and Members of the House, I think we better talk about the facts as they are on what we're talking about and what it's going to cost the consumer. What is it going to cost that person that somehow is going to be lured into buying a house, whether it be a new home or resale of an older home. Let's start talking about the facts and figures of just who is going to be able to buy that house. Now I understand that we're in a skyrocketting, roller coaster economy. I'm not beyond that. I have a daughter trying to buy a house and has problems. I'm not immune from the pressures of the home building industry, I'm a part of it. I recognize very strongly that we're in trouble in the home building industry in this state, in this nation. We're down 250,000 starts in the United States this year. There's no doubt that we have a problem. But this Amendment and this Bill is not panacea for the problem. You know, what you're doing here now is saying that we are going to somehow correct the ills of our society that the shylocks are putting on us with their usurious demands and their greed of more and more money to be paid out of...paid in the form of juice or interest or whatever you want to call it. That somehow we're going to create all sorts of carpenter work. Somehow home building is going to blossom in the suburbs again and everyone is going to be working. Well, by God, if that were true I



would be the first guy up here trying to pass the Bill. The facts are just the opposite. Since the interest rate has gone beyond 10% around the United States, housing starts are down. Now you are not going to start them up again by allowing them to continue to rise. That's what you are doing here with this Amendment. You're saying somehow we're going to really help the problem by charging people more money. What we really need is a correct and a decent Federal Reserve Board...trying to bring about a correct monetary fiscal policy in this United States to allow the American dream to become a reality so that our children could buy a house at a reasonable and decent amount of interest. That's not going to be answered by this Amendment and this Bill. What will happen is this. The average home in the United States in the State of Illinois today sells...a new home, sells for close to 60,000 dollars. That's the typical average home. Let me tell you why it's 60,000 dollars. Some will tell you, oh yeah, it's the high labor costs, it's that high union salary. Well I'll take you to the non-union areas and show you the same home built by absolutely not a union member that costs the same amount per square foot for the identical house. So it isn't the labor costs. And you might say, well it's the high material costs. Dry wall has gone up, concrete has gone up, lumber has gone up. Maybe we ought to really look at that too. That isn't the facts. The fact is, the cost of building has gone up. It's very typical today and I'll explain this very briefly. Today, and the reason why this is such a hard issue for me on this home building industry especially, not the savings and loans and the banks and the realtors but on the home building industry,



here's what happens to a typical major contractor building residential units. He goes to some lender, generally not a savings and loan, and he purchases anticipation money, so that when he builds 20 homes he has a million dollars sitting there available for those people that want to buy those 20 homes. About 50 thousand a home is what they're talking about. That builder pays 120 thousand dollars on an average for that money today for anticipation of sale of those 20 homes. He then charges 6 thousand dollars a home for money just to be available so that he can sell that home. And that's a fact. That's the system for those of you who are not in the building game and don't understand construction, that's the typical system. The consumer ends up paying that point system in anticipation of just having the money there. In fact, what bankrupt.. and a lot of people don't understand what bankrupts contractors, a lot of times they don't get rid of those homes and they don't get that money and they still have to pay the 120 thousand for that million dollar anticipated money that's sitting there available for loans. And they have...they have to eat it and they go bankrupt. That's the reason why we have contractors coming and going in this state and this nation. Now let me put it in perspective. That 60 thousand dollar home has already got 6 thousand dollars of interest tagged on before you've got land costs and many other hidden costs involved and other interest costs for the construction loans that are built in the actual construction and the money that's used to pay the workers and the workmen.... that is paid out. The interest on a single family 60 thousand dollar house today is somewhere near 10 thousand dollars.



And that doesn't mean one brick, that isn't one nail, that isn't the first blade of grass on that piece of property and you've got 10 thousand dollars in greedy, usurious money that some shylock is living fat and sassy on. That's what's happening in the home building industry in this state. And you're not going to solve it by saying that on top of that somehow we're going to allow the interest charge to float upward to any amount that...that anyone wants to charge and that's what this Amendment is all about. On that 60 thousand dollar home, if you put 15 thousand dollars down you have a 45 thousand dollar mortgage. Under today's usury law that means a payment, without any payment to insurance or taxes, a minimum payment on 30 years of 433 dollars a month. That's at 11 and $\frac{1}{2}$ percent. And those that have been bandied about by all the lobbyiest saying what's happening in California, what's happening in New York and what's happening in Georgia and everywhere else are saying this money is being lent at 14 percent. The difference between the monthly payment of a 45 thousand dollar loan at 11 and $\frac{1}{2}$ percent and 14 percent is 100 dollars a month. You're talking about having to pay, before taxes or insurance, a payment...a payment of 532 dollars a month to retire that mortgate in 30 years of a 45 thousand dollar loan. Now I don't know where anyone is in this world but I don't know that many people that earn 532 dollars a week that are working for a living. The highest paying...when we talk about workmen's comp and I hear eveyone complaining about highly paid the payments..."

Speaker Lechowicz: "Excuse me. Mr. Hanahan, would you kindly have your remarks pertain to Amendment #13 and bring your remarks to a close? Your time is just



about up."

Hanahan: "This is dissertation, you only have to hear it once."

Speaker Lechowicz: "Okay."

Hanahan: "The fact remains that there aren't that many people in the State of Illinois who are going to be able to pay that kind of payment and that's really where it comes down to what we're doing here. It's after the bottom line, no matter what Bill we send to the Governor. Home building, I'm sorry to say, I wish I could say it differently, home building is in trouble. We're not going to save it with this Bill. We're going to have this problem until we have a new federal reserve system that allows money to flow freely and reasonably in this United States. 532 dollars on that average home is beyond the hope, beyond the dreams or anticipation of any citizen that's just coming up, just starting off in this world. You know it and I know it. There aren't too many Legislators that could make that kind of monthly payment and on top of it pay insurance and on top of it pay a real estate tax bill. I just suggest that it's too long a time to avoid a usury law limitation. Because if this economy ever does turn around and if we get back to reasonable rates, if you don't have a usury law on the books, what will happen, there will be a lot of people that will never get a decent rate or a competitive rate on their interest rates charged. What will happen is the rich, the privileged, the well connected, they'll get that floating rate charge for their new mortgages, but for those people that just are a little marginal, they're not going to have that opportunity. And the only safeguard you've got is the fact that



the statute of this state provides a limitation on the amount of money that can be charged. Now I know I'm hurting a few people's dealings and you get a little anxious, but you know, I...those same people aren't too anxious about the consumers."

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

Conti: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I'm going to be much briefer than Mr. Hanahan, but I tell you if you want a two year rate then you go ahead and vote for the Amendment 13 but if you look at 14 and 15 and 16 I think it will address itself to it. Contrary to what Mr. Hanahan says, when a general contractor goes in on a project building and he gets a blanket mortgage for the project home, if he's going to build 20 or 30 homes, and in 2 years from now you're going to have the contractors, you're going to have the real estate people back here again asking you to extend that usury law again. I think that you should take that off and take a look at 14, 15 and 16 as it addresses itself to the problem."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker, to reiterate in part what Representative Conti said, if you want an open rate, no rate limit, no usury limit for 2 years then you should support this particular Amendment. And in the contrary, in the alternative, if you believe there should be some time limit, as this Amendment has, but you also believe that there ought to be some tagged maximum rates then you should look at those other Amendments as alternatives. And I only say that because once we've disposed of this Amendment, if it goes on, your options have been eliminated with regard to adopting the others, I believe, because I don't think they will fit in the



Bill. I only suggest those as options."

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

Abramson: "Well I think the Representative from McHenry's remarks should probably address to the federal monetary policy rather than this Amendment. What we're trying to do here is..."

Speaker Lechowicz: "Excuse me. There are a couple people that had their lights on and I didn't see them with these high lights. So, let me recognize them and I'll get back to you to close. The Gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, this Amendment is substantially the same as the Amendment that I have offered except that it differs for one day. I do not believe that that's a substantial difference. But all we're really saying in the particular Amendment is if you have to take the usury rate off, if there is indeed an emergency, one day the emergency has to be over. There is a moratorium on this interest inherent in this type of Amendment. The Amendment simply limits it and it says that after the 2 year period, if there's such an emergency, then we will once again have the regular mortgage usury rate as it exists today. If you must take off the rate it's better to take it off for a specified period. And if that period is 2 years then fine, but at least let us know that there will be a limit to it, that it will automatically go back and we won't have to sit here and wait for some type of actions. Now if this is not an emergency and if you want to open it up for all time, then we ask the Sponsor to say so. If that is their position, fine. But what we're asking and I think what he's doing in this Amendment,



it's the same as mine, is it puts a time limit on the period of time that the mortgage rate may rise. Now, if you've got to have it let's have it for a limited period of time and 2 years is a reasonable period. I will withdraw my Amendment but I suggest that this is the best way to go if you've got to take the mortgage usury rate off. A limited period of time, 2 years."

Speaker Lechowicz: "The Gentleman from Vermilion, Mr. Campbell."

Campbell: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Amendment. One of the reasons why I do, it simply declares a moratorium for 2 years. And it isn't 2 years that we're looking at, it's right now. And anyone who knows anything about economics knows that if we don't establish the interest rates in the State of Illinois, that interest rates are similar to water, they seek their own level and this has been done already and established for the Federal Reserve Board. And this is simply going to keep from drying up money coming into the State of Illinois. And you can damn well bet that there won't be any money coming into the State of Illinois if we keep the limit on. And so it's going to help those people who do have the opportunity and who have the inclination to go ahead and buy homes when they're transferred from one part of the country to the other. And it's absolutely needed and there is an emergency and I ask for your favorable vote."

Speaker Lechowicz: "The Gentleman from Champaign, Mr. Wikoff."

Wikoff: "Thank you, Mr. Speaker and Ladies and Gentlemen. A couple of things one of the previous speakers mentioned I think that maybe we should...I would like to repute to a certain extent. One comment made that part of the problem was because of the



Federal Reserve Board, well we're not going to change that. I think one other thing that should be noted, noted...is that the front money that was referred to is...is a fact. There's no question about that, but there's no usury limit on that now. Regardless of what we do here that's not going to change and if there's going to be anything built the people are still going to start getting that front money. And if they're paying 15 to 16 or 17 percent on that front money they aren't going to be able to turn around and get a return on their money at 7 or 8 percent, particularly if there's no money available. It was mentioned that labor costs aren't all of the thing and material costs aren't all of it but they have gone up and they've escalated at about 10 percent per year for about as far back as you want to go for about the last 10 years. The cost of building both residential and commercial buildings in the last 10 years has gone up some 270 percent. But I think it boils down very simply...the argument was made that some people are not going to be able to pay these interest rates and build houses and buy houses and that's a very true statement. But if we don't do something nobody is going to be able to buy any houses or buy anything because there's not going to be any money available and as such we're not going to have any carpenters working. We're not going to have any plumbers and we're not going to have many of the other things. And I think we're faced with a crisis that I think we had better look at and look at very severely because if we don't do something at least some of the people...if we do do something at least some of the people are going to be able to continue to



buy some property. If we don't do anything nobody is going to."

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

Hoffman: "Thank you very much, Mr. Speaker, I move the previous question."

Speaker Lechowicz: "God love you. The Gentleman has moved the previous question. All in favor signify by saying 'aye'; 'aye'. Opposed? The previous question has been moved. Mr. Abramson to close."

Abramson: "Mr. Speaker and Ladies and Gentlemen of the House, this is not a question of agreeing. It is a question of giving home buyers a chance to compete for funds in the market place as a result of our current federal monetary policy. I urge the adoption of Amendment #13."

Speaker Lechowicz: "The question is, shall Amendment #13 be adopted? All those in favor vote 'aye', all opposed vote 'no'. The Gentleman from Will, Mr. Leinenweber, to explain his vote. The timer is on."

Leinenweber: "I'd like to point out 2 things to some of the people that are voting red on this. I would suggest you go back to your districts and find some of your constituents who want to move to Florida, that are retired, that want to sell their house and can't because they can't sell the house because nobody can borrow any money to buy it. These people are out in the cold till we do something to make some money available. Secondly, there's an offset here. If you can't get interest, if you can't get mortgage money under 15 percent you're going to be able to find some tremendous bargains. So your... your constituents who are backed in with the high mortgage are going to get a big discount on the house they're buying. So I suggest this is a good Amendment and we all ought to support it."



Speaker Lechowicz: "The Gentleman from Madison, Mr. Steele, to explain his vote. The timer is on."

Steele: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I urge your approval here of Amendment 13. It provides a 26 month time limit for listing the usury rate. It provides a reasonable time, I believe, to permit construction loans, construction financing to work and to be effective here in Illinois. We're trying here in House Bill 2811 to meet an emergency situation here in Illinois where people can't buy homes unless they've got the cash in their own pockets. Where people...where there's no mortgage funds available, where there are a lot of jobs at stake, jobs that are going to be lost at a time when unemployment is already going up month by month. We have to do something. This is reasonable, it's realistic, it meets the emergency needs of the State of Illinois at this time and yet it provides a time limit as a protection against long term high interest rates. I think it's a good Amendment, it's a sound Amendment, realistic to meet the needs and problems of our emergency at this time and I urge your..."

Speaker Lechowicz: "Have all voted who wish? The Clerk will take the record. On this question there's 114 'aye', 29 'no', 1 recorded as 'present'. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "Amendment #14. Stuffle - Conti. Amends House Bill 2811 on page 1, line 11 and so forth."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker, Amendments 14, 15 and 16, I believe are out of order and don't fit in the Bill at this point, with the adoption of 13. I would ask leave to withdraw 14, 15 and 16."

Speaker Lechowicz: "The Gentleman withdraws Amendments...what..."



14, 15 and 16? The Amendments are withdrawn. Any further Amendments? The Gentleman from Kankakee, Mr. Ryan, for what purpose do you seek recognition?"

Clerk Leone: "Amendment 17. Mautino - Hanahan."

Speaker Lechowicz: "Excuse me...excuse me. Mr. Ryan."

Ryan: "Well, Mr. Speaker, it seems to me that Representative Borchers wanted to explain his vote and you ignored him."

Speaker Lechowicz: "I'm sorry, I didn't see him. Mr. Borchers."

Borchers: "Well Mr...Mr...Mr. Speaker, acting Speaker, first of all, you deliberately ignored me. I don't like that."

Speaker Lechowicz: "I'd never deliberately ignore you, Webber."

Borchers: "Now, in relation, I agree with... In explaining my vote, I'm going...I would like to and I haven't had time to, I'd like to vote 'aye', I want to be recorded 'aye'."

Speaker Lechowicz: "Kindly record..."

Borchers: "Now, I agreed a great deal with Mr. Hanahan. Now you're beginning to talk my language."

Speaker Lechowicz: "Excuse me, kindly record Mr. Webber Borchers as 'aye' on 13."

Borchers: "All right... Now...now you're beginning to talk my language. I agreed with Mr. Hanahan but I think we should give it a whirl. Because in two years, if we vote for this Amendment, in two years we'll know whether it will work or not. I don't believe that anybody but a fool would borrow money at 14 percent. Remember, I own stock in a bank. I know something about it. So let's give it a chance and find out. I think it won't work but there's only one way to find out, you try. That's all I wanted to say."

Speaker Lechowicz: "Thank you, Mr. Borchers. We're at



Amendment #17. Is that correct, Tony? Have you read the Amendment?"

Clerk Leone: "Amendment #17. Mautino - Hanahan. Amends House Bill..."

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

Mautino: "Thank you, Mr. Speaker... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 17 is similar but not exactly in the same posture as Amendment #9 was. Since the last Amendment took the usury ceiling off for a period of time it seems to me that the other fair thing to do would be to eliminate the point and also eliminate any other possible fee or charge that could be charged to the borrower. And if you want to be fair, basically, that's what it does. When you start talking about eliminating the usury ceiling you're opening it up for a period of time. In this case approximately 2 years, December 31st of 81, if I remember correctly. That means that other fees can still be charged, points can still be charged, and the limits increased. This is a piece of legislation for the borrower. That's the person who wants to buy the home. If you want to protect him, give him a break since you just gave it to him on the other end, it seems to me it's the right thing to do, take the points off and don't allow any of the services charges to be incurred upon that person. And I respectfully request an 'aye' vote on 17."

Speaker Lechowicz: "Any discussion? The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Lechowicz: "He indicates he will."

Friedrich: "Who would pay for the appraisal? Who would pay for drawing the deed? Who would pay for the title



examination?"

Mautino: "Every piece of property that I have purchased, Sir, it has been done by the seller. and checked by myself as well. And when I went to the financial institution I paid for them to type out the formal closing and any attorney's fees. It would seem to me that that posture would still be in effect now."

Friedrich: "Normally, in a real estate transaction, it's the responsibility of the buyer to examine the title to see if it's good. It's up to the seller to provide merchantable title but usually is the buyer is responsible for determining it."

Mautino: "Okay, that's what I said and I checked over every piece of property I did, so it's between myself and the seller, when I purchased it. And what the financial institution did was to fill out the form and I signed it and I paid the points. That's basically what it is and I think it's kind of ridiculous."

Friedrich: "Well, I don't believe that a lending institution would take your opinion on a title unless you're an attorney."

Mautino: "No, I said that was all done, both by myself and the seller, between the two parties involved. And they examined it after we presented it to them. I think that's the case in most instances."

Friedrich: "Okay... Let's assume that the lending institution would require and I'm sure you know the regulatory agencies require an appraisal of the property. Who... who's going to pay the cost of that?"

Mautino: "That's...there's no problem with it. That won't be stopped. All I'm saying is the two points they're charging...the two and a half should be stopped."

Friedrich: "All right, legitimate fees like appraisals and..."



Mautino: "Yeah...just the point . I think you know what I'm talking about, Dwight."

Speaker Lechowicz: "Any further discussion? The Gentleman from Kankakee...the Gentleman from Cook, Mr. Abramson."

Abramson: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this Amendment. The term 'closing costs' is in the Amendment and in the Federal Regulations regarding settlement procedures, closing costs are quite a broad term. In the Chicago area, I don't know how they do it downstate but mortgages require a loan...title policy which is chargeable as the sellers...purchasers cost. This language, I believe, it prohibits them from charging that. Okay, I don't think it reflects the realities of the real estate transactions throughout the state. Therefore, I oppose the Amendment."

Speaker Lechowicz: "The Gentleman from McHenry, Mr. Hanahan. The timer is on."

Hanahan: "I'd like to suggest to the last speaker that he's in error. I...I think that if you've read the Amendment you'll find that the legal fees, the appraisal fees, the document tax fees, all of that is not prohibited. That is not part of what we call the point system that's charged separate and above, solely on the amount of money that's being lent. It has nothing to do with any of these other charges. Your legal fees...and I know you lawyers are worried about your next meal, will not have any diminishing income because of the passage of this Amendment. Don't be fearful of that. But if you really get down to what the usury law and forget about these Amendments...that in the usury law includes this point system. And all we're saying is now it has to be part of the actual



percentage that is charged the consumer, that you can't hide it out there with another point system that is really part of the usury..."

Speaker Lechowicz: "Please continue, the clock..."

Hanahan: "That is part of the usury law. So to those of that have any fears, this is not that bad of an Amendment, in fact it's a good Amendment, it should be adopted."

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

Skinner: "Mr. Speaker, if we're really interested in getting people into houses one of the...one of the very large problems is coming up with the points. Now, Representative Robbins has a brother-in-law in Massachusetts who just is...who is paying 13% interest on his mortgage and 7 points, repeat, 7 points. 7. Now if it's happening like that in Massachusetts today, after this Bill goes into effect, if this Amendment doesn't go on, we can expect it to happen in Illinois tomorrow, or whenever tomorrow is. Now I'm not a biblical scholar, perhaps someone who is, if the Deacon were here still he could comment on this, but there's an episode in the Bible about Christ driving the money changers out of the temples. Now I don't think that the money changers are being driven out of the temple because they are charging 15 percent interest but today it would be because of the points. If you want people to get into houses they have to be able to buy it and they have to be able to come up with a large downpayment, which I don't object to. But the points too? When they could be spread over a 25 or 30 year period and be...be affordable? Doesn't that make a little more sense than charging someone 800 to maybe 2000 dollars up front in addition to the downpayment? You pay the points, you pay



the couple thousand dollars and then you have the privilege of paying interest on that money that you gave the savings and loan for 25 to 30 years. That just is illogical. I think Representative Hanahan, or whoever is sponsoring this... Representative Mautino is correct here. And I... I really think, you know, I don't see any reason for any... any limit on the usury rates. But it sure seems to me there ought to be some limits on the points. I see no reason for an individual being not... I think individuals ought to have to pay for the appraisal, they ought to have to pay for the title, they ought to have to pay for the legal fees. And if the savings and loan wants to charge 25 to 50 bucks for the secretary to type up their papers, God bless them, I'll pay it. But 7 points? I mean the sky's the limit, it could be even more."

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

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think, unfortunately, with this Amendment what we would be doing would be cutting off our nose to spite our face. What we've done, we've just given the financial institutions the opportunity to raise their interest rates. I don't think what we want to do is have them send them out of sight. So fine, what happens, you knock off the points and the closing costs and so what they're going to do is just add a little bit more to the mortgage. Now what they're doing... here's a possibility. Now what they're going to do, they're going run it for an entire 20, 25 years of the loan so they're paying interest on it. We talked about this at quite great lengths on Amendment #9. This is basically the same as Amendment #9 except it covers



closing costs. And I would have to agree with Representative Abramson, that I'm not to sure about the legal ramifications when you're talking about attorneys when it comes to closing costs. So I would ask the Members of the House to reject Amendment #17 the same way they did Amendment #9."

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

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Amendment. Those people who are home buyers only buy two or three homes during their entire lifetime. They are not sophisticated about home mortgage loans. What they do understand is the interest rates they're paying on the loans. What they don't understand is points. They go into a lender's office and they're told about the cost for the appraisal, the cost for the termite report, the cost for the attorney's fee to examine the abstracts and then there's this mysterious thing called points, 2, 3, 4, or 5 percent of the entire loan that they have to pay all at once. There never is a good answer given. This is simply a profit item for the lenders. The borrowers cannot be in a position of sophistication with regard to this item. If we are going to take the ceiling off the interest rate in the State of Illinois we ought to at least put the borrowers in a position to understand knowingly what they're doing when the apply for and get home mortgage loans. The points ought to come off. This is a good Amendment and I respectfully recommend an 'aye' vote on this Amendment."

Speaker Lechowicz: "Mr. Mautino, to close."

Mautino: "I just ask for an 'aye' vote."

Speaker Lechowicz: "The question is, shall Amendment #17 be adopted? All in favor vote 'aye', all opposed vote



'no'. The Gentleman from Cook, Mr. Piel."

Piel: "A question of the Chair, Mr. Speaker. After the adoption of Amendment 13, can you get the Parliamentarian to tell us if Amendment#17 is in proper form, please?"

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Well, Mr. Speaker and Members of the House, this Amendment should not be adopted on the merit of what the Sponsor proclaimed. I think if everybody would read the Amendment, as I have, it would seem to me that notwithstanding what the Sponsor of the Amendment says relative to the point, this would preclude and preempt any savings and loan or any financial institution at all that charged any type of fee whatsoever. That's the way I read the Amendment and I think it's a bad Amendment and should be defeated."

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

Mautino: "I'd like to have the opportunity to explain the vote and correct the statement that was just made. I think it's very easy for a financial institution to, in lieu of points state that this is a service fee for the opportunity of borrowing money. I just want to correct that situation so that there is no misunderstanding that you cannot add additional points to it by virtue of adding a fee, and that's what the Amendment says and I... I just can't quite understand how the consumer and the borrower in the State of Illinois has gotten it put to them so much in one week. I just can't believe that. They just don't have a fighting chance down here at all. We'll allow you to borrow as much money as you want if you can pay our



sky high rates and won't give you a break on the points and we will do a number one job of ripping you off. It's a great advocacy to be in this General Assembly."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Conti, to explain his vote. The timer is on."

Conti: "Well I just want to remind all those people that are voting 'aye' up there that in case the rates do go back to 8 percent next year, the FSLIC is demanding on all these savings and loans to have a liquidity. If I remember correctly it's a 7 percent liquidity and all you're doing is stripping the savings and loans. And those of you who are voting green up there that 2 years from now when the rates go down that means the savings and loans are going to have to operate two years and dip into their reserves to make these loans. So you're not helping them one bit by the home buyer or the seller by voting 'aye' on this Bill... on this Amendment."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 71 'ayes', 85 'nay', 5 recorded as 'present' and the Amendment is defeated. Any further Amendments?"

Clerk O'Brien: "Amendment #18. McClain - Matijevich. Amends House Bill 2811..."

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

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this Amendment was drafted by my seatmate, Mike McClain, who is in a meeting at the present and I'm offering it as Co-Chief Sponsor and moving for its adoption. Under Amendment #19 it would mandate that the lending institution which would benefit by the listing of this ceiling would



...it would stipulate that. I mean 18...I mean 18... 18 is what I meant. It would stipulate that 60 percent of their assets shall be available for mortgage loans. And also that that lending institution must make those home loans in an area within 50 miles radius of the financial institution. Now what this Amendment really does, it is consistent with the historical need for savings and loan associations and in fact is consistent with the enabling legislation that created savings and loan associations. In other words, the whole philosophy was that savings and loans would make money available so that people can build homes, so people can build residential homes. This Amendment would really guarantee that those of us who may think that there is a crisis, that the crisis is in having available money for people so that they can build homes. I've heard that in the debate when the Bill was introduced in the House. This Amendment would therefore be a truth in lending, if you will, Amendment, because it would stipulate that savings and loans would have to guarantee that so much of their available money will be used for residential home loans and also will be used in the area by that savings and loan association. I think it's a good Amendment if you really believe that you're trying to help people build homes."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Champaign, Mr. Johnson."

Johnson: "A question of the Sponsor. Representative Matijevich, in respect to the radius, you require that they make the loans within 50 miles of the home office of the institution? Or what...what perimeters do you have to define that?"

Matijevich: "Within the county in which the financial institution



is located, or within a 50 mile radius of that financial institutions offices."

Johnson: "Well, let me give you a specific, hypothetical...

not a hypothetical, a specific fact situation and tell me how this Amendment would cover it.

Bloomington Federal Savings and Loan is located, of course, in Bloomington. It has...has a number of subsidiaries, including branches in Champaign, the University Federal Savings and Loan. Bloomington is 55 miles from the Champaign - Urbana Market, what would this Amendment do with respect to the ability of University Federal as a subsidiary of Bloomington Federal, to make loans in its own town?"

Matijevidich: "My seatmate, who drafted the Amendment, tells me that it would have to be within 50 miles of those subsidiaries."

Johnson: "Oh, within 50 miles of the subsidiaries?"

Matijevidich: "Right."

Johnson: "Does the Bill specifically say that? Or is that just what you hope it says?"

Matijevidich: "He tells me that the inclusion of the word 'or' would...would cover that. I think you would rather the language be more specific to include, if there is such language, within 50 miles of a subsidiary."

Johnson: "I guess my point is that...that one of the realities of home lending today is...is proliferation and I think probably a healthy trend, in some regards, of those type of operations. And I would think this Bill, or this Amendment, if it were to be adopted and I'm not suggesting that I support the Amendment necessarily, ought to make sure to cover that more specifically than it might do. And I don't have the



Amendment in front of me so I don't know."

Matijevich: "I might say that that language was recommended by the subsidiaries so that would...they would therefore be included in the 50 mile radius."

Speaker Lechowicz: "The Gentleman from Bond, Mr. Slape."

Slape: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Lechowicz: "He indicates he will."

Slape: "John, how will this Bill deal with, like where I live we have savings and loan offices. They take in deposits in one...one of their locations and move all of it to a different location and make their loans there. Does this...does this have anything to do with internal regulations?"

Matijevich: "I think that your example is the same as Representative Johnsons, in fact. And therefore, it would be within the 50 mile radius of that last institution you're talking about."

Slape: "Okay, now on your...on your Amendments you're dealing with each location as a separate unity, right, not the whole savings and loan chain."

Matijevich: "Right."

Slape: "All right, thank you."

Speaker Lechowicz: "The Gentleman from Henderson, Mr. Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think this is a bad Amendment. Really it's...what we're doing here is just clouding up a good Bill and it's, as the Sponsors had a little bit of problem there trying to explain it and it is confusing and I'm sure it would be more confusing for the people trying to administrate it. It's creating another bureaucracy, it's going to cost more money to administrate, it's going to increase more regulation, and thank goodness, these businesses as well every business has right now too many regulations on them and it will cost them more money



to operate and I think it's a...it's against the free enterprise system, which we're all for. And therefore, I would hope that we would defeat it."

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

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, this is a good Amendment. In the old vernacular this Amendment really puts the money where the mouth is. This Amendment really guarantees that the money is going to be used for what we know is the proper purpose, for mortgage money. So that residential homes can be built. Now also, I want to tell you, that there are some realtors, some boards of realtors that ask that this Amendment be offered so that they are assured that the monies are going to be used locally and assured that the monies are going to be used for home building. So I wouldn't be worried about this Amendment. It is a good Amendment, that's going to help us to build homes. And that's, I understand, the whole purpose for the introduction of the Bill and I offer and move for its adoption and solicit your support."

Speaker Lechowicz: "The question is, shall Amendment #18 be adopted? All in favor vote 'aye', all opposed vote 'no'. The Gentleman from Cook, Mr. Conti, to explain his vote."

Conti: "Well, Mr. Speaker, I... I wanted to ask a question of the Sponsor here. First of all he's got the Commissioner of Savings and Loan Associations shall determine whether a financial institution is in compliance with the above requirements. Now does this preclude the banks? The Commissioner of Banks too? And then the other thing that I'm concerned about, it might be a conflict with the



federal law. I think it's right in the federal law now that it's 100 miles. And you're going down to 60 miles for the State of Illinois."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 46 'ayes', 89 'no', 2 recorded as 'present'. The Amendment is defeated. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #19. Huff - Bullock."

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

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment 19 is somewhat similar to one of the previous Amendments, Amendment 13, which sought to predetermine the time for which the ceiling should be lifted from the usury rates. The reason I'm pursuing 19 is because I think it's a better thought out Amendment and that it just simply ties the usury rates to the federal reserve discount rates. In other words, as I'm sure it will, when the discount, federal discount rates goes down the...the Illinois Usury Rate will go down automatically and act accordingly. If it goes back up, so will the rate. It does nothing to materially change the...the rate itself. It simply provides a standard for the manner in which the usury rate will act in relationship to the federal reserve discount rate. And for that reason I would urge the adoption of this Amendment."

Speaker Lechowicz: "Is there discussion? The Gentleman from Cook, Mr. Abramson."

Abramson: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to Amendment 19. The Amendment refers to federal reserve board rates. Federal reserve board doesn't have rates. The federal reserve bank does. The Amendment is technically



incorrect as drafted."

Speaker Lechowicz: "The Gentleman asks leave to correct the Amendment on its face. Hearing no objections, we'll correct the Amendment on its face. Mr. Piel, we corrected the Amendment on its face." Pardon me... Mr. Abramson, we asked leave of the House to correct it on its face. There was no objection. It's corrected."

Abramson: "Mr. Speaker."

Speaker Lechowicz: "Yes, Sir."

Abramson: "Mr. Speaker, just changing one word isn't going to correct the technical deficiency. I think you'd probably have to reserve...refer to the regulations described under the Federal Reserve Bank in order to make it technically correct. It would have to be researched before you could do it. But one word change is not going to correct it."

Speaker Lechowicz: "Mr. Huff."

Huff: "Thank you, Mr. Speaker. Well, the Gentleman is correct, but I...If he persists I would only suggest maybe we let the courts decide."

Speaker Lechowicz: "Mr. Hanahan, on a point of order. What's your point, Sir?"

Hanahan: "My point is that it doesn't matter one damn thing of what the words are, if they're correct or incorrect, we're passing legislation. If the courts find it incorrect later, that's up to them. But as far as what we vote on here, you could say that you're voting against it for that purpose but it doesn't take the Amendment out of the record or anything like that. We still have the right to vote on this Amendment, correct or incorrect. We've voted on a hell of a lot of Amendments on a lot of Bills that were in correct, over the years here. It's up to the courts to straighten it out and



it's up to the Amendatory Veto or up to any other system, but it isn't up to the Speaker or up to any Member to say that we shouldn't vote on an issue because of a misinterpretation or a wrong word or anything else in a Bill."

Speaker Lechowicz: "Well when you know it's wrong you shouldn't continue to be wrong. The Gentleman from Cook, Mr. Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think the Sponsor of the Amendment was a little bit mistaken when he said it was similar to #13, Amendment #13. Because it's...if you'll read the first change, it's the same rates the federal reserve board changes member banks for the loan of funds. So that is tying them to a specific rate. We have just, with Amendment #13, we've removed the ceiling. This will turn around and tie them to a specific rate and so I would ask the Members of the House to defeat Amendment #19."

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

Bullock: "Thank you, Mr. Speaker. I would like to wait and remark when I close, as one of the joint Sponsors of this legislation."

Speaker Lechowicz: "We're at that point, Sir. You may close."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Amendment 19, as one of the Sponsors of this Amendment to House Bill 2811. Just a short while ago in this House the Body passed House Joint Resolution 67, which was sponsored by myself and some 37 odd Members, which in effect addressed the problem that this Amendment attempts to address, and I can assure you, it will address. And that is the fact that for the escalating housing costs the real problems are mortgage interest rates. But it goes further than that because it



calls upon the Federal Reserve Board, under Paul Volker, to rescind their tight money policy because it's obviously sending us into a tailspin of economic chaos and possible depression. I think Amendment 19 addresses the subject clearly, in that the Federal Reserve Board that it's chosen to use a tight money policy by interest rates, understand that Legislatures both in Illinois and Massachusetts and California and New Jersey and Maryland have similar problems. And I think for us to merely lift the usury mortgage ceiling without some understanding that the problem is in Washington, not in Springfield, is folly. And I think for us to assume that removing the usury rate is going to be a boom to the housing industry is also folly. So I submit to you, Ladies and Gentlemen, on both sides of the aisle, and certainly all of you who signed a bipartisan support for House Joint Resolution 67, that Amendment 19 is merely an extension, an extension of the express of the will of this Body and hopefully, the will of the Senate, to place the burden of proof where it rightfully belongs and that's squarely at the feet of those who make the policy in Washington under Paul Volker and the Federal Reserve Board. I respectfully urge an 'aye' vote on this outstanding Amendment that Representative Huff and myself and others have sponsored."

Speaker Lechowicz: "The question is, shall Amendment #19 be adopted? 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 27 'aye', 95 'no', 4 recorded as 'present'. The Amendment fails. Any further Amendments?"



Clerk O'Brien: "Floor Amendment #20. Ewell."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Ewell.
He's over at Mr. Jones' desk."

Ewell: "Mr. Speaker, Ladies and Gentlemen, leave to withdraw
Amendment 20. There's 1 day difference between
Amendment 20 and Amendment 13. Leave to withdraw
it."

Speaker Lechowicz: "Could be a big day. The Gentleman asks
leave to withdraw the Amendment. Leave is granted.
Any further Amendments?"

Clerk O'Brien: "Floor Amendment 21. Schisler. Amends
House Bill 2811."

Speaker Lechowicz: "The Gentleman from Fulton, Mr. Schisler."

Schisler: "Mr. Speaker, Ladies and Gentlemen of the House,
Amendment 21 is just simply extends it until December
31 of 1981. I'd ask for a favorable Roll Call."

Speaker Lechowicz: "Is there any discussion? The question
is, shall Amendment #21 be adopted? All in favor
vote 'aye', all opposed vote 'nay'. The question...
The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Would the Gentleman explain what the Amendment does?"

Speaker Lechowicz: "He did."

Ryan: "Well would he do it again?"

Speaker Lechowicz: "Surely."

Schisler: "Mr. Speaker, Ladies and Gentlemen of the House.
It just extends this period until December 31, 1981.
It removes the limit until 1981.."

Ryan: "Haven't we got an Amendment on there like that now?
Amendment 13?"

Speaker Lechowicz: "Marco... Is it an identical Amendment
there, Mr. Schisler? Clerk?"

Ryan: "Is it set to have one year or two years, Representative?"

Schisler: "Two years."

Ryan: "Two years?"



Schisler: "Two years."

Ryan: "Amendment 13 has got the same thing on it. It's exactly the same."

Speaker Lechowicz: "Well maybe if you do it twice it's four years. Do you want to withdraw the Amendment, Mr. Schisler?"

Schisler: "Would the 13th Amendment...26 months is...is that the way I understand it?"

Speaker Lechowicz: "It's exactly the same as yours, I believe."

Schisler: "Okay. Our staff says it's the same. I withdraw it."

Speaker Lechowicz: "The Gentleman withdraws Amendment #21. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #22, Kane, amends House Bill...."

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

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #22 addresses itself to the two basic problems with the present usury limit. The first problem is that the present usury limit is tied to the ten year mortgage rate...I mean, the ten year bond rate rather than to an index that measures mortgages and the price of mortgages. So what the...the first thing that this Amendment does is to change the base of the usury limit to the conventional mortgaging interest rate...the monthly index of conventional mortgage interest rates as published by the Board of Governors of the Federal Reserve System. It's the same publication that we get the present usury limit from. It's a different line on that same report. And that is published monthly by the Federal Reserve System. The second problem with the present usury limit law is that there is a two year...two month lag between the time that money markets



change and that change is reflected in the mortgage usury rate limit here in Illinois. So the second provision of this Amendment is to provide that, in terms of economic crisis and turmoil as determined by the Commissioner, that he could take the same index that is compiled on a weekly basis by the Federal Home Mortgage Corporation and put into effect immediately the change in the mortgage rate limit. What this does is put about a one week lag into the usury rate rather than the two month lag that we presently have. I think that this approach will solve the problem that we have now. The one percent margin between the conventional mortgage rate as published by the Federal Reserve System and the usury limit will allow for all the costs that banks and savings and loan agencies run into in...in handling mortgages. The...if this Bill was in effect at the present time, the present usury rate limit for mortgages would be 13.84%, which is some 1% over the mortgages presently being given by some of the banks here in Springfield. I would urge the adoption of Amendment #22."

Speaker Lechowicz: "Any discussion? The Gentleman from Champaign, Mr. Johnson."

Johnson: "A couple questions of the Sponsor. Representative Kane, the conventional mortgage interest rates that you amend into this Act if you adopted this Amendment, are ones that are national averages are they or how are they computed?"

Speaker Lechowicz: "Mr. Kane."

Kane: "Those are the contract interest rates on commitments for first mortgages that are compiled from the Federal Home Loan Mortgage Corporation. And it's published as an index in the same publication that our present ten year bond index is published. It's simply a



different index."

Johnson: "My question, and I guess my point is, I presume that those...those rates, the ones that are national rates, are they not?"

Kane: "Yes, it would be tied to the national money market and national mortgage rate."

Speaker Lechowicz: "Excuse me...Senator Johns...Gene. Mr. Richmond."

Johnson: "Mr. Sponsor, I presume also that those rates that are published and that you propose to use or would seek to use under this Amendment are ones that are derived, at least in part, from states nationwide that have usury limits that are experiencing some of the same problems that we have with respect to the freeing up of money for home mortgage market, is that right?"

Kane: "No, this would have to do with mortgages sold by the Federal Home Loan Mortgage Corporation and they are Friday figures from each week."

Johnson: "My point is, Mr. Speaker and Members of the House, that while this Amendment might be well intended, I think by its very nature it doesn't direct itself to the problem that we are directing ourselves to in Illinois now. It's too pervasive. It doesn't touch on a specific market situation that affects Illinois and might be other...affecting other states around the country. And for that reason I think we're better off to proceed under the Bill as it stands and to reject this Amendment."

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

Piel: "Thank you, Mr. Speaker. This, along with quite a few of the other Amendments, have some merit. But right here it does...it states that the Commissioner should declare...or determine the economic crisis. And I think a very good point here would be, you know,



breaking down exactly what the crisis is. I think we've got a lot of good Amendments here that have potential and I think these...the good...the best time for these Amendments...would be to bring these Amendments to the Committee and see if we can work into a Bill for the future. And this is why we've got the two year ceiling."

Speaker Lechowicz: "The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, I rise in support of this Amendment. I think we ought to provide some type of floating ceiling. The problem that we are faced with right now and have been for the last month or couple of months is that the ceiling that we had was not realistic. This is a realistic ceiling. And it is a ceiling that I feel the financial institutions can live with. And the reason I think it's important that we have a ceiling is so that we do not interject into the home mortgage field juice money that will be used and secured by a home mortgage. Currently, there is no juice money in the whole mortgage area for a very simple reason. And that reason is that the loan itself is illegal and if you cannot foreclose on a mortgage there's no reason to have a mortgage. However, by lifting the ceiling completely and abolishing the ceiling, there would be nothing to prevent juice money be involved in the home loan mortgage area. And that is a situation that ought not to exist. I think 20...Amendment 22 provides a reasonable, floating ceiling that allows the financial institutions to react to the current cost of money. It enables them to have the money to borrow...or to lend and make a reasonable profit on that and it ought to be adopted."

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



Stearney: "A question for the Sponsor, please?"

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

Stearney: "Mr. Kane, as to the conventional mortgage interest rates published by the Board of Governors of the Federal Reserve System, can you tell me what that figure is for the second preceding calendar month from today's date?"

Speaker Lechowicz: "Mr. Kane."

Kane: "If you are asking for the September index..."

Stearney: "Yes."

Kane: "We know it would be..."

Stearney: "It would be August, am I right? Two months preceding..."

Kane: "If you are looking at the..."

Stearney: "September 1st, then."

Kane: "Okay. If you look at the August figures which would, under the general provisions of the Act, set the limit for October interest rates. That figure at the end of August was 11.09 which for the month of October would have set the usury limit at 12.09."

Stearney: "...at 12.09. Well..."

Kane: "However, under the provisions of the second part of that..."

Stearney: "Paragraph C of your Bill."

Kane: "Paragraph C..."

Stearney: "...of your Amendment."

Kane: "...which allows for the elimination of that lag when there are rapidly increasing mortgage rates. That would then reduce the two months lag to a one week lag."

Stearney: "Yes. And you mentioned it something like 13%."

Kane: "The October 22nd figure was 12.84% which would have made the usury ceiling for this week at 13.84."

Stearney: "The really...the question really revolves around the language 'economic crisis'?"



Kane: "As determined by the Commissioner of..."

Stearney: "In your opinion though, would you term today's mortgage market and the...because of the fluctuating interest rates to be such an economic crisis which would justify the Commissioner to invoke paragraph C of your Amendment?"

Kane: "Yes, I would think that any reasonable person would say that the Commissioner would be justified to invoke paragraph C as soon as the Federal Reserve took its actions on October 6th."

Stearney: "And if the Commissioner refused to invoke the provision of subparagraph C then the savings and loan industry would be forced into court, am I right?"

Kane: "I think that any responsible Commissioner of savings and loans would invoke paragraph C."

Stearney: "Yes, but once again you assume that you have a reasonable minded person....in that position."

Kane: "Well I would assume...I would assume the Commissioner would be as reasonable as yourself."

Stearney: "Would you think it would be better that we rely on certain figures and formulas as enacted by the Legislature rather than relying on the dictates of one man? It may differ with your opinion."

Kane: "If I...if I had put a specific index in there as to what an economic crisis was, then you would be arguing that...that might not cover all situations. I think that what you're doing is raising a bogus issue at this point."

Stearney: "Thank you."

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

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, I think that if we agree that we ought to have a floating interest rate, a usury limit in Illinois, that this is the best way to go. What it does is



allow more than enough room for banks and savings and loan associations to issue mortgages and make long-term commitments. The argument of the Gentleman from Champaign, that these are national figures and therefore having no bearing upon mortgages in Illinois, makes no sense at all. The reason why we have a problem in Illinois is because of the national monetary policy set by the Federal Reserve Board. That policy has an effect on the conventional mortgage index published by the Federal Reserve System. And that would translate directly into increasing the usury limit in Illinois. It would still allow the issuance of mortgages. We would still be able to build houses. We would still be able to work and we would still have all of the benefits of having a ceiling on the usury limit. And I would urge the adoption of Amendment #22."

Speaker Lechowicz: "The question is, shall Amendment #22 be adopted? 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 52 'ayes', 84 'noes', 1 recorded as 'present. The Amendment fails.' Any further Amendments?"

Clerk Leone: "Amendment #23, Leverenz, amends House Bill 2811 on page 4, line 11 by deleting..."

Speaker Lechowicz: "The Gentleman withdraws Amendment #23. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Lechowicz: "Third Reading. House Bill 2818."

Clerk Leone: "House Bill 2818. A Bill for an Act to amend Sections of the Motor Vehicle Code Retail Installment Sales Act. Second Reading of the Bill. No Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk Leone: "Amendment #1. Ewell. Amends House Bill 2818..."



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

Ewell: "Mr. Speaker, Ladies and Gentlemen, this Amendment is identical except for one day as Amendment 13. The only difference is one day I have taken January 1, 1982 instead of December 31. What we're interested in now is giving the same protection to the installment buyer. We want the same thing for the installment buyers as we just did for the homeowners. It's a good Amendment and we don't want to let the people and particularly the people who have to buy on installment are the people who are less able to pay even for big items. Justice and equity would demand that we treat the installment buyer the same way we have treated the home mortgage buyer. And for that reason Amendment #1 to 2818, and I'm sure I'll get the support of all the Members from this side and the other side who supported Amendment 13."

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 Amendments?"

Clerk Leone: "No further Amendments."

Speaker Lechowicz: "Third Reading. Also appears a Senate Bill on Third Reading, Senate Bill 1436. The Gentleman asks leave to bring that Bill back for the purpose of an Amendment. Any Amendments from the floor?"

Clerk Leone: "Amendment 12. Redmond - Ryan. Amends Senate Bill 1436 as amended on page 1 by deleting the title and inserting in lieu thereof, the following."

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

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #12 adds 60 thousand dollars payable from the General Revenue Fund to the Aeronautics



Fund to pay for the air transportation from the Speaker's Office and I would ask for a favorable Roll Call."

Speaker Lechowicz: "Any discussion? The question is, shall Amendment #12 be adopted? All in favor signify by saying 'aye'; 'aye', opposed? Amendment #12 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Lechowicz: "Third Reading. The Speaker asked me to make an announcement that it's the intent to work this evening to approximately 10:00. Hopefully, we will not have to be here Friday, which is good news. And then we'll try to...the Speaker's Office is trying to coordinate it with the Senate as far as the work schedule for next week. But it's the intent to work till approximately 10:00. On the Calendar, page 9, Motions. House Bill 1010. Katz - Kosinski - Getty. Out of the record. House Bill 1577. Mr. McClain. Out of the record. House Bill 20... Mr. Reilly, for what purpose do you seek recognition?"

Reilly: "Excuse me, Mr. Speaker. House Bill 1577...the Clerk's Office should have had the indication, I am now the Sponsor rather than Representative McClain."

Speaker Lechowicz: "Fine, Mr. Reilly, do you want to handle 1577?"

Reilly: "Excuse me?" Oh, all right. I've cleared this motion with the leadership on both sides of the aisle and with the Chairman and Minority Spokesman on the Committee. What's happened is that in a Bill that we passed on this subject last spring there were two different conflicting effective dates. We need to clear that up. All I'm asking for in this motion is that we advance it to Second Reading so that we can consider an Amendment and I ask a



a favorable Roll Call or I ask favorable response to that motion."

Speaker Lechowicz: "The Gentleman moves to discharge Committee on Elementary and Secondary Education and suspend Rule 66(b) relating to Calendar occurrence and advance it to the Order of Second Reading on House Bill 1577. The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Well, Mr. Speaker, inasmuch as we're going to be here till 10:00 this evening I'm going to buy dinner for the Republican side of the House and I just wondered if the real Speaker wanted to do that for the Democrats. Would you ask him there, Representative?"

Speaker Lechowicz: "He'll get an answer for you. We're all waiting for Jake Wolf's birthday cake."

Ryan: "That's coming shortly."

Speaker Lechowicz: "Where is Jake?" Let's get back to the Gentleman's motion though on House Bill 1577 in the interim period. 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 126 'aye', 2 'nay', none recorded as 'present'. The Gentleman's motion prevails. House Bill 2063. Mr. Walsh. Out of the record. Senate Bill 1053. Mr. Totten. Out of the record. Senate Bill 1070. Mr. McAuliffe. The Gentleman asks leave to take from the table and place it in Interim Study and hearing...any objection? Use the Attendance Roll Call? Hearing no objection, the Attendance Roll Call will be used and Senate Bill 1070 will be placed in Interim Study. Senate Bill 1125. Mr. McCourt. Out of the record. Senate Bill 1239. Mr. Telcser. Out of the record. Senate Bill 12...would you correct your Calendars? This should be Senate Bill 1292.



Mr. Ewing. Senate Bill 1292, Mr. Ewing."

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House,
I have filed a motion on Senate Bill 1292 and 1293."

Speaker Lechowicz: "Leave to hear them as a package?"

Hearing no objection, leave is granted."

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House,
we know that we are all faced with some serious
problems here in Illinois concerning taxes, tax
limitations. These were two Bills that were passed
out of the Senate and were tabled by the operation of
the rules of this House in the House Revenue
Committee. The first Bill, 1292, deals with a
limitation on Real Estate Taxes in Illinois.
A real problem has arisen since our adjournment this
summer, which I think warrants our reconsideration
of this Bill. We have replaced the Personal Property
Tax in Illinois and yet many units of local government
are levying taxes based on the lower assessment.
This will cause a shift of the burden which was
formerly carried by the Personal Property Tax
assessment to real estate across this state. I
think it is necessary that we consider doing something
to prohibit that with units of local government.
If any of us back in our district think that we
have a slight rebellion from our property tax owners,
we should wait until after next year when there's
been a major shift in what was formerly carried
by the Personal Property tax to real estate.
Many units of local government, I fear, are taking
the attitude that they don't know whether they're
going to get any Personal Property Tax replacement money.
I think all of us in this House know that we've
done the job on that area and that there will be
a replacement tax. Therefore, I would urgently
consider...ask for consideration of this House in



bringing out to Second Reading Senate Bill 1292 and 1293. There are a number of units of local government who are taxing beyond the rate of increase in personal income in this state. This Bill would limit the amount of increase in real estate taxes to the amount of growth in our personal real income. The number of units of local government which will be assessing over a 20% increase in the next year are 98 from a survey done by the former Department of Local Governmental Affairs. There are over 60 units which plan an increase between 10 and 20 percent. I think these figures are shocking considering the other costs that our taxpayers must bear. And if we add to that the possibility of increased taxes because of the shift from the old personal property tax base, it is imperative that we consider these Bills. I would, therefore; ask this House consider this motion favorably and that we put out on Second Reading both Senate Bill 1292 and 1293. Senate Bill 1293 deals with the requirement for a public hearing if a local unit of government is going to increase their tax levy. Mr. Speaker, I would ask for a favorable vote."

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

Madigan: "Mr. Speaker, I wish to raise a point of order.

Under Rule 27 we are precluded from consideration of this Bill because the Bill has not yet been presented to the Rules Committee for consideration during this Session."

Speaker Lechowicz: "I'm sorry, Mr. Madigan, would you kindly repeat that? We could hear you to well up here."

Madigan: "Under Rule 27, we would be precluded from consideration of this Bill because it has not yet been presented to the Rules Committee for consideration during this Session."

Speaker Lechowicz: "Your point's well taken! The Gentleman from Whiteside, Mr.... I'm sorry, Gentleman



from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker, I'm... wish I was more conversant with the rules but this... these Bills were assigned to the House Revenue Committee and I fail to see how Rule 27 can proclude us from bringing these out on the floor. We are in the same Session in which they were originally assigned to that Committee."

Speaker Lechowicz: "Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, you have ruled and I want to tell the Membership, you know, about four Sessions ago we started a Veto Session that ended up into a full blown Session and we were here till Christmas. Now you can do it in the name of tax relief or you can do it any name that you want, but I'm warning you, we're going to be here a long time if you open this thing up. Now the Governor could have done what he did to us on this other tax relief and called a Special Session and had this one specific Bill too. I'm glad he didn't, but I want to tell the Membership you had better watch yourself because we're going to get into to what we did before and thank God, since that one Session, we've been very careful in limiting the Veto Session, and we've been trying to limit it to that and that only. So, I say, Mr. Speaker, you have rules now all he can do is appeal your ruling and get on with the business."

Speaker Lechowicz: "Gentleman from Livingston, Mr. Ewing."

Ewing: "Well, notwithstanding the last speaker, I asked respectfully for more than just the slight reference to Rule 27 and I feel that I have an explanation coming. I'm not arguing with the rule. I want pointed out why it applies to these two Bills."

Speaker Lechowicz: "According to the Parliamentarian, that's the rule."

Ewing: "What?"

Speaker Lechowicz: "27 and Mr. Madigan is correct."



Ewing: "What part of the Rule 27. Is it's quite an extensive..."

Speaker Lechowicz: "When the Bill comes over from the Senate it's got to go to Rules. The Bill has not come out of Rules."

Ewing: "Mr. Speaker, the Bill has come over from the Senate. They have gone through the Committee on Assignment. They have been assigned to the House Revenue Committee and there was a hearing there."

Speaker Lechowicz: "When was the hearing held?"

Ewing: "The hearing was held last June."

Speaker Lechowicz: "Mr. Madigan."

Madigan: "Mr. Speaker, on page 334 of the red handbook..."

Speaker Lechowicz: "Mr. Parliamentarian... David."

Madigan: "... it clearly states in Section 2 that thereafter, which means June 30 for a Bill to be considered it must be exempt under subsection C which refers to the Rules Committee consideration."

Speaker Lechowicz: "Gentleman from Cook, Mr. Telcser."

Telcser: "Well, Mr. Speaker, the Majority Leader reads the language in the rule book but he takes out the context of what it really means. That language refers to new Bills introduced which would first have to go to the Rules Committee. This Bill has already been referred to a substantive Committee, has had a hearing, and it is still in possession of Committee. We have never had, at any point and time, had to send a Bill to Rules Committee after it has been discharged from a standing Committee to which it already has been referred."

Speaker Lechowicz: "Mr. Ewing?"

Ewing: "Mr. Speaker, I agree with our Majority Leader of course and we've just gone down this row of motions where we've been putting out Bills on the same type of motions without any referral to the Committee on Rules. I am certain that this Bill might have a hard time getting out without the Majority Leader's approval, so this time we'll just take it out of the record."



Speaker Lechowicz: "Gentleman takes the Bills out of the record. Senate Bill 1377, Mr. Reilly."

Reilly: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. House Bill... Senate Bill 1377, the Human Rights Act, has been before the House before. Hopefully, this will be the last time or the next to the last time that it will be with us. I move now to suspend the provisions of Rule 68E so that we can consider the Bill. 68E simply says that after July 1 we can't consider it. It's a Senate Bill so it in no way was tabled or anything else by action of the rules, but I do need to suspend 68E so that we can move to consideration of the motion to recede from the House Amendment and I do so move."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Cook, Mr. Gaines."

Gaines: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This hellacious Bill has been misnamed human rights. It should be called inhuman rights because it takes human rights away. The speaker there has been speaking to some people and denied the right of the leading black civil rights organization to even participate in any discussion of this matter. The NAACP... by Chicago, Mr. Fred... is president, the Cook County Bar Association and therefore I oppose taking this up at this time. I feel that we should..."

Speaker Lechowicz: "Excuse me. Mr. Reilly you raising a point of order? Mr. Reilly, please."

Reilly: "Yes, the point of order is that we're not considering the Bill at this time, we're simply considering a motion to allow us to get to the point where we can consider the Bill, and I think the debate ought..."

Gaines: "It's the same issue... It's the same issue whether we discuss... bring it up at this time or not, and I'm saying that I believe that we can leave it where it is until the parties who are most concerned about it



have been consulted. And, therefore; I'm opposed to hearing it at this time."

Speaker Lechowicz: "Is there any further discussion? The Gentleman from Cook, Mr. Meyer."

Meyer: "Mr. Speaker, I must concur with Representative Matijevich. This is a motion. It's a perpetual motion machine that we've created. If we're going to open this General Assembly up to matter that were debated twice. This Bill was on postponed consideration. If we considered it in June, I think we could wait to consider it until next June."

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

Bullock: "Thank you Mr. Speaker. I request that the Chair make a ruling that under the rules of this House, Rule 21B and 21C, that this matter cannot be considered. The Chair has made a previous ruling to that effect on a similar measure and I would respectfully request that the Chair rule on this matter, and I certainly would indicate to the Chair that this is inappropriate at this time."

Speaker Lechowicz: "Would the Parliamentarian kindly return to the rostrum? Gentleman from Madison, Mr. McPike. We'll get back to your question at that time, Mr. Bullock."

McPike: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I can only try to emphasize what Representative Matijevich said. I'm really not concerned about the merits of this Bill one way or the other because, as I recall, I voted for it, and I don't think that's the point. The point is that we're here for emergen... We're here for a Veto Session. This is not an emergency Bill. It can wait till next June or the following June or the June after that. It can wait for another ten years really and the State of Illinois is not going to be in that bad of shape."



If we open it for this, we might as well open it up for every single Bill that we didn't hear in June. Now, we put forth to the Spring Calendar I think a thousand Bills. What was the point in doing that? We might as well just file a motion right now to hear all of the Bills. Instead of being in Session every month or every other month, we might as well be in Session here every week and continue to hear every single, solitary Bill. Now to make an exception for this is absolutely ridiculous. I think we should defeat this motion."

Speaker Lechowicz: "Would Mr. Epstein kindly return to the rostrum? Mr. Epstein, please. Now, Mr. Reilly. Mr. Reilly, please."

Reilly: "Yes. While we're waiting for the Parliamentarian, I thought I understood the Gentleman who raised the point of order per to Rule 21 B and C. There is ... 27... I don't think that's what you said before. Wait."

Speaker Lechowicz: "We'll let Mr. Bullock restate the ... his point of order."

Bullock: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I request that the Parliamentarian make a ruling pursuant to Rule 27B, 27C. And my point of order is that it is inappropriate for the House of Representatives to consider, at this time, the measure on the Order of Motions, Senate Bill 1377 which was on nonconcurrence, postponed consideration."

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

Madigan: "I was talking to way Marco the way Marco talks to everybody..."

Speaker Lechowicz: "I'm sorry. I thought you were seeking recognition. Take this matter out of the record at the present time. Speaker says that we shouldn't be on the Order of Motions to begin with because we should be having items done for tomorrow. Mr. Reilly."



Reilly: "Would you repeat what you just said. I do not want to take it out."

Speaker Lechowicz: "We're going to get back to the area of motions. When we get back to the area of motions we'll come back after vetos. The Speaker... We have a tomorrow deadline on some other matters and we can address this matter at that time."

Reilly: "Mr. Speaker, if I may just briefly."

Speaker Lechowicz: "Surely."

Reilly: "Part of the response to what was being said earlier. I've been trying to get this Bill called since about 10 o'clock on June 30. You know, it's by no means my fault that it hasn't been called now. I don't quite understand why now we have to take it out of the record."

Speaker Lechowicz: "Because there's no deadline and there's a deadline as far as total veto motions and we'll be in Session next week. We can address this either if we have time tomorrow or next week as far as the area of motions..."

Reilly: "So the promise that we had that the Bill would be called, the promise from the Speaker, is not going to be carried out. Is that correct?"

Speaker Lechowicz: "The Bill is called and we'll get back to you eventually. In the... but on that area there is an emergency matter because I know Mr. Johnson came to me when this Bill was heard in Rules the early part of this week, Senate Bill 1438. Mr. Johnson."

Johnson: "Thank you Mr. Speaker and Members of the House. I appreciate the courtesy of letting me call this. This is an emergency appropriation of 400,000 dollars to repair flood damage that was incurred on July 30 and 31st of this summer at the U of I College and engineering campus. It passed in the Senate by a 54 to nothing vote and was ruled as do exempt emergency matter by the Rules Committee 17 to nothing, and I



would ask for.. would move pursuant to Rule 31B that this be advanced to Second Reading, Second Legislative Day."

Speaker Lechowicz: "Is there any discussion? The question is, shall Senate Bill 1438 be advanced to Second Reading, Second Legislative Day without reference to Committee? All in favor vote aye, all opposed vote no. Marco, aye. This is an emergency appropriation to the University of Illinois because of water damage. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 134 ayes, no nays, none recorded as present. The Gentleman's motion prevails. Alright. Total vetos. Page three. Senate Bill 87. Mr. Kempiners."

Kempiners: "Thank you Mr. Speaker. Ladies and Gentlemen of the House. Senate Bill 87 received a very healthy vote when it passed this House and if I'm not mistaken it was a 143 aye votes, and we've had this issue before us a number of times because it relates to who is going to pay the medical bills of prisoners awaiting state charges in county jails. The current situation is that any prisoner awaiting state charges and being held in a county jail who falls ill or who may have been hurt in a shoot out with the police, the county is responsible for those medical bills. Senate Bill 87 would require that the county pay those bills unless the bills go in excess of 2500 dollars at which time Senate Bill 87 requires that the state pick up those charges. There is no question that the medical bills will be paid. The question is who will pay them. The county taxpayers out of real estate taxes or the state out of general revenue funds. Even when prisoners are on public aid at the time of their arrest the county, under present law, must still pay the full custodial costs including medical expenses. Recently there was a shoot out on I57 and if any of the persons who are being



held or who have participated in this who would be held had been injured instead of killed the county in which they're being held would be responsible for those medical costs even though the shoot out was with a state trooper. That is a very expensive cost for a county, an individual county to bear and there's no way that any individual county can budget for this type of an expense. The state is better able to budget state-wide for such randomly occurring cases which require exceptional medical expenses. It is also clear that the state ought to be required to pay some portion of the cost for prisoners awaiting trial on state charges. Again I would like to make clear that there is no question as to a governmental unit being responsible for the medical charges. The question is, who, which governmental unit. I think this is a reasonable compromise because what we're saying is that for the first 2500 dollars the county is responsible, but for a catastrophic cause where the prisoner is being held on state charges in a county jail, the state ought to be responsible. I would urge your support in overriding the Governor's veto of Senate Bill 87."

Speaker Redmond: "Is there any discussion? The question is, shall Senate Bill 87 pass notwithstanding the veto of the Governor? All in favor vote aye, all oppose vote no. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 118 aye and 11 no. Motion having received the Constitutional 3/5 Majority prevails. Senate Bill 87 is declared passed not withstanding the veto of the Governor. 147, Representative Getty. Out of the record. 250, Representative Terzich."

Terzich: "Yes, Mr. Speaker, Senate Bill 250 is Senator Berning and Senator Egan's Bill which provides for the funding of state pension systems. The Bill provides that



an additional $\frac{1}{2}\%$ of payroll be given into the state pension system to freeze the unfunded liability. The Governor listed two reasons for having vetoed House Bill... Senate Bill 250. Reason one, is the additional $\frac{1}{2}$ of 1% of the payroll would not bring the five state supported retirement systems to parity since these systems level of funding is different. While this statement is correct, it is egging to throwing a baby out with the bath water. It really makes no difference that the $\frac{1}{2}\%$ additional month creates an unequal distribution. What is important is that the recognition be given to the fact that the unfunded accrued liability of the State of Illinois supported systems is well over three billion dollars. However, had the state contributed share in the beginning, we would be earning interest on some fund investments on that three billion dollars instead of the liability as unfunded. This is attempt to freeze the unemployment liability which is approaching the eight billion dollar mark. Secondly, the Governor is apparently not aware that his item veto on Senate Bill 318 and Senate Bill 356 the addition 18 million dollars of which the Governor speaks was included in these Bill and the Senate overrode both of these Bills. They put back the appropriation and in addition this Bill did pass out of the Senate on the override 58 to nothing, and I would urge support of this very, very fine Bill to help resolve the problem of pension systems. It's just a small step forward, well within reason and I would urge your support."

Speaker Redmond: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, although I agree with Representative Terzich that the unfunded accrued liability in the pension system is a serious matter, this barely touches... doesn't even scratch the surface of a very, very



difficult problem and the Governor also stated that and suggested that funding... that we set up some kind of a team to consist of the Governor's staff and the General Assembly representation of the systems themselves because when you start talking about the unfunded accrued liability of all the systems in this state where the state has responsibility, you're talking three or four billions of dollars. That's with a big B. Billions, I said, and when you address this problem you can't do it in a piecemeal manner. I think that the Governor was proper in his action to veto this, and I think that he's had it brought to his attention by the fact that the Bill went to his desk. I disagree with the action of the Senate. I do agree with what the Governor has said and I think that we ought to vote no on this motion and look forward to, I'm sure, next Spring to seeing the Executive Branch and Legislative Branch and the systems getting together and really addressing the problem of funding and set up a long-term, long-range program with perhaps some amateurization over a 20 or 25 year period with some semblance of sanity instead of doing it piecemeal. I certainly would encourage everyone to stay with the Governor and vote no on this override motion."

Speaker Redmond: "Representative Terzich."

Terzich: "I'm really surprised at hearing that statement. These are the same words that have been spoken by other Governors over the years. Again, it is ignoring the facts. I did state that this is just a little drop in the bucket into the ocean. That it does not resolve all of the problems. It is a step in the right direction. Extremely reasonable. Extremely reasonable contribution to resolve this very, very serious problem. We did discuss the funding problem with the present administration. The numbers are astronomical. This is tokenism."



It doesn't resolve the unfunded liability but it certainly is a step in the right direction which is long, long overdue and it's time for the General Assembly to be responsible in its actions. We will again address the unfunded liability problems but this is only the beginning. This is a first step and this is a step that we have to take in the State of Illinois to resolve this most serious problem. And I would urge your support."

Speaker Redmond: "Anything further. The question is, shall Senate Bill 250 pass notwithstanding the veto of the Governor? Those in favor vote aye and oppose vote no. Representative Peters."

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, I would just join with our spokesman on pensions, Representative Ebbesen, in urging resistance to the attempt to override on this Bill and two other Bills that get involved in this. The General Assembly has over a period of time been increasing the amount of our contributions to the various pension funds so that the statistics would indicate that by 1985 in this program that would begin... begun by the General Assembly in 1975, that by 1985 we estimate that our pensions will be funded at 61.8 which is almost 62% of funding. Now the general safe level is considered 2/3 of 66% so we'd really only be 4 percentage points away. Part of the other half of this argument is this; that in view of the balances that we had in the general revenue fund, in view of the fact that we are contemplating here some assistance to county hospital and on that one Bill alone have added some 19 million dollars, it does seem not to make too much sense on our part to take 18 million dollars out of the general revenue fund for purposes we may need, whether those purposes are county hospital or other kinds of programs and just put them away in a bank, so



to speak, when we do have this ten year program going which by 1985 should bring us to a 62. 61.8` level of funding which is very near the safe level of 66, So I would join Representative Ebbesen in urging defeat of this motion."

Speaker Redmond: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I wasn't going to rise until I heard the last speaker. You can throw Members around pretty casually as the last speaker has done. Let me tell you about this...the funding level. The...the percentage at which these funds are funded depends upon the actuarial assumptions that are made with respect to such things as inflation. The actuarial assumptions haven't caught up with the inflation rate, and I think that we're likely to be very much under that level. The Chicago Tribune, in editorializing in favor of the Governor's penny proposal that we just got through passing out of here, chided him for vetoing this Bill. It chided him for vetoing this Bill, so I think that if we really care about making good use of the surplus that we do have and we are only going to be able to give people penny tax relief, that we ought to at least help our state employees and begin making something of the dent in those unfunded pension liabilities."

Speaker Redmond: "Have all voted who wish? Representative Skinner, under my thumb."

Skinner: "Yes, Sir. I rise to support this, because...not because it will give current credit to any politician who is now in office. None of us will benefit from voting for this override, but it's the fiscally responsible thing to do. We heard a lot about fiscally ...fiscal responsibility recently. The money is obviously in the bank. Under anybody's definition there's a 300 million dollar surplus in the Treasury."



At least, if we remember what Comptroller Lindberg gave us as a standard, which was a 200 million dollar balance. Why shouldn't we start fulfilling the promise that our predecessors have not fulfilled? Why shouldn't people who are not ready for retirement, like the Gentleman from Cook who is seated behind who spoke so viciously against this, and myself who am definitely not ready for retirement, why shouldn't we vote for those of our colleagues and other state employees who are closer to retirement? I don't see why not. That's why I'm voting 'yes'."

Speaker Redmond: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, it seems ironic to hear the same people who opposed every pension benefit increase, because we don't have adequate funds from the state or adequate support in assets against liabilities now getting up and saying, 'Well, this is not a big staff. It's not needed. We're close enough to some sort of magic actuarial level.' The opposite of the arguments they've made before. To hear them last year when Bob Terzich and I cosponsored the same Bill. We were told then bring it next year, so Bob did. He passed it. Now, we're told bring it back again next year. It's a completely vicious circle. You tell people they can't have something, because you're not paying for what's there now. Then you turn around and say, 'Now, we are paying for it. We don't need the money.' You can't have it both ways it seems to me. The surplus is there. We haven't done a lot for anyone lately. We ought to be doing something for them now. You can't, as I said, do one thing one day and another the next and expect people to believe that you're consistent. Bob Terzich's Bill is an excellent one. It ought to be put on the books now. It, too, goes in line with all those studies I read about in the Chicago papers that



says we ought to put money in there or the situation's going to be worse in the future. You can afford to put it in there now, and if you don't put it in there now, you're going to have to put more in later."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. Representative Terzich. Representative Terzich."

Terzich: "Yes, Mr. Speaker, like I say that apparently the Governor's analysis...he didn't even know what he was writing about on this. This does not reduce the unfunded liability. This is simply an attempt to stop it from getting any worse, and it's done over a number of period of years. We have such a large unfunded liability it wouldn't even be practical, because the amount of money is too substantial. Now, this is simply a tokenism. It's a step in the right direction. All it says is that whatever benefits the employees have earned, currently, that we pay for them. Not reduce the unfunded liability, but just pay for what we have promised our pensioners, our employees. And, the reason an additional amount of money has been put in this year is because of the unfunded liability continuously and continuously increasing, because government has not met their obligation of at least paying what they...the employees have earned, and this is all the Bill does. It is a small item compared to the overall complex picture. It's been recommended by the Pension Laws Commission, by many, many of the systems. They would like to see more. This is tokenism. Let's give a step in the right direction, and I would urge another three votes to show the people of the State of Illinois and all of our employees that we are going to do something about this very, very serious problem."

Speaker Redmond: "Representative Ebbesen."



Ebbesen: "Yes, Mr. Speaker, if this proposal receives...

mostly receives the necessary votes, I'm going to ask for an Oral Verification."

Speaker Redmond: "I see a lot of seats that are empty, and the lights are pushed here. If we're going to get into a verification, I think we'd better dump this Roll Call and...you have...well, you'd better clear the board, because there's a lot of votes up there that the people aren't here. The question is, 'Shall Senate Bill 250 pass notwithstanding the veto of the Governor?' All in favor signify by voting 'aye' and opposed, 'no'. Please vote only your own switch. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 101 'aye' and 50 'no'. Representative Terzich."

Terzich: "Well, I think there's enough farsighted people to see that this is a worthy Bill, and I would urge a poll of the absentees."

Speaker Redmond: "The Gentleman's requested a poll of the absentees. Mr. Clerk."

Clerk Leone: "Poll of the absentees. Balanoff. Jane Barnes. Beatty. Davis. Donovan. Epton. Ewing. Getty."

Speaker Redmond: "Representative Balanoff."

Clerk Leone: "Kosins..."

Speaker Redmond: "Representative Balanoff, 'aye'. Proceed."

Clerk Leone: "Kosinski. Marovitz. McBroom. Meyer. Molloy. Oblinger. Polk. Preston. Schlickman. Schneider. Schoeberlein. Schuneman. Walsh. Williams. Winchester. And, J. J. Wolf."

Speaker Redmond: "What is the count now? 102 'aye' and 50 'no'. Representative Terzich."

Terzich: "We need a little work done on this, Mr. Speaker. I put it on Postponed Consideration."

Speaker Redmond: "Postponed Consideration. 260. Representative Cullerton."



Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is an appropriation of 508... \$250,000 for...to the University of Illinois Division of Services for Crippled Children. The Governor's veto message...in his message he indicated that he thought this was a supplemental appropriation, and he didn't receive it until June 12, and he only had two weeks to spend it, and, therefore, he had to veto it, because it couldn't be spent in effect...in an efficient manner. It turns out that the appropriation is not a supplemental appropriation and that it can be spent if we vote now to override the veto. So, that is what I'm asking for. It goes to the Division of Services for Crippled Children, which is in the University of Illinois. You may recall we...there was a Bill the Governor also vetoed that transferred the Division of Services for Crippled Children from the University of Illinois, and during that debate it was uncontested that the Division of Services for Crippled Children is one of the most efficient in any state in the Union. The only problem is then that they do not receive enough funding. This is the purpose of the appropriation. Senator Daley worked very hard on this. The Senate has overridden the veto overwhelmingly, especially since it was pointed out that the money can be spent now, and I'd...therefore, I would ask for your 'aye' vote."

Speaker Redmond: "Any discussion? The question is...Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Redmond: "He will."

Brummer: "I was glad to hear the Sponsor say that the University of Illinois Division of Crippled Children has done an excellent job. We had a major four or five last spring with regard to the Bill to remove the



Division of Crippled Children from the University of Illinois jurisdiction. That Bill was, I think, Senate Bill 1314 was totally vetoed. It was overridden in the Senate. I see there is a veto motion pending with regard to that. Is the intention of the Sponsor now to not call that veto motion with regard to 1314?"

Cullerton: "I'm going to call that veto motion. I conceded that the...that the Division of Services for Crippled Children is doing an excellent job. The problem is then that they haven't been able to get enough money. That's why..."

Brummer: "So, if we provide the money here under Senate Bill 260..."

Cullerton: "This is only...this is a small portion. You see, this is a continual problem. I don't want to get into that debate now. I wanted to make..."

Brummer: "Well, my question, I guess, is whether we need to override the Governor's veto on Senate Bill 260 to give the University of Illinois Division of Crippled Children additional funds and then override on 1314 and take away the Division of Crippled Children from the University of Illinois? It seems to be totally inconsistent."

Cullerton: "I don't think it's inconsistent, and I would appreciate your...I appreciate your comments on your support of this Bill being overridden. Thank you."

Brummer: "Well, I'll be glad to support that. I just hope that we then don't remove the Division of Crippled Children from the University of Illinois within the next hour."

Speaker Redmond: "Representative Hallstrom."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Regardless of what happened to the other Bill, and as you know, I am going to ask that the veto be sustained. The most important thing that we have to do is to make sure that funds



are available to fund this important program in the state. As has been said many times it is one of the greatest programs for children in the country and these are young children under six with severely physical handicaps and the money is needed and I urge you to override the Governor's Veto on this Bill."

Speaker Redmond: "The question is, shall Senate Bill 260 pass, notwithstanding the Veto of the Governor? All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 125 'aye' and 13 'no' and the motion, having received the Constitutional three-fifths majority, is hereby declared passed. We're honored with the visit of a former Member, the lifeguard at the kiddie pool at the Mansion View Motel, Senator Keats over there, former House Member. He's closer to his seat now than he ever was when he served in this Chamber. Senate Bill 296. Representative Young."

Younge: "Thank you, Mr. Speaker, I move that the House concur with the Senate's override of the Governor's Veto of Senate Bill 296. Senate Bill 296 would amend the statute setting up the Illinois Housing Development Authority, and require that IDA, as it is called, maintain a branch office in Springfield, Illinois in addition to its central office in Chicago. And there's no question but that there is a tremendous need for housing downstate. This need is in the St. Louis metropolitan area, it's in Cairo, it's in Calhoun County and it's in Polk County and the places South of here. And I ask you to join with me in my motion to override this veto and establish a branch office of IDA in Springfield, Illinois."



Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. This Bill was here a great number of times last spring and finally it did pass and fortunately the Governor did properly veto the Bill. This is a Bill, you may remember, that provides for so-called branch offices of the Illinois Housing Development Authority throughout the state. Originally, it was to be Chicago and Springfield and then there was one in Marion, I think and one in Rockford and one in East St. Louis and all over. It's an absolute unnecessary expenditure of state funds to establish more than one office of the Illinois Housing Development Authority. I'd like to point out that the Illinois Housing Development Authority deals with very sophisticated big builders and rather substantially sized projects. There would be absolutely no reason at all to have two offices to provide all of the support to people and material throughout the state to handle the business that they do. The people who do business with the Illinois Housing Development Authority are fully capable of going to Chicago, where the office is currently held, and dealing with that agency. I commend the Governor for vetoing this Bill and urge all the Members to support his veto and vote against the motion to override."

Speaker Redmond: "Representative Jones."

Jones: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of Representative Younge's proposal for a branch office in Springfield, not for parochial reasons but for service reasons. It could be just an administrator and a secretary as far as that's concerned. They have 83 people in the Chicago office, which takes care of that area but there's none ofr downstate. For example the Scholarship Commission



has an information office here but the main office is in Deerfield, and I believe that it would be of service to the downstate people interested in this in housing projects to have a minimal branch office in Springfield."

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

Telcser: "Mr. Speaker and Members of the House, this Bill is currently on the Spring Calendar. It was considered apparently during the regular Session and may be again rejuvenated next spring as one of the original House Bills. I'd simply like to make the point that there at one time was an office in Springfield from the Illinois Housing Development Authority, and it was closed, because it just didn't have enough activity to warrant that expenditure. It is my understanding, unless someone can tell me otherwise, that IDA deals to a great extent with developers and builders who bring projects to them to see if they are feasible projects for any particular area. I am not aware that IDA is a...an agency that deals with the general public so to speak. And, it is for those reasons, Mr. Speaker and Members of the House, that I think the expenditure of this kind of money, which according to our staff could run as high as \$150,000, would not be productive and would not serve enough of our citizens to warrant that cost."

Speaker Redmond: "Representative Younge."

Younge: "I would like to say in closing that a state appropriation will not be needed...will not be needed to fund this office. The staff for IDA is funded out of project fees...out of project fees and therefore there will be no requests for a state appropriation. The...there is a tremendous housing need downstate and the question is whether or not all of the people of the State of Illinois will have an opportunity to



receive these services of the state by an office being located downstate. Now this isn't a matter that has been really thought of likely. There were hearings held all over Illinois by a subcommittee appointed by the...a House Financial Institution's Committee. The testimony repeatedly showed that there was a need for downstate office. There is a need for elderly housing downstate. IDA has a program, for example, called Loan to Lenders Program and this is a...a program where financial institutions are given money in order to build private housing. The institutions outside of the Chicago are not participating in this program and it is because the program has not been shored up and worked up in other places. I feel confident that if this office is established at the seat of government, at Springfield, Illinois, where it belongs that there will be a tremendous amount of activity in that office by the downstate developers and not-for-profit and limited dividends that have a right to only go to Springfield and not have to go all the way up to Chicago. And for these reasons I ask that you support this matter and vote to override this veto just like the Senate did."

Speaker Redmond: "The question is, shall Senate 296 pass notwithstanding the veto of the Governor? All those in favor vote 'aye', opposed vote 'no!'. Representative Satterthwaite."

Satterwaite: "Mr. Speaker and Members of the House, this is a need for a downstate office because it is extremely difficult to get any cooperation from the Chicago office if you have a downstate project. It is not only a matter of dealing with the construction of the project but there is an ongoing responsibility for that project to submit an annual budget for approval by IDA in order to continue to meet their responsibilities



for their financial obligations. I find that with one of the projects in my particular area it is almost impossible for the people from that project to get cooperation from the Chicago office. They have, in fact, specific people designated to work in geographic areas downstate. It would probably be more feasible if those people were based in a Springfield office to have them travel to some of these projects that are already in existence and help with...help them work with the management in those locations. I think we might find that it really is a money saving venture in the long run because of those travel expenses from Chicago to downstate. And I would urge your support."

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

Gaines: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I know how hard it is when we're in Chicago to get in touch with someone down in Springfield who has to make a decision on something that is happening in Chicago. So I can assume that they have the same problem down here if somebody in Chicago has to make a decision. And frankly, I can't imagine a division of this state government not having an office in Springfield. And that's really all this does is create a Springfield office for a state agency. And so I urge you to vote to create a Springfield office so everything won't be run out of Chicago. Downstate has always claimed that we want to run everything, well now, those of us in Chicago feel that downstate should have just as much input as we do in this department. So I'm asking for the green light. Thank you."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 100 'aye' and 52 'no'. Representative Younge. The Lady requests



a poll of the absentees. Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of the absentees. Beatty. Dawson. Ralph Dunn. Ebbesen. Epton. Garmisa. Greiman. Hallstrom. Hoxsey. Klosak. McBroom. McMaster. Meyer. Malloy. Mugalian. Oblinger. Pechous. Polk. Schoeberlein. Stearney. Totten."

Young: "Mr. Speaker..."

Speaker Redmond: "Representative Totten, 'no'. Representative Young."

Young: "Postponed Consideration."



Speaker Redmond: "Postponed Consideration. Senate Bill 307.
Representative Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I guess if I were to rate legislation that has been developed by the Administrative Rules Committee, this would have to be one that I would consider to have a #1 priority. It's a very important piece of legislation for every Member of this General Assembly. The House and the Senate. I might tell you first that Senate Bill 307 came out on an override motion in the Senate without a dissenting vote, 55-21. And what it does, it gives to each Member of the General Assembly a weapon and a tool that they had never had before. This Bill would initiate a system which has worked well in other states, and in particular, in the State of Iowa, and one of the Governor's objections to it has been his notion that it would violate the separation of powers between the branches of government. Based on the experience that we know happened in Iowa, I believe this same system did not violate the separation of powers and worked, indeed, very well here. I would like to presume upon the time of the House to briefly explain how the system works. The Joint Committee's operation would change very little, except that they would continue to review each Rule...new proposed Rule for a compliance with statutory authority and legislative intent. We would continue to issue an objection of Rules which violated or ignored the intent of the Legislature, and that's very important to each and every one of us. Agencies, in spite of our objections, could still refuse to modify or withdraw their Rules. However, under the procedure Senate Bill 7...307 would establish, agencies which refuse to modify or withdraw their proposed Rules in response to objection by the Joint Committee would face a more serious threat to having their Rules over-



turned by a court. In any court challenge of the agency's Rules, the agency would be required to prove that the Rules were not unreasonable, arbitrar...arbitrary, capricious, or otherwise beyond the authorities delegated to that agency. The agency would then be required to prove to the court that the Joint Committee's objections were wrong. I believe, as do all the Members of the Joint Committee, that this is a fair and balanced approach. Agencies will be more responsive and will change Rules that they do not believe they could defend in court. The Joint Committee's primary function will remain advisory, and, perhaps, the greatest balancing involved in this system is that it would only come into play when an affected individual challenged the agency's Rule in court which, of course, would not be an everyday occurrence. The system is tied directly to the harm done to the public by improper agency Rules. The basis of the Bill is very simply. Rules, which Members of the Legislature, that's you and I, find objectionable, should not be accorded the basic presumption of the validity that courts give and have given to agency Rules. The court would still be, in spite of this Rule, be free to either uphold or overturn the Rule based on the evidence presented. Professor 'Bonfield', an administrative law expert, called this system in operation in Iowa a system that voids the pitfalls of an unlimited Committee veto. You know that I have in the Spring Calendar House Bill 1504 which deals with the Committee veto. That...this...this Bill provides sufficient teeth so as to effectively protect the public against improper agency rule-making, and I think if we're really serious...really serious about establishing our legislative authority relative to agency responses to Rules and their inability on some occasions to respond to the Committee's...the Joint



Committee's objection to those Rules. So, we really have to provide the tool that you and I need to make those agencies responsible to the legislative intent that we, as Legislators, pass relative to legislation governing these agencies. The overall picture, and I don't know that there's an argument in opposition to this other than the fact that we're elected Members of a Body...a legislative Body, and I think we should pre-empt any agency's attempt to avoid and to pre-empt the legislative intent of the statutes that we present here to each and every one of us...the 236 Members of the General Assembly and have those agency Rules prevail. And, I think this is just one more tool that we, as elected Members of a legislative Body, can address ourselves to and make the Joint Committee's objectives and their role in this legislative action more responsible. I urge for all of us to vote to override the Governor's veto on Senate Bill 307 as each Member of the Senate...55 out of the 59 voted without a dissenting vote to override the Governor's veto. Thank you."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Well, thank you, Mr. Speaker. I don't know whether the fact that 55 Senators voted to override what that says other than the fact that once more the Senators proved that it's just wrong on this particular issue. Now, I fully supported the idea of creation... of creation of the Joint Committee on Administrative Rules as it was originally established and which was, and I would quote from the statute, that the Joint Committee shall have advisory powers only relating to its function which is the overseeing of Rules of executive agencies. Now, this Bill, in addition to providing what the Gentleman from Cook has outlined, extends the functions of this agen...of this Commission



...Committee from advisory only to an actual legislative Body. Now, this Commission, I believe, has approximately 20 Members, half of whom are Senators and half of whom are House Members. At one time, I believe, one half or 10 Members of...or 9 Members of this particular Committee constituted a quorum so that 5 could actually conduct business of this particular Committee. I think, if I recall correctly, we did raise the size of the quorum of the...of this particular Committee, but I could...would only point out that it still would be within the power of solely Members of this House or solely Members of the Senate to conduct the powers that this Bill gives to this Committee through a majority vote of a quorum whether it be 10, 11, or 12, or so, one half or one more than one half could actually carry out the powers which are granted to it in this Bill. This Bill purely and simply is a power grab by this Committee of this Legislature, which is attempting to take over the duties of this entire legislative Body, both the House and the Senate...all 236 Members. So, what this Bill seeks to do is to extend the power to this Committee not only to look at, examine, and hold hearings on the advisability of particular Rules of executive agencies, but, in effect, to put a stop to the particular Rules which have been issued by an executive agency through the methods the Gentleman has outlined. That is, by objecting to it and then having the particular executive agency having to prove in court that its particular Rule is proper. Now, it would be the power of this Assembly, acting with the Senate and concurred in by the Governor, to provide that in all cases Rules of executive agencies should be proved to be reasonable and not capricious in a court. But, it should not be the power of a small group of this General Assembly to make that legislative determination. This



is granting to this Committee full legislative powers to affect Rules issued by executive agencies which have the powers of the law, so what we are doing here if we overrule the Gov...or override the Governor's veto is giving a small group of this General Assembly the power, in effect, to enact laws. This is clearly contrary to the proper legislative process. Now, the other question would be whether or not we can delegate authority to a small group of our legislative brethren to make this particular determination, and I would point out that all the Joint Committee has to do to effect...in effect, repeal an executive Rule is to object to it. There is absolutely no criteria in this Bill as to what the objections should be all about. Maybe they think it's too wordy. They object to it, and this would require that the Rule of the executive agency be, in effect, presume to be invalid and have to be substantiated in court. Now, I hold no grief for the bureaucrats of this state or any other state or the federal government, but I do feel that we ought to be very careful when we tinker with the legislative process by granting this type of power to a small group of our Members. I question the Constitutionality of allowing the leg... this group of the Legislature to, in effect, overrule the executive power of this state. It usurps executive power. I think that's improper. I would point out again, and I think if the Constitution and legislative objections are not sufficient, that there is absolutely no criteria at all for the exercise of this power, and I would point out to the Gentleman from Cook that this is un...this Bill is unlike the Iowa law, which I would question the advisability of also. But, it is unlike the Iowa law which clearly sets our criteria that the Joint Committee on Administrative Rules in the State of Iowa must follow when it decides to object to an ad-



ministrative Rule. Mr. Speaker, Members of the House, this is a power grab. It's an attempt, totally, to change the direction that the Joint Administrative Laws Committee has been given in the past to give it actual legislative powers. I object to it. The Governor is absolutely right in overriding the vet...or in vetoing this Bill, and I would ask the Members to sustain the veto and not be swayed by what the Members of the Senate did, who obviously either didn't read the message or didn't understand it."

Speaker Redmond: "Representative Flinn."

Flinn: "Mr. Speaker, apparently the previous speaker doesn't understand the...the Bill, nor does he understand the Governor's veto message. In the first place, this does not give the Joint Committee on Administrative Rules anymore power than they already have, which is advisory. What it does, very simply, is provide a means to go to the third branch of government when the administrative and the legislative branches collide over particular rules or regulations...that they can go to the third branch of government, the judicial, and settle those disputes. That's all in the world the Bill does. It's not anywhere near as tight as the other Bill that was offered which would give the Legislature veto power over the rules and regulations. It's...it is designed to keep those rule and regulation makers from abusing their power, whether it be intentional or otherwise... that at least there's somebody to oversee the rights of the public, and I think we should override the Governor and this veto."

Speaker Redmond: "Representative Telcser."

Telcser: "Well, Mr. Speaker and Members of the House, I share with Representative Yourell his frustration as do most of us with bureaucracies and agencies which create a law via rules and regulations. That doesn't seem fair,



and I agree with him. But, Mr. Speaker and Members of the House, Senate Bill 307, in my judgment, creates an even worse situation. Under the current law, as I understand it, the Committee can notify an agency if it does not agree with the rules or regulations it has promulgated. If the agency persists in its rules and regulations, we, in the Legislature, can enact laws to change what they have done. With the enactment of Senate Bill 307 we're putting into the hands of a few Members of the Commission the right, in effect, to, one, make law, and this could be as few as five Members. But, more importantly, picture this, let us assume that the Bill becomes law, and let us assume that five or six Members of the Committee want to change what an agency has done. That agency will go to court, and the courts will decide what the law ought to be, and we, in the Legislature, will lose completely our ability to take part in the lawmaking process. Now, I don't have to tell you, my colleagues, what a serious problem it's been when the courts intrude into our branch of the government. I've heard over and over again over the years how we should protect the separation of powers, and I, as a Legislator, want to protect the legislative branch of government. And, although Senate Bill 307 may have some appeal, I think anyone who gives this some thoughtful consideration will see that we're not only going to put this in the hands of a few people, as few as five, but most matters could very well end up in the courts, and we will lose completely. We'll lose completely the ability to handle what ought to be a legislative matter, and we'll turn it over to the courts. And, it's for this reason, Mr. Speaker and Members of the House, that I urge the Members to vote 'no' on the Gentleman's motion to override the Governor's veto regarding Senate Bill 307."



Speaker Redmond: "Representative Greiman."

Greiman: "Would the Gentleman yield for a question or two?"

Speaker Redmond: "He will."

Greiman: "Bus, now most of the agencies...well, rather all the agencies have to publish their rules and regulations, don't they?"

Yourell: "That's correct."

Greiman: "So that if I asked for the rules and regulations of an agency, once promulgated, I wouldn't know whether the Joint Committee had objected to the rule or not objected, would I? They're just printed up aren't they?"

Yourell: "Yes, that's right."

Greiman: "All right. Well, on the Bi...on the Bill then. I look at this as someone who might be, were I not here, representing someone in front of an agency and in a court case. And, as a lawyer, it places an incredible burden on a lawyer in defending the right of a citizen. Firstly, you have to go beyond the rules and regulations to find out whether another agency of government approved or objected to the rule. Secondly, you may have a case that involves six rules, five regulations, and you would then find that some of the regulations were approved and some of the regulations were not approved by the Joint Committee. You would have, therefore, a burden of proof that required some to be borne by the ...by the citizen and some to be borne by the agency. It would be a nonsensical way to try a law suit. Now, any lawyer that votes for this Bill has never had a case before an administrative agency. That's the only conclusion that I can make. There may, indeed, be some among the 55 in the Senate, but that's why they're in the Senate, I guess. I associate myself with the... with the brilliant dissection of Representative Leinenweber of this Bill. Representative Yourell has told us that down the road is a Bill that will provide



us with a veto where the legislative Commission will have a veto on the agency of gover...of state government, and then he says this is better than that. Well, I guess that's right, but we call that putting up a strong man where you say this is what you're going to get. You'd better take this one. 307 is probably, at worst, unconstitutional. But, at best, it's ill-advised. It makes impossible the orderly trial...the orderly and intelligent trial of an administrative case before a court of law, and with respect to what Representative Flinn commented it doesn't just throw it into the third branch. It changes the rules in the third branch. It changes the rules and does so substantively, and 307 should...we should sustain the Governor's veto in 307."

Speaker Redmond: "Representative Brummer."

Brummer: "If we're still on 307, I move the previous question."

Speaker Redmond: "The question is, 'Shall the main question be put?' Those in favor indicate by saying 'aye'. 'Aye'. Opposed, 'no'. The 'ayes' have it. The motion carried. Representative Yourell to close."

Yourell: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. The arguments propounded, of course, by the opponents of House...Senate Bill 307 are very obvious. It's a...it's a move that I suppose the Governor does not want to see take place. I think the arguments raised by the...my colleagues who spoke in opposition to it circumvented the issue completely. The Joint Committee does not have any authority to do anything. The Joint Committee's authority remains strictly advisory. If a Member of the public, who has been harmed... who has been harmed by an agency rule, goes to court, then all this Bill does is say that the agency must provide the burden of proof. We, the Joint Committee, the Members of that Committee, do not take this to court. We do not do anything but remain advisory, but



we're providing a tool for the public, if they find they have been wronged, to take their...take their condition and their...have recourse in the courts. Now, to suggest that five Members of the Joint Committee, as one Gentleman indicated, would make a decision is absolutely wrong. There are 16 Members of this Committee. Eight from the Senate; eight from the House. You all know that it takes a majority of those present and voting to make any decision. What we're saying is simply this, we're providing a tool...we're providing an avenue of escape for the public to, if they decide that a rule or regulation harms them in some way, that they do have recourse in the courts, and it's up to the agency who promulgates the rule or regulation, the burden of proof to prove that the rule or regulation was not capricious, that the rule or regulation was not arbitrary and that the rule or regulation was not in the best interests of the public. I can't imagine ...I cannot imagine why any Member of the General Assembly, the House or Senate, would object to this legislation. We're here to satisfy the needs and the demands of the people that we represent. Too often and too long have these agencies...the bureaucrats who represent and serve in these agencies have defied the will of this House, defied the will of the Senate, have adopted rules and regulations. You all know that they have come with Amendments to their enabling Act from time to time and have said when they have been denied the Amendment to their enabling Act, they go back and adopt that...that very Amendment verbatim, word for word as their rule or regulation of the agency. Before the creation of the Joint Committee, before we had any authority in this area, we didn't know what was going on. Today we know what's going on. We review each rule and regulation. We make specific objections to



that rule or regulation, or we do not. We will not file any suits in the courts. We will not do anything but allow the public...a member of the public to have recourse to the courts, and say to the agency, you prove to us why this rule is not capricious, why it's not arbitrary, and why it's not in the best interests of the public. I ask for a favorable Roll Call on Senate Bill 307. It's for your benefit. It's for my benefit, and it's for the people of Illinois."

Speaker Redmond: "The question is, 'Shall Senate Bill 307 pass notwithstanding the veto of the Governor?' Those in favor vote 'aye'. Opposed, vote 'no'. Representative Reilly to explain his vote. Rep...Representative Reilly. Yes, I recognized Reilly."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Representative Yourell's motion. A great deal about nothing has been said about this Bill by the opponents. It simply doesn't do all the horrible things they say. All in the world it does is add a little more weight. In my opinion, perhaps not enough more weight, but a little more weight to the objection that your Joint Committee on Administrative Rules under guidelines you would set up by statutes, and you continue to set up by statutes, very detailed statutes, have with the objections they make. A lot of people come to us on the Joint Committee...a lot of people affected by the rules, and they say to us, 'Can't you do something to make the agencies pay attention to the law you, the Legislature, passed?' All this would do is give us one more little tool, not a great big tool, not a veto, not a major change, but one more tool that would give some additional weight to the objections made on your behalf by the Joint Committee. I would ask for a favorable Roll Call along with Representative Yourell. We should take this small step."



Speaker Redmond: "Representative Stearney."

Stearney: "Mr. Speaker and Ladies and Gentlemen of the House, now I rise in support of this measure. I think it's one of the more significant pieces of legislation that has been introduced this year. The reason being is that you are talking about allowing the Legislature to, once again, reassert its Constitutional responsibility and that is to legislate. Too long we have advocated... aggregated our responsibilities in allowing agencies to promulgate rules...promulgate them far more in excess in numbers than any Legislature can ever do. On the national level there is a movement afoot to abolish agencies, to once again allow free enterprise to work, and there is much talk about agency rules, regulations contributing to the significant inflation rate in our country. During this, reasserting the Cons...the Legislature's power to legislate will bring these departments under the control of the Legislature. Remember, people who have vested interests cannot lobby with departments. They can only lobby with the Legislature, and that is where the power should be. If we are going to choke and stifle business and individuals in our state, then it should be the Legislature that should do that...that untasteful, distasteful deed, not allow department heads, bureacracy... bureaucrats to do such a matter, and I commend the Gentleman on the other side of the aisle. He has spent a lot of hours and many days and many months in this particular...in this area, and I think all Republicans should support this endeavor, because what we are trying to do is to grant, once again, to business and individuals in our state the right to do business without being stifled by bureaucracies who are promulgating rules without every giving attention to any... to what disabling or debilitating effects they may have



on an individual or business. Bus Yourell should be commended, and I think we should pass this piece of legislation. Like I said this is one of the more significant pieces of legislation ever introduced. I urge an 'aye' vote. Thank you."

Speaker Redmond: "Representative Johnson."

Johnson: "If you look at...particularly at publications of the American Bar Association, the Illinois Bar Association, and others and general observations on what direction we're headed in this country at all levels, one of the common threads that runs through those publications and commentaries is that the breakdown, the separation of power due to the growth of administrative agencies is being eroded, that the power lies no longer in the executive branch or the...the judicial or legislative branch, but in the hands of the bureaucrats. This Bill...it's not a perfect Bill, certainly goes a long ways towards accomplishing what the Members of this House and the Senate have said for a long time, and that is that the integrity of the legislative branch is at stake, and that we're slowly having our prerequisites as Legislators and as a co-equal third branch of government eroded, and I urge you, whether for that reason or for simply the reason that business and other entities in our society are too hamstrung by legisla...or by administrative agencies, to vote 'yes' on this very good Bill of Representative Yourell."

Speaker Redmond: "Representative Borchers."

Borchers: "Mr. Speaker, I'd like to tell you an experience that I had with the...with Bus Yourell representing me or his Committee representing me just a short time ago. The Department of Children and Family Services, when they found out I was asking the names of all the licenses of foster homes and the foster parents in my area, put out a ruling the very next day. And, it was



80-1 something or other, but they put out that ruling the very next day without a hearing, without any... without any right, without any effort on my part to be able to defend it, and Representative Yourell and his Committee went to the agency, and I haven't heard the results as yet, but I know by the letter I received from him that they were fighting my cause based on the fact that the licensing of foster parents was a...an act that I had and we all have a right to know their names. So, this agency was clearly violating the rules. They took issue with what I was doing immediately. Now, I don't intend to go any further upon the matter, but I intend to support it because of my own knowledge of the attempt of the bureaucracy to destroy what I was trying to do in checking on the children."

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

Leinenweber: "If this does go over the top, I want a verification."

Speaker Redmond: "Representative Vinson. Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. I'd just like to add my comments in support of this as well. Time and time again we're trying to pass sunset legislation which would terminate some of these unnecessary Commissions and even some of the agencies. Now, we have an opportunity to give the public the right to cut through some of the red tape. At least, they'd have the opportunity of coming to us and hoping that maybe we'd have...they'd have our ear, because we're subject to their votes, and if we can at least get the votes and take care of these administrative rulings, which are just obnoxious in many cases and unthought out from the little bureaucracies of government, we'll be doing a better job for the people we're supposed to represent."



Speaker Redmond: "Representative Katz."

Katz: "Mr. Speaker and Ladies and Gentlemen, I'm against bureaucracies, big and small, whether in the...in the Governor's office or whether in the Legislature. I do believe that the Joint Committee has ample power. If it feels that an agency is exceeding the power, they can sponsor legislation here, which legislation can curb the agency. But, to say that if the agency is taken to court, that the burden of proof is not on the plaintiff who sues the state, but on the state to disprove the ...what the plaintiff has to say, totally changes the burden of proof that has existed in our courts for a long period of time. It, indeed, does place the burden the wrong way. I am opposed to this incursion upon the powers of the Governor. I think the Governor is very important in our Constitution. I hope we'll have a Democrat there pretty soon. I think the Governor's powers ought to remain. They are needed, and that the Joint Committee can come with us and propose legislation if they believe that an agency is not moving properly, and so I'm going to vote 'no'."

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

Skinner: "Well, I think the argument of the previous speaker... speaker...speaker...whatever belies his real position. He obviously is a big government person. He's on the side of the tax eaters, and this is the year of the taxpayers, even though this General Assembly doesn't quite understand it yet. What we're saying here is that the agency is going to have to prove that its regulation makes sense. Now, let me give you an agency that can't prove its regulation makes sense. The United States Environmental Protection Agency, and it's a rule on the use of barium in drinking water. The USEPA, out of... with no scientific evidence whatsoever, established a



rule saying you can't have one...more than one part per ...per milli whatever the...whatever it is. One milli-gram per liter, that's what it is...of barium in water if it's going to be drunk in Illinois. The only thing is they have no scientific backing for it, and the Legislative Council, John Allen...Dr. John Allen, our PhD in physiology has proven this in a paper that has been published by the Legislative Council. The USEPA took a dive last. They refused to attend a public hearing in Rosemont to justify their standard, because they can't justify the standard, and the Illinois EPA has been enforcing this for the last, you know, ten years or so. There's no reason to give the benefit of the doubt to the bureaucracy ever, and if you believe there is, perhaps you should resign and ask for an appointment in the executive branch. Then you can defend the executive branch. I noticed most the people opposing this are lawyers. Maybe this is going to be such a mind-wrenching change that they'll have to go back to law school and have to learn what burden of proof means again. I don't know what the real reason for opposing it is, but there's no reason a Legislator should oppose it. This is a branch question. If you believe that the legislative branch ought to, perhaps, gain some potency, which it hasn't shown much of recently, I think you ought to vote to override it."

Speaker Redmond: "Anything further? The Clerk will take the record. On this question there's 111 'aye' and 46 'no'. Representative Leinenweber requests a verification of the Affirmative Roll Call. Representative Yourell requests a poll of the absentees. Representative Johnson. Representative Johnson be verified? Hearing no objection, Representative Grossi. He requests to be verified. Representative Macdonald requests to be verified. Representative Gene Hoffman. Wait a minute now. Everybody's



objected to. Poll the absentees."

Clerk O'Brien: "Poll of the absentees. Epton. Friedrich. Hudson. Marovitz. McBroom. Oblinger. Polk. Schneider. Schoeberlein. Stanley. And, J. J. Wolf."

Speaker Redmond: "J. J. Wolf. You raised your hand, Representative Wolf. What does that mean? He desires to be recorded as 'no'. Representative Garmisa has an appointment with the nurse in the first aid station. May he be verified? No objection. You just go right ahead, Sir. Representative Leinenweber has requested a verification of the Affirmative Roll Call. Proceed, Mr. Clerk."

Clerk O'Brien: "Alexander. E. M. Barnes. Beatty. Birkinbine. Bluthardt. Borchers. Bower. Bradley. Brummer."

Speaker Redmond: "Representative Yourell."

Yourell: "I do not want to presume upon the time of the House. This measure is going to pass, but it won't pass tonight because of the absenteeism, and we can call it tomorrow, Representative Leinenweber, if that's your pleasure. And, if that's your wish, we'll get the votes, Sir."

Speaker Redmond: "Well, is that... Are you requesting it postponed consideration? Postponed consideration. Representative Matijeovich."

Matijeovich: "Mr. Speaker, somebody mentioned tomorrow, and with due respect to the Chair, and I know how you are really trying to help the Members by calling their veto motions tonight, I...I look around me, and I don't think they're going to be helped, and it's not our fault...the ones that are here. And, I just wonder if we are not hurting the Membership that is here by being here tonight and go with tomorrow whatever happens, do or die, and let's do it tomorrow instead of tonight. And, I do that respectfully, Mr. Speaker. Is that out of...way out of line or not?"

Speaker Redmond: "Well, I think... Why don't we go to reduction



vetoos that don't require quite so many people and see where we go? I think I want to give every Member a chance to be heard. I may...may be their reelection. On reduction veto motions, Senate Bill 590. Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker, I'd like to move that the House concur with the Senate to restore, under Senate Bill 590, the reduction of the Governor notwithstanding...it's page 4, line 17. And...it...the Governor did amend several items here but the Senate saw fit to override in the amount of something like around four hundred and some thousand dollars and it relates to the Gateway Program. And, with that in mind, Mr. Speaker, I...on this particular subject there are some House Members who are much more familiar with the situation as far as Gateway is concerned. I would like to have Representative Dan Pierce, if he's in the Chambers, if he would address himself to this particular subject for the benefit of the House so that they can make an intelligent decision prior to casting their vote."

Speaker Redmond: "Representative Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, there is no real reason to belabor this, I agree with the Gentlemen from DeKalb that the restoration made by the State Senate of the Governor's reduction veto on this one item is good, it's valid and we should in turn confirm it. It was a bipartisan effort in the Senate, headed by Representative...Senator Grotberg. I understand the Dangerous Drug Commission is not seriously opposed to this and if we restore this item they will release the funds. It's for the operating budget of the Gateway Foundation which is probably the most successful drug rehabilitation program in the United States. It's a drug-free program. They don't use methadone or any drug treatment whatsoever. They operate here in Springfield, they operate in Chicago,



they operate in Lake County and Lake Villa. It's a successful operation and I think many people here are familiar with it. And, therefore, I support this motion of the Gentleman from DeKalb to restore the item that the Senate restored that appears on our Calendar under Senate Bill 590."

Speaker Redmond: "Any further discussion? The question is, shall the House concur...in...the Senate by concurring restoring the reduced item of appropriation on page 4, line 17 of Senate Bill 590, that it be restored to its original amount notwithstanding the reduction of the veto of the Governor? All in favor vote 'aye', all opposed vote 'no'. Right now. Have all voted who wish? It requires 89 votes. 89 votes. (foreign) Have all voted who wish? It looks like it. Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, in explaining my vote, as Representative Pierce pointed out to you, this is one of the...really one of the most successful programs, not only in the state but probably the midwest and the nation. And it just... they have made efforts to actually reduce the size of the operation. I know they eliminated fifteen beds at the Springfield facility, twenty beds in the Lake County and another fifteen at the northwest side of Chicago but there is still currently in the program two hundred beds. And even with the inflationary costs and what have you, the...this money is absolutely needed to fulfill the state and so forth. And I think there's 90 votes up there and nobody is too excited that."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 99 'aye' and 45 'no'. The motion having received the Constitutional Majority prevails and the item on page 4, line 17



of Senate Bill 590 is restored to its original amount notwithstanding the reduction veto. Mr. Clerk, do you have a Resolution? Jones 'aye'."

Clerk O'Brien: "House Resolution 532, Ryan, et al, Whereas, today is the fiftieth anniversary of the birth of our esteemed colleague, Jacob John Wolf, as Whereas, that anniversary is certainly an important milestone in his life, and Whereas, he has dedicated that life to public service beginning with his service in the U.S. Navy and later in the U.S. Coast Guard Reserve, and Whereas, he has served honorably as a Member of this Body for six terms guiding the Membership first as an expert in the area of pensions and more recently as spokesman on the House Appropriations Committee. And whereas, in addition to that expertise he brings to this Body a very healthy sense of humor and whereas Jacob John Wolf is a staunch supporter of the Republican Party, which alone illustrates another of his fine qualities, that of optomist and whereas Jacob John Wolf is an avid outdoorsmen who will hunt anything except an elephant and catch any fish, even a carp. And whereas his great nautical knowledge, and dedication to a strong national defense has made him the champion of the state's naval malitia. And whereas, the Wolf family includes his lovely daughters and a wife who shares their beauty in his dedication to public service and understands the plight of the modern day legislator. Therefore, be it resolved by the House of Representatives of the Eighty-First General Assembly, the State of Illinois, that we, the Members of this august body wish our friend and colleague, Jacob John Wolf, the happiest of birthdays and be it further resolved that we congratulate our colleague, Representative Jacob John Wolf, for making it to the half century mark and wish



him health and happiness during the next 50 years and the 50 years after that. And be it further resolved that a suitable copy of this Resolution and Preamble be presented to Representative Wolf in honor of his birthday."

Speaker Redmond: "Leader of the Wolf pack, Representative Ryan."

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. That was the third Resolution that we had drafted this afternoon before we could come up with one. There was too much humor in the first two. I said to Representative Collins, when you get to be 50 years old, there's nothing funny about that and he said he certainly agreed with me. Jake, we want to wish you a happy birthday and would ask for the adoption of the Resolution."

Speaker Redmond: "Representative Brummer, are you seeking recognition?"

Brummer: "Yes, Mr. Speaker, I want to be fair to the Members who are not here, they don't have an opportunity to hear this and many of us have... I'm glad to wish Jake Wolf a happy birthday, although we have some type of rule that precluded this type of Resolution. Many of us have been here all day, some of us are not here and I guess I question whether the rules apply to everyone and particularly those who are not here, they don't even have an opportunity to hear this good Resolution."

Speaker Redmond: "Representative Ebbesen, do you desire to lead the happy birthday song? Representative Wolf. Before the adoption of the Resolution? Maybe you'd better wait. The question is on Representative Ryan's motion to adopt the Resolution. Those in favor say 'aye'; 'aye', opposed 'no'. The 'ayes' have it. Verified Oral Roll Call. The 'aye's have



the motion is adopted...the Resolution is adopted.
Representative Wolf."

Wölf: "Well, I'm glad that we're spared the singing of Happy Birthday, this is the first time I've had a birthday when we were in Session. My years down here, when I came down here as a youngster in 1967. I've been told that Virge Wikoff is down here all the way from Huron and John Birkinbine said I didn't look a day over 49. We've got a nice cake and I'd invite all the Members to share it with me. Thank you."

Speaker Redmond: "Shall we try Senate Bill 418...318 for Representative Wikoff, réduction veto? Maybe this is 89 and then maybe this ought to be the end of the road. Representative Catania, did you send out for your dinner? Senate Bill 318. Representative Wikoff."

Wikoff: "Thank you, Mr. Speaker. I always did like to live dangerously and looking around here this may be a dangerous trip but let's run with it anyway. The... In order to save the...a little bit of time, if we might, I've filed two motions. One on an individual line basis and one is a motion in total. And with leave of the body maybe we could take it in total rather than on an individual line basis. Basically, what this does, it restores the money to the various state universities retirement systems and it effects Chicago State, Eastern, Governor's State, Northern, Sangamon State, Central Office of the Board of Regents, Board of Trustees, Southern Illinois, Board of Trustees, University of Illinois and the total amount, it varies from unit to unit, from three thousand up to a million and a half, the total amount of 3,834,000. Be happy to answer any



questions. I hope nobody asks too many. Looks like we got one over there."

Speaker Redmond: "Does the Gentleman have leave to have all of these items considered in one vote? Hearing no objection, the question is, shall the reduced item of appropriations on page one, on line 16, 17, 18, 19, 20, 21, 26, 27, 29 be restored... no, no, no. And the item on page two, line 1, 6, 18, and 23 be restored?"

Wikoff: "You forgot 17, Mr. Speaker, on page two."

Speaker Redmond: "17?"

Wikoff: "On page two."

Speaker Redmond: "You don't have that on here. You have 17 on page one."

Wikoff: "Beg to differ. Page two, line 17, Illinois Community College Board. According to what's in..."

Speaker Redmond: "Well, that's what's in here but the written motion that I have here... well, we put it in there? There's two... in page two, line 17. Be restored to there original amount notwithstanding reduction of the Governor. All in favor signify by voting aye, oppose by voting no. Yeah. Have all voted who wish? Have all voted who wish? Representative Peters."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, I reluctantly rise in opposition to the motion made by my friend and colleague from Champaign, but Senate Bill 318 is in a sense a companion to 250, Senate Bill 250, which the House, at any rate to this point, did not concur in overriding. The total amount in those two Bills is over some 18 million dollars and the purpose of those Bills, again, is to add money to the particular pension funds in an attempt to bring them up to a new kind... or a higher level. The same arguments I made on 250 pertain to this Bill in that this Legislature, since 1975, has consistently and in an orderly manner increased the fundings of this program to the point where it is



estimated by 1985 the funding degree will be at 61.8%. I think we ought to consider whether we want to take some 18 million dollars out of the General Revenue Fund and add it to the various retirement programs. If we end up doing that, let us also keep in mind that, up to this point and including this, we will have overridden somewhere near 74 million dollars. Now if you're talking 74 million dollars and you're talking additional tax relief that 'surplus' of whenever it comes down to about that 300 million is almost 1/3 gone on the override. There just is not going to be enough money there to do all those things. Now, you make your judgement one way or the other but you can't have it two ways."

Speaker Redmond: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, apparently, this is, in a way, a companion to 250 and I make the same arguments here as I did in behalf of Representative Terzich's Bill, but only moreso. Because the university system of all the state supported systems only recently has been put in the posture being funded in this same way at the same pay out level using the same definitions for pay out. And really, as I said before, if we are to look at the real situation in these cases where we are forced to look at new benefits in a period of inflation, we can't have it both ways. We can't argue on one hand that we can't give people benefits because there's inadequate funding and turn around and say we're not going to put the money in there. We have the where with all financially no' to put the money in there. We're not talking about the full 18 on this Bill, we're talking about, I believe, a 3.8 million dollars. This is a system that needs to be put on its feet and as I said only recently has been put in the same posture even as the other systems. Representative Wikoff's motion is indeed one that ought to be supported



by everyone on this floor who really believes that we ought to be fair about meeting our constitutional and legal obligations to fund these systems. This is not a great amount of money and it can be afforded."

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

Wikoff: "Thank you Mr. Speaker. I can count. I learned that a long time ago and looking around here I don't think there's even 89 votes in the room, and I would ask for postponed consideration then I'd like to follow up with the motion we adjourn since I don't think we've got a quorum."

Speaker Redmond: "Postponed..."

Wikoff: "Let's just take it out of the record then."

Speaker Redmond: "Out of the... Representative Brummer. Out of the record."

Wikoff: "Out of the record."

Speaker Redmond: "I'll take it out of the record. Representative Peters."

Peters: "Mr. Speaker, it should be postponed consideration."

Speaker Redmond: "Do you object to taking it out of the record?"

Peters: "I don't object to postponed consideration, but I object to taking it out of the record. I mean, we have followed that to this point and let us continue it."

Speaker Redmond: "Okay. You're right. It's postponed consideration then. The program tomorrow is we will start in on the total veto motions where we left off today which 310, will be the first one. That's Representative Lechowicz. We will go through those and we'll try to reach everybody's motion. While we have to address ourselves to those Bills that are on House Bills, Third Reading, the two usury Bills. We have to do those tomorrow. The plan is to adjourn tomorrow, be back next week, Perfunctary on Tuesday and Regular Session on Wednesday and Thursday. They



tell me probably at 4:00 on Wednesday. They tell me that the Senate is going to send these Bills to Committee and have Committee hearings. So what we can anticipate from the Senate is probably going to be the usual surprise that we get from the Senate. But that's the program. Be in at 10:30 tomorrow. I will start promptly at 10:30, and if you don't have enough votes on there please blame your colleagues, don't blame the Speaker. Representative Friedrich."

Friedrich: "Mr. Speaker, I was going to suggest we call the Bills that are being handled by our absent brothers and then tomorrow they'd be last on the list. The rest of us are here."

Speaker Redmond: "Well, I think we'll try it that way and see what happens. I don't want anybody to be defeated because the motions did not get called. Representative Giorgi. Do you have a motion?"

Giorgi: "Mr. Speaker, I request unanimous consent for the recording of the change of votes for many of the Members on both sides of the aisle. None will change the outcome. I request unanimous consent."

Speaker Redmond: "The motions are on file with the Clerk's Office. Is there any objection? What are they? Objection has been raised and if you'll listen to the direction of this chamber, for heavens sakes let's get rid of this changing of votes pretty soon. It's an absolute monstrosity. Well, Jones objected. Representative Peters."

Peters: "No, I... Representative Jones' objected."

Speaker Redmond: "He objected, yeah. Representative Jones objected, yeah. Okay. Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate's passed a Bill of the following title and passage of which I'm instructed to ask concurrence of the House of Representatives



to wit: Senate Bill #1441 passed by the Senate October 31, 1979 by 3/5 vote. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker.. directed to inform the House of Representatives the Senate's adopted the following Senate Joint Resolutions, the adoption of which I'm instructed to ask the House of Representatives to wit: Senate Joint Resolution #74, action taken by the Senate October 31, 1979. Kenneth Wright, Secretary."

Speaker Redmond: "Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 1441, Flinn. A Bill for an Act to amend Sections of an Act creating the Commission on Economic Development. First Reading of the Bill."

Speaker Redmond : "Representative... Announcements. Representative Pierce."

Pierce: "Mr. Speaker, the Subcommittee on Nuclear Safety of the House Environment and Energy and Natural Resources Committee will reconvene at 9 a.m. tomorrow morning in Room 114 on the nuclear safety Bills that are in Interim Study Calendar. I also have another announcement. I've been asked to announce that the Democrat Task Force on tax and spending limitations will meet in the Governor's Office immediately upon adjournment for instruction." Thank you."

Speaker Redmond: "Would you repeat that, Representative Pierce?"

Pierce: "In the Governor's Office where Samantha will gives us our instructions on the... for the Democratic Task Force on tax and spending limitations. We may take another quarter set-off somewhere along the line."

Speaker Remdond: "Representative Giorgi."

Giorgi: "Mr. Speaker, I move that we adjourn till 10:30 tomorrow morning. 10:30."

Speaker Redmond: "We need perfunct for about five minutes and Representative Giorgi moves that after perfunct that



stand adjourned until 10:30 tomorrow. Those in favor indicate by saying 'aye'. Aye. Oppose 'no'. The ayes have it. Motion carried. House satnds adjourned and Regular Session till 10:30 tomorrow morning. Now, the Third Special Session, Representative Giorgi moved to recess till noon tomorrow. That correct?"

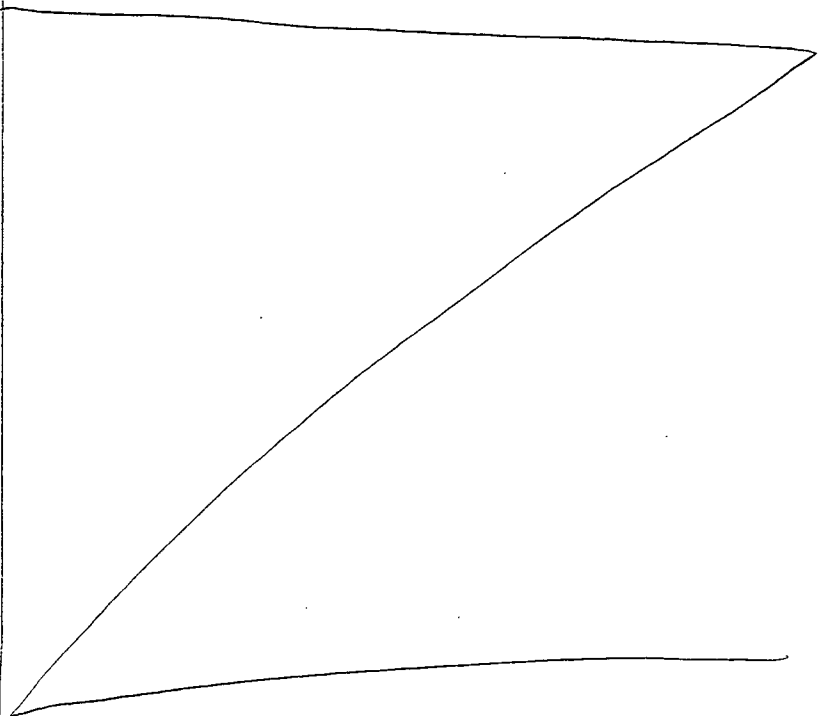
Giorgi: "Move to recess till noon tomorrow, yes."

Speaker Redmond: "Moves that we adjourn till tomorrow at noon on the Third Special Session. Those in favor say 'aye'. Aye. Oppose 'no'. The ayes have it. Motion carried. Third Special Session adjourned till noon tomorrow."

Clerk O'Brien: "Introduction, First Reading of Bills.

House Bill 2831, Donovan. A Bill for an Act making an appropriation to the Department of Agriculture to be used in conjunction of federal grant money and county funds for the purpose of conducting county soil surveys. First Reading of the Bill.

Clerk continues on page 253.



HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 47

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least six months after the adoption of this resolution, a proposition to amend Section 5 of Article IV of the Constitution to read as follows:

ARTICLE IV
THE LEGISLATURE

SECTION 5. SESSIONS

(a) The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous body during the term for which members of the House of Representatives are elected.

(b) The Governor may convene the General Assembly or the Senate alone in special session by a proclamation stating the purpose of the sessions, but not limiting the special session to the consideration of any specific bill or bills; and only business encompassed by such purpose, together with any impeachments or confirmation of appointments shall be transacted. Special sessions of the General Assembly may also be convened, subject to the same restrictions, by joint proclamation of the presiding officers of both houses, issued as provided by law.

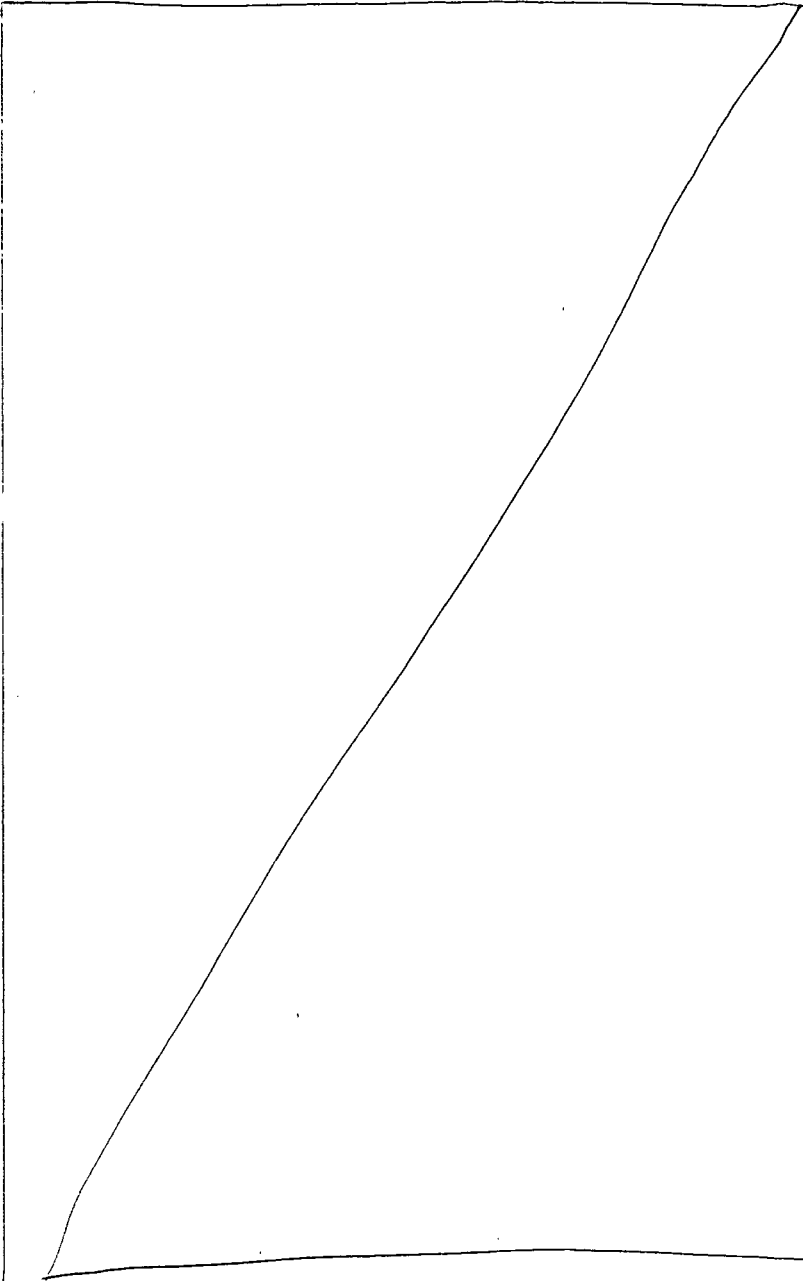
(c) Sessions of each house of the General Assembly and meetings of committees, joint committees and legislative commissions shall be open to the public. Sessions and committee meetings of a house may be closed to the public if two-thirds of the members elected to that house determine that the public interest so requires; and meetings of joint committees and legislative commissions may be so closed if two-thirds of the members elected to each house so

determine.



SCHEDULE

This amendment takes effect upon its approval by the electors of the State. First Reading of the Constitutional Amendment. No further business. The House now stands adjourned."



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