

STATE OF ILLINOIS
82ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

46th Legislative Day

May 19, 1981

Speaker Ryan: "The House will come to order and the Members will be in their seats. Our Chaplain for today is Rabbi March from Temple Isreal of Springfield. . Rabbi."

Rabbi March: "Lord, Our God, in humility and gratitude we acknowledge your gifts of life and health, love and friendship, of food to nourish the body, and knowledge to sustain the soul. As we contemplate your universe, we stand in awe at its vastness and its beauty, above all at the complex and intricate network of relationships between all of Your creatures and their environments, and our world of human affairs, too. We depend upon each other. New means of communication and transportation have reduced the dimensions of our world. Our actions and our decisions have consequences which touch the lives of countless others, especially here in these chambers. Decisions are made which affect the welfare of millions of citizens. Help us, Lord God. Guide us with your gifts of wisdom and courage to fulfill the responsibility that is ours to resolve the weighty matters that must be decided according to the best lights of mind and conscience, for with You is the source of life. In Your light do we see light. Amen."

Speaker Ryan: "Thank you, Rabbi. Representative Barr, would you led the Pledge this morning?"

Barr et al: "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 Ryan: "Roll Call for Attendance. Representative Wolf, do you seek recognition?"

Wolf: "Yes, Mr. Speaker. While we have a little lull here in the activity, I know tonight is the Soul Food Soiree, and I would like to remind the Members that next Tuesday is the

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German American Legislative Dinner, and if you haven't gotten your tickets yet, I have some here as do Representatives Leinenweber, Bluthardt, Collins, Schneider, Schraeder, and Pechous. And that will be next Tuesday, and we'd appreciate it if you'd get your tickets now. Thank you."

Speaker Ryan: "Representative Collins."

Collins: "Well, Mr. Speaker, you notice from the list that Representative Wolf just read off that they had to get an Irishman in the...in the act to dress it up a little bit. But I do have tickets like these krauts, and I would be happy to sell them to anybody that wants to come over here."

Speaker Ryan: "Take the record, Mr. Clerk. Representative Madigan."

Madigan: "Request a verification of this Roll Call."

Speaker Ryan: "The...with 173 Members answering the Roll, a quorum of the House is present. Representative Madigan asks for a verification of the Roll Call. Now, Representative Madigan, we can dump this one and start over if that is what you'd like to do. You want to take the time to verify everybody. Is that it?"

Madigan: "Mr. Speaker, it is ludicrous for you to ask for this side of the aisle to cooperate with you on anything. Ludicrous, Sir."

Speaker Ryan: "That isn't what I asked you, Representative."

Madigan: "I am giving you the answer that is on the minds of the Members on this side of the aisle."

Speaker Ryan: "Alright, verify the Roll Call. Representative Friedrich."

Friedrich: "Mr. Speaker, since this is such an unusual request from the Minority Leader, I think someone...he should indicate whether that is the tenor of his intentions today

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to use all the dilatory tactics possible to delay the deliberations of this House."

Speaker Ryan: "Representative Telcser."

Telcser: "Well, Mr. Speaker, in order that we may expedite the flow of business, I would like to ask that perhaps we have an Oral Attendance Roll Call, if that would help the Minority Leader ascertain whether or not the Members who are on the Roll Call are here."

Speaker Ryan: "I think that is a good idea, Representative. Mr. Doorkeeper, Members in their seats. All unauthorized people, secretaries, staff, off the floor. Lock the door. Don't let anybody out. Members in only. Proceed, Mr. Clerk."

Clerk Leone: "Abramson."

Speaker Ryan: "You have to press your button. Stand up and announce your presence, and press your button present, will you please?"

Clerk Leone: "Ackerman, Alexander, Alstat..."

Speaker Ryan: "Representative Vinson."

Vinson: "Well, Mr. Speaker, I think if Mr. Madigan wants the Roll Call verified, he should be in the chamber to observe that process. Don't you?"

Speaker Ryan: "He is. In the center aisle. Proceed, Mr. Clerk. Representative Brummer."

Brummer: "Yes, I think on an Oral Verified Roll Call, it is the obligation of the Speaker to see that the individuals are there, not the person requesting the Oral Verified Roll Call anyway."

Speaker Ryan: "Proceed."

Clerk Leone: "Balanoff, pass. Barkhausen. Barkhausen votes present. Barnes present. Bartulis present. Beatty present. Bell present. Bianco present. Birkinbine present. Bluthardt present. Boucek present. Bower

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present. Bowman present. Bradley. Bradley 'pass'.
Braun. Braun 'pass. Breslin present. Brummer present.
Bullock present. Capparelli, present. Carey present.
Catania. Catania passes. Chapman present. Chirstesen.
Christensen passes. Collins present. Conti present.
Cullerton present. Currie present. Daniels. Daniels
present. Darrow."

Speaker Ryan: "Representative Darrow, for what purpose do you arise?"

Darrow: "I am not speaking to delay the process. I am concerned about the Members, both the Republicans and Democrats who are in their offices across the street. If they come over at this point, are the chamber doors locked? Will they be able to get in?"

Speaker Ryan: "No, I announced that that was only to keep those of us that are here here, and to let any Member in that comes to the door."

Darrow: "My second questions is if someone comes later in the day, will they be able to get on this in order to collect their per diem? And I ask this not just for the Democrats but both Parties."

Speaker Ryan: "This is an Oral Verified Roll Call, Representative. I don't know now we can do that."

Darrow: "Alright, thank you."

Clerk Leone: "Darrow present. Davis present. Deuchler. Deuchler passes. Deuster present. DiPrima present."

Speaker Ryan: "Representative DiPrima, did you want to be recorded as present? Well, push your button before you take a walk, would you please?"

Clerk Leone: "Present. Domico. Domico absent. Donovan. Donovan present. Doyle. Doyle present. Jack Dunn present. John Dunn. John Dunn absent. Ralph Dunn present. Ebbesen. Ebbesen absent. Epton. Epton absent. Ewell present."

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Ewing present. Farley present. Fawell. Fawell present.
Findley present. Flinn present. Virginia Frederick
present. Dwight Friedrich."

Speaker Ryan: "Representative Friedrich. Friedrich present."

Clerk Leone: "Garmisa. Garmisa absent. Getty present. Giglio
present. Giorgi present. Greiman present. Griffin
present. Grossi present. Hallock present. Hallstrom
present. Hanahan. Hanahan absent. Hannig present.
Hastert present. Henry. Henry absent. Hoffman present.
Hoxsey present. Hudson present. Huff. Huff absent.
Huskey present. Jackson present. Jaffe present. Johnson.
Johnson absent. Jones present. Kane present. Karpel
present. Katz present. Keane present. Jim Kelley
present. Dick Kelly present. Klemm present. Kociolko
present. Koehler present. Korniwicz present. Kosinski
present. Krska. Krska present. Kucharski. Kucharski
absent. Kulas. Kulas absent. Kustra present. Laurino.
Laurino absent. Lechowicz. Lechowicz absent. Leinenweber
present. Leon present. Leverenz present. Levin present.
Macdonald present. Madigan present. Margalus absent.
Martire present. Matijevich present. Mautino present.
Mays present. McAuliffe. McAuliffe absent. McBroom.
McBroom absent. McClain present. McCormick. McCormick
present. Barr present. McGrew."

Speaker Ryan: "Representative Johnson. Record Representative
Johnson as present."

Clerk Leone: "Johnson present. McGrew. McGrew absent. McMaster
present. McPike present. Roland Meyer present. Ted Meyer
present. Miller present. Mulcahey present. Murphy.
Murphy absent. Neff present. Nelson present. Oblinger.
Oblinger absent. O'Brien present. O'Connell present.
Ozella present. Pechous present. Peters present. Piel
present. Pierce present. Polk present. Pouncey present.

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Preston present. Pullen present. Rea present. Redmond."

Speaker Ryan: "Representative Redmond...present."

Clerk Leone: "Reed present. Reilly present. Rhem present. Richmond present. Rigney present. Robbins. Ronan present. Ropp present. Saltsman present. Sandquist present. Satterthwaite present. Schneider present. Schraeder."

Speaker Ryan: "Representative Schraeder."

Schraeder: "Mr. Speaker and Members of the House, I want to be recorded on this Roll call for purpose of attendance only. Last night I was erroneously denied my Constitutional rights to represent my constituency."

Speaker Ryan: "You're out of order, Representative. Proceed with the Roll Call."

Clerk Leone: "Schraeder present. Schuneman present. Slape present. Irv Smith. Irv Smith absent. Margaret Smith present. Stanley. Stanley absent. Stearney present. Steczo present. E.G. Steele present. Stewart present. C.M. Stiehl present. Stuffle present. Swanstrom present. Tate present. Telcser present. Terzich. Terzich absent. Topinka present. Tuerk present. Turner present. Van Dwyne present. Vinson present. Vitek present. Watson present. White. White absent. Wikoff present. Winchester present. J.J. Wolf present. Sam Wolf present. Woodyard. Woodyard absent. Younge present. Woodyard present. Yourell present. Zito present. Zwick present. Mr. Speaker."

Speaker Ryan: "Present. Have we completed the Roll Call, Mr. Clerk? Would you go back now and pick up...call the names of those that missed the first time around?"

Clerk Leone: "Balanoff present. Bradley. Bradley absent. Braun. Braun absent. Catania present. Christensen present. Deuchler. Deuchler absent. Domico. Domico

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absent. John Dunn. John Dunn absent. Ebbesen. Ebbesen present. Epton. Epton absent. Garmisa. Garmisa absent. Hanahan. Hanahan absent. Henry present. Huff. Huff absent. Kucharski. Kucharski present. Kulas. Kulas present. Laurino. Laurino absent. Lechowicz. Lechowicz absent. Margalus absent. McAuliffe. McAuliffe absent. McBroom. McBroom absent. McGrew. McGrew absent. Murphy. Murphy absent. Oblinger. Oblinger absent. Irv Smith. Irv Smith present. Stanley. Stanley absent. Terzich. Terzich absent. White. White absent."

Speaker Ryan: "Representative Telcser."

Telcser: "Mr. Speaker, would the Journal please show that Representative Margalus is absent because of illness, and that Representatives Deuchler and Epton are absent...are absent because of illness in their families."

Speaker Ryan: "Representative Madigan, do you have any excused absences?"

Madigan: "Mr. Speaker, would the record show that Representative White is excused because of a death in his family?"

Speaker Ryan: "The record will so indicate. Representative Kosinski, do you seek recognition?"

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, in the north balcony is the seventh and eighth grade of the Messiah Luthern School from Chicago. Very well represented in the General Assembly by Representative Capparelli, Representative McAuliffe, and Representative Kosinski. The north balcony. The principle is Lewis J. 'Cuam'."

Speaker Ryan: "Record Representative McGrew as present. Are there any other Members in the chamber that have not been recorded on the Roll Call on the Attendance Roll Call? Representative Collins."

Collins: "Mr. Speaker, in that this is a verified Roll Call, I would assume then, that anyone that comes later will not be

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entitled to their per diem for today. Is that correct?"

Speaker Ryan: "Representative Madigan."

Madigan: "Mr. Speaker, I would think that any Member in that situation could ask for leave of the Body to be added to the Attendance Roll Call."

Speaker Ryan: "Representative Collins."

Collins: "Well, Mr. Speaker, it is my understanding that the rule is quite explicit that a Verified Roll Call cannot be altered, added to, or subtracted from. And I would further make the point that if these people are offically absent, that they would be precluded from voting for the remainder of the Day."

Speaker Ryan: "Record Representative Huff as present on the Roll Call. Representative Greiman."

Greiman: "Well, I think it is clear that a verified quorum call is for the purpose of determining a quorum. It is not for the purpose of determining the per diem. It is not for the purpose of determining anything except the quorum. We could have a verified vote on a quorum 20 minutes from now to determine whether we have a quorum at that point. That is all its for. They're Representatives. The people who are not here have been elected by 188,000 people. They are here to vote. They are here to represent their district. If they come in here, they have a right to vote, and we certainly ought not to preclude anybody from exercising their legitimate rights for which they were elected."

Speaker Ryan: "Representative Telcser."

Telcser: "Well, Mr. Speaker, could I suggest that you bid the devil good morning when he comes by to say hello or however Bill Redmond states it."

Speaker Ryan: "Representative Redmond, would you give us a correct quote on that?"

Redmond: "You bid the devil good morning when you meet him."

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Speaker Ryan: "You bid the devil good morning when you meet him, Representative Telcser."

Telcser: "I suggest you do that, Mr. Speaker."

Speaker Ryan: "Representative Giorgi."

Giorgi: "Yeah, Speaker, once in a while we have to remind ourselves that we're not monarchs, or we're not kings, or we're not annointed. We're elected to this House. And when a Member of this House presents this Body here, he is present. He is entitled to whatever else of us are entitled. I think only an idiot would make the remarks that the Majority Leader made."

Speaker Ryan: "Representative Braun. Put Representative Braun on the Roll Call as present. Representative Collins."

Collins: "Well, Mr. Speaker, I would just remind the Gentleman from Winnebago that it takes one to know one, and beyond that, the devil that asked for this verification is not on this side of the aisle."

Speaker Ryan: "Alright, has everybody had their say on this issue? Representative Ronan. Put Representative Lechowicz on the Roll as present. Representative Ronan, do you seek recognition? For what purpose?"

Ronan: "Sure do, Mr. Speaker."

Speaker Ryan: "For what purpose?"

Ronan: "If we keep up this constant bickering, I want to be removed from the Roll Call because I am sick and tired of this."

Speaker Ryan: "Remove Representative Ronan from the Roll Call. Representative Brummer, did you want to add your two cents?"

Brummer: "Yes, I would simply like to state for the record that I object to my Attendance Roll Call vote being used on any Attendance Roll Call today."

Speaker Ryan: "The record will so indicate. Representative

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Bowman, you have your light on. Alright. What's the count, Mr. Clerk?"

Clerk Leone: "161 Members have answered to the Roll."

Speaker Ryan: "161 Members answering the Roll, a quorum of the House is present. Representative Madigan for your statement."

Madigan: "Mr. Speaker."

Speaker Ryan: "I would like to add that the camera lights are off. No filming from the balcony. Proceed, Representative Madigan. Do you seek recognition, Representative Madigan?"

Madigan: "I seek some order, Mr. Speaker."

Speaker Ryan: "Well, bring...there you are. There you are. Everybody can hear you."

Madigan: "Mr. Speaker, Mr. Speaker, I do not need the television cameras, but I do need your attention. And it is very important, Mr. Speaker, that you remain on the podium during my remarks."

Speaker Ryan: "Listen, I've heard them so many times, Representative, that I would be delighted to hear them again."

Madigan: "Mr. Speaker, at the end of Session last night, Representative McMaster moved that Rule 35G be suspended through May 20, 1981 and that the House stand adjourned until 10 a.m. Tuesday, May 19, 1981. The Chair requested unanimous consent to use the Attendance Roll Call to adopt that Motion. Unanimous consent was denied. The Chair then put a voice vote on the Motion despite verbal demands from the floor for a Roll Call. The Chair declared the Motion to have carried and announced that the House was adjourned. The foregoing events violated Rule 72B which permits suspension of a rule only upon an affirmative vote of 89 Members. No such vote was obtained, and the record

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cannot possibly support the Chair's announcement that the suspension of the rule was accomplished in the absence of a record vote. The Chair violated Rule 45C by not exceeding to the demand for a Roll Call on the question which was made by more than the requisite five Members. Consequently, the proported suspension of Rule 35G was not affected by the House and all of the House Bills on the Calendar except appropriation Bills are now tabled under Rule 35G. The House may not take up or consider any of those Bills unless the Bills are removed from the table by an affirmative vote of 107 votes. Mr. Speaker, I would like to address myself to you at this time, Sir. And on many occasions in the past I realize that the dialogue between you and I has been rather pugnacious and many times rather shrill. But rather than engage in a great deal of political bombast, I would like to speak to you, Mr. Speaker, on a personal basis, very much like a father to a son."

Speaker Ryan: "Representative, if you'll call my secretary, she'll make an appointment so you can see me."

Madigan: "It is important that this be recorded, Mr. Speaker. Mr. Speaker, you were elected by the Members of this House, including my own personal vote, as the Speaker of this House. As the Speaker of this House, you carry responsibility for the management of the affairs of the House of Representatives. And in your capacity as the manager of our affairs, what you do and how you do it develops an image and a reputation for the House of Representative. The image and the reputation that you develop for the House, in large part, becomes the image and the reputation which is carried by all of the Members of this House. If the affairs of this House are conducted in an orderly, intelligent, efficient, and fair manner, then

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when each individual Member returns home to their district, they will carry that reputation with them. If, on the other hand, the affairs of this House are not conducted in a fair manner, if there is no communication to the Members as to our plans, if there are arbitrary decisions made and implemented in an arbitrary manner, then the House of Representatives will develop that kind of image and that kind of reputation, and each Member when they return home, will be subject to a constant stream of questions from their constituents: What kind of an operation are you conducting in Springfield? How are you conducting the business of the people? We, the people, expected more of you and more of your colleagues. During this Session of the Legislature, Mr. Speaker, at the very beginning of the Session, you told us in the Rules Committee, and you told the Membership that it was your view that there should be no deadlines for consideration of Bills. Subsequently, for reasons known unto yourself, the question of eliminating deadlines through the normal rule changes was never called up before the House of Representatives. Today, we are operating under temporary rules. For some reason, you have decided not to call the question of the adoption of permanent rules. We need those permanent rules if we are to implement your initial decision to eliminate all deadlines. Later, you decided to live by the deadlines which are contained in the temporary rules and which have been established by Speaker Redmond for the prior administration. And then as we approach the deadline for consideration of House Bills on the floor, when it was pointed out to you that that deadline provided for a Monday deadline, and that there was a possibility that our Members would be required to work both Saturday and Sunday, you were very adamant and insisting that the Monday deadline

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would be adhered to, and that the Members would be required to be in Springfield on Friday, Saturday, Sunday, and Monday. The Majority of our Members, recognizing your role as the manager of our affairs, abided by your decision, and we remained here in Springfield away from our families, away from families, social functions that are very prevalent at this time of year. And then yesterday, Mr. Speaker, in what has become a rather arbitrary manner, you and someone else decided that we would now postpone the deadline for two days. And even though all of our Members had given up their family life over a weekend and been present in Springfield, that again, an arbitrary decision would be made, and that the deadline would be moved back for two days. As I have recited at the beginning of my remarks, the implementation of this postponement was done in clear controvention of the rules and could not withstand a test in any form. Mr. Speaker, in conclusion, let me recite what I said earlier. What you do and how you do it, not only affects you, it affects all of us. If you fair and impartial manner, then when we return home, we will receive compliments from our constituents regarding the conduct of the peoples' business in the House of Representatives. But if you act in a contrary manner that all of us, whether we are Democrats or Republicans, will be subjected to rightful criticism by the people that sent us here to administer to the affairs of the people."

Speaker Ryan: "Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, let me first respond to the Gentleman's remark about Bills lying on the table. It is clear that the record will show that the Speaker was granted leave to suspend the rules for two days."

Speaker Ryan: "Now, we gave Mr. Madigan a chance to respond, I would hope you would do the same, Mr. Madigan."

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Telcser: "Therefore, Mr. Speaker and Members of the House, the Gentleman's argument that Bills lie upon the table is specious. It carries with it no weight. And the record stands to prove that the Bills, indeed, are upon the Calendar today and will be until Wednesday night at midnight. Mr. Speaker, Members of the House, in response to the Gentleman's further remarks, after serving six years with the Gentleman from Cook, the current Minority Leader, acting as an assistant leader, I am delighted and pleased to find that he has finally come around to the point of being concerned about the decorum and demeanor of the House of Representatives. I remember many times making the same speech to the now Minority Leader about the same subject matter, about the fast gavels, the screaming, the shouting, the manner in which business was conducted, the inability of Members to be recognized, and the general demeanor of the House just as the Minority Leader did today. I would like to remind the Minority Leader of the extension of deadlines year after year, over and over for weeks at a time. I would also like to remind the Gentleman that earlier this Session we, indeed, did call the rules. We didn't call every rule because he led the Members on his side of the aisle in some sort of partisan boycott so that we could not proceed to adopt the Resolutions in connection with the rules that the Rules Committee voted out. The Minority Leader has clearly and deliberately contributed to, if not caused, any type of conduct that the public would look upon as being unfavorable. I simply would like to remind the Minority Leader that on the first day of Session, the first day of Session like the Pied Piper, he stood upon this floor, walked out of the chamber with his Members following; therefore, leaving the citizens of Illinois high and dry. Once again in a peak of

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temperament, because he lost a vote, or he lost an issue, or lost a Roll Call, he took his Members down to a Party Conference and refused to come up to the floor of the House to conduct the business for the people of Illinois. It has a hollow ring to hear the Minority Leader talk about the citizens of Illinois and doing their business, because the Gentleman has over and over and over again in order to gain partisan advantage, turned his back upon every single citizen of Illinois. He has played games with his Members who follow him loyally. He has preempted the Members on the other side of the aisle. They follow everything he wants to do, and he has misguided them. If anyone has neglected Illinois citizens, it has been the Minority Leader. He determined that tone the first day we convened this General Assembly. He refused to cooperate over and over again with reforms desperately needed in this House. And he did so in an attempt to have advantage politically. Partisan political advantage, which he puts over and over again above the interests of Illinois citizens. Politics comes first. And today the Gentleman talks about the conduct of the House of Representatives. It is interesting to note that all yesterday evening countless, countless Democratic Members came to me and asked that we extend deadlines for just a few moments, for a few hours, for one day or two days...because they were concerned about their constituents. A Legislator who is concerned about their constituents ought to be listened to. And yet for some inexplicable reason, they came to our side of the aisle. And I suspect that is because the Minority Leader turned a deaf ear to his own Members who reflect their constituents needs. And the Minority Leader stands up and says that we have to take care of Illinois citizens. But he wants to shut off the process and shut off the debate just at the

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point when Bills are on Third Reading, just when they are ready to be called so we can vote for them. The Gentleman talks about social events that Members may have. Everyone of us ran for this office knowing full well we would have to give up family time and social time, particularly at this time of the Session because we're here in these hours when time is taken up greatly in legislative matters, to discharge the responsibility to the people we represent. That comes first, not some political misadventure which the Minority Leader continually leads his Members upon. Mr. Speaker and Members of the House, if the Minority Leader is sincere, and I believe now that he is, I share with him the concern of the public's impression of the legislative process. And I would suggest, Mr. Speaker and Members of the House, that the Minority Leader, indeed, communicate a little more frequently. On most matters, he is quiet. He doesn't say too much because he knows he deals with an awesome, powerful hand. And when you have that power, you don't have to say too much. His switch goes on, a few words in a Party Conference, and his Members follow him. Well, I suggest that the Minority Leader talk to the Speaker more often so that we can, indeed, work together so that the business flows in this chamber in an orderly fashion. Mr. Speaker, Members of the House, I welcome the Minority Leader's concern. And I, again, commend the Minority Leader for finally, after six years and a few months, coming around and expressing the same concern which we have had for a long time. Mr. Speaker and Members of the House, I suggest we go on with our business."

Speaker Ryan: "Representative....Representative Redmond."

Redmond: "Mr. Speaker and Ladies and Gentlemen of the House, I probably can sympathize and share the feeling of Speaker Ryan probably better than any Member of this Body, because

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in 1975 at the early stages of my first term of Speaker, I found myself in exactly the same situation. And something arose that scared me. Probably not very many people realized it, but it came to my attention that kind of well into that first year of my speakership, because of a mix up in the printing and other things, we were unable to approve the Journals. I had the matter researched, and I came to the conclusion that there was a very strong possibility that the failure to approve the Journals might very well make all of the actions which we took in the House and the Senate subject to collateral attack. I feel that the same situation probably prevails now with respect to the Bills that are now on the Calendar. In spite of all of the rhetoric and in spite of all of the talk, the fact of the matter is that there was not a Roll Call vote on Representative McMaster's Motion to suspend the rule. You can do all the talking that you want, but that is precisely what the record is going to disclose. And it would seem to me that the danger of the course intervention, and I don't think that we have to think back too long to realize that the court has a great deal to say about many of the things which we do here. It would seem to me that an abundance of caution, and it well behooves the Speaker of this House and the Members of this Body, in some way to straighten it out so that there isn't any question that the rules are going to be obeyed, the rules which we have adopted and passed, and the rules...the temporary rules under which we are acting are followed because many important and extremely important measures to the people of the State of Illinois, may very well be jeopardized, and this is a concern that I had back in 1975 and it was first enunciated, as far as I was concerned, on the floor of this chamber when Paul Powell was the Speaker because there were some problems

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involved in approving of the Journal. And as I see it now, without unanimous approval of the Members of the chamber, there is a very strong likelihood that we're going to get ourselves into a very serious situation, and I strongly urge that the Speaker and this Body take whatever steps are necessary to make sure either that the Bills that are on the Calendar are in a position to be considered, or if it is the judgment of this Body that they be tabled, it is my strong recommendation that we so do."

Speaker Ryan: "Representative Friedrich."

Friedrich: "Well, Mr. Speaker, I would just like to speak for about a minute and a half on the alternatives of what happened yesterday. There are only two alternatives. One is that all the Bills are dead. There is 250 Bills on this Calendar, and I looked down the list and about half of them are sponsored by Members on the other side of the aisle, possibly the other half here. Those Bills are dead. These Bills have been introduced in good faith either by the Member's own idea or because of someone back home who thought this should be done. They have been introduced in good faith. They have gone through the Committee process. They are up to Third Reading, and then to deliberately sack those Bills without ever having a chance to be heard, I don't think is fair at all to anybody. I don't think it is fair to the public. I don't think it is fair to the Members. The other alternative is one that the Democrats have used in the past and that is what they call a user list. Now, for you freshmen, that is a deal where some guy sits in the back room and make up a list of 150 Bills and you have the chance of voting 'yes' or 'no' on all of them. And that is it. Believe me, that is a trap that you don't want to get into because I've tried it. I vote 'no', because I am not going to take a chance on taking the word

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of somebody sitting in the back room deciding that this Bill is not controversial, because back home it may be the Bill that decides whether the people think you're a good Legislator or not. That is the alternatives. Maybe the procedure yesterday wasn't popular with the people on either side of the aisle. But I want to tell you what the alternative is, and if you think this is deliberative Body, and that you should work yourself up and get these Bills up to this point and never chance to even have a Roll Call on them, if that is fair, if that is the deliberty of method, then I've not been taught right. I'm not going to go for a user list, and certainly it is not fair to sack the Bills without ever having a chance to be heard."

Speaker Ryan: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. It seems that I am the one that caused a lot of the commotion that went on last night and is still continuing this morning. Let me explain my position. Like Dwight Friedrich, I have sat in this House several years. I have seen the time when we voted on user lists. I recall a time when we had a long list of Bills and voted with no debate on them. I believe that was the time when the Speaker who was in the Chair at the time passed out paper clips to all of us so that we might pin our switches in one position either 'yes' or 'no'. And I think he recalls that. I think he recalls that one of our Republican Members got severely criticized in the newspaper at home for using that paper clip. As far as what went on last night, I am the one that instigated the Motion to postpone the deadlines. Mr. Madigan knows very well that I showed the Motion to him. The Speaker knows that I showed the Motion to him. Both sides of the aisle knew it was being put in. I think it was a fair Motion. I think the Members of my Committee and myself withheld our Bills in

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Committee till the last ones to be voted on out of courtesy to other Members of this House including some Democrats over there. And I can name them, but I won't. We gave them precedence over our own Bills in order that they might be heard in Committee and go on about their other Committees. Because we were trying to be fair and gracious to other Members of this House, our Bills are very low on the priority of call, clear at the tail end of the priority of call. I do not think it is fair to my Committee Members or to myself that our Bills should be tabled because we were being gracious to other Members of this House. I think it was a good Motion. And if necessary come tomorrow night, Wednesday night, I will make another Motion to delay the...or postpone the deadline for Bills. Everyone in this House who has put in a Bill did so with a reason. They deserve the right to be heard on this floor in defense of that Bill one way or the other. Mr. Speaker, I think this should be resolved. Mr. Madigan knows that what I am saying is true. And I think that we should find some way to get out of this mess. If you want another vote or a Motion to take all of the Bills from the table that were tabled last night, if that is the ruling of the Chair, then I will do so. I will make a Motion to take all the Bills from the table. Every Bill, no matter whose it is, and I think that would be a Resolution that could be reached and put this House back in business. All we're doing is spinning our wheels, and I think it is unnecessary that we can resolve this problem and get it done and get about the business of the people of the State of Illinois and quit dilly-dallying around. Thank you, Mr. Speaker."

Speaker Ryan: "Representative Ewell."

Ewell: "Mr. Speaker, I was not elected with Mr. Madigan or any other Member of this Body. I was elected by myself. I

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came from one district. I, too, put in Bills. My Bills suffered the fate of many Bills. Some of them were not being...were not able to be published by the Legislative Reference Bureau. They died, and I say so be it. Many of them could not make the deadline for introduction not because of any lack of diligence on my part, but because of the system as it exists. And I say so be it. By the same token, we've all had Bills which we put out on the floor and we put into Committees, and many good Bills have died because they were not Republican sponsored. And I say so be it. For many good Republican Bills have died in the past because they were Republican sponsored. That is the system. I suggest to you that the one thing we cannot tolerate is what happened yesterday which is a complete fraud and a complete deceit. For anyone to believe that there was unanimous consent given, we are living, in effect, a lie, and a lie simply will not live forever, for it is planted in the soil of deceit and watered by mistrust and fed by deception. Gentlemen, if we are going to have anything reasonable, I point out to you that in this Legislative Body, no Bill ever dies until we adjourn. We have other processes, be they right or be they wrong. One of them is known as a Conference Committee. You Gentleman who talk about the right to have your Bill heard, there will be ideas and propositions placed upon your desks which you not only...won't even...may not be printed. I have been here when we have adopted what you'd call damn near oral Conference Committees where you not...not only didn't you know what was in the Bill, you didn't know what it did. It was about 200 to 300 to 400 pages long, and it might encompass several different...several hundred what we might call appropriations, and six or seven ideas. Gentlemen, for us to sit here and folly and say that the Bills are

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going to die is nonsense. Nothing ever dies. All of these sacred Bills which we talk about, our ideas, and that are necessary, will die like cattle in the slaughter house when they hit the Senate. They have, for the years that I've been here and I trust that history will tend to repeat itself, so I say it is folly. But what we do have to have is the good will between the Members. Either we can vote Democratically to suspend the rules, and if that is the vote of the Body, so be it. Or perhaps if we're wise, we could all sit here now and prepare for the mighty Conference Committees that will rule and that will prevail. And all this nonsense that we hear about the right of the people to be heard is sheer hogwash. Every Chairman here reflects his particular biases and interests by either calling a Bill when he gets ready or when he has the votes without regards to the public. All this right to be heard is nonsense. When these Committee reports are written on the third floor, the second floor, and even the basement, none of us will know what is in them. So I suggest it is folly. But I do suggest to the Chair that only equity and fair play will prevail. For in the end, all we have is integrity."

Speaker Ryan: "Representative Getty."

Getty: "Mr. Speaker, Members of the House, I rise out of a very deep concern over the actions last night. Notwithstanding the Minority...Majority Leader's protestations to the contrary, I think all of you who were here know very clearly that when unanimous consent was asked for, it met with many many denials. A transcript, a tape of that is, of course, right within our presence. Anyone listening to it would hear that when unanimous consent was asked for by the Chair, it was clearly not granted. That puts us in the awkward position because of the failure of the Chair then

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to ask for and get an Roll Call of 89 Members to support the Motion made by Representative McMasters with the facts. The facts are the facts as they are. Unanimous consent was not given and a Roll Call was not made. So we're left in the ludicrous position of having an oral approval which the Majority Leader would, I suppose, say is sufficient. The rules say it must be on 89 Members votes to suspend the rule. I suggest to you that former Speaker Redmond's comments ought to concern each and every one of us. Any of those Bills which were on Third Reading last night when that Motion was made and a Roll Call was not had to suspend that rule, are in my judgment, tabled. They are subject, even if you pass them, to collateral attack in the courts. Each one of you is going to be kidding himself or herself if you think if you pass the Bill you've got a viable Bill because it is subject to attack. I think that the only way to correct that is by a Motion that would be put to take those Bills from the table. That will require 107 affirmative votes. That is the position you're in, Members of this General Assembly and Mr. Speaker. Now the Majority Leader can take whatever action he desires. The Speaker, of course, can take whatever action he desires, but I suggest to you if you're told, 'Don't worry about it', you're being kidded. If you want to cure the defect, it is going to take 107 votes to do it."

Speaker Ryan: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I didn't want to speak on this issue, but when my good friend, the Chairman of the Counties and Townships arose to justify his actions and to tell you the procedures that has been followed for many years in the Counties and Townships house relative to the calling of Bills, it is true. He and I have been either Chairman or Spokesman on

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that Committee for the past 12 years, the past six Sessions. And it has always been the practice that Committee Members Bill is called last after all of the other Members have been provided the opportunity and the courtesy to have their Bill heard first. But I am really amazed and dismayed at the logic and the rhetoric displayed by my good friend because he mentioned the fact that because of that practice, Members Bills are low on the priority list. That simply is not the case and cannot be the case because each of the Bills presented and on the call of the Committee on that day are reported out with the same date. So it doesn't make any difference whether your Bill is the first to be called or the last to be called in Committee that day, because the same date will appear on the Calendar, either on the Regular Calendar or the priority of call, regardless of the order in which the Bills are called. So to use that as an excuse for the actions simply does not merit attention because the priority of call is determined by the date and not the hour and minute that the Bill is called."

Speaker Ryan: "Representative Robbins."

Robbins: "I think that the most important thing that we should consider today is what is good for the people. I think the Bills should be called. I think we should take our time and discuss them and vote on them properly. And it may be that every one that I have that is introduced at the suggestion of my constituents should be killed. If they should, that is alright. But what I think is that we should conduct ourselves as a deliberative Body. If we're going to introduce a Bill, we should try to do something with it. If we realize that it isn't good, we should table it or kill it ourselves. But I think that if your constituent asks you to try to change a law that is causing

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them a problem, I think it is the duty of this Body and...to hear these Bills. I feel like the deadlines that we have set, of course, should be set. But I think we should start thinking about a Bill limit so that we can consider all the Bills properly and hear them properly, and I really think that we should try to go on with the business of the House. Thank you for listening."

Speaker Ryan: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have been debating whether or not to stand up on this question. But I find it important that I do stand up and explain to the House that...and reiterate what happened about a week ago. I joined Members on that side of the aisle...Majority Leader Telcser, in his Motion that was in opposition to extending the deadlines. If you recall that, that is exactly what happened. But I think something should be said about the process and how it worked last evening. Approximately an hour before that Motion was made, a Member on your side of the aisle came over and asked if I would join in supporting his Motion that was filed with the Clerk. When I informed him that I didn't think that would be very consistent, he came back approximately 15 to 20 minutes later and addressed Representative Flinn and I to once again sign the written Motion. It is my feeling, it was at that time Representative Flinn's, that that consideration would not receive, would not receive, the total support of the General Assembly and therefore would be objectionable. You cannot sit here through the previous weekend and then have this type of a decision be made for all the Members of the General Assembly when, in fact, we should have been informed that consideration on this Motion would have been hammered down our throats. I don't think it is fair to the

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Membership. I don't think it is fair to have the Leadership on both sides of our aisle, if there was any, to be part of that consideration. It seems to me that if we're going to be fair to every Member of this General Assembly, they must know that an hour before that Motion was placed, consideration of that Motion was being floated around this House floor. In my mind, that is not fair to the Memberships. It is not fair for those of us who are in the trenches. And if, in fact, this Motion is brought to a vote, for the record, I will stay consistent as I did in the previous 72 hours, and I will be voting 'no' on that question because I do believe it is unfair to total Membership that we were not informed last Friday that this is going to occur, and basically there was no reason that we should have been in Session Saturday and Sunday with this provision now before us."

Speaker Ryan: "Representative Peters."

Peters: "Well, Mr. Speaker, I suppose I should move the previous question, but I won't for fear of upsetting Democracy. One of the things, it seems to me, Mr. Speaker, in the short years that I have been here, and one thing that I have certainly learned within the last year and a half and brought home very clear is that there is a hell of a lot of difference in sitting in the seats as a Member and in being the Minority Leader, the Majority Leader or the Speaker and the part of that team. There is all sorts of pressures that are put on each of us as individual Members. Those pressures are magnified by 177 and everyone else in the state on whoever is the Minority Leader or the Speaker. At some point in that process, someone somewhere has got to say a decision has got to be made. A decision in terms of what time we go to lunch, what time the bathrooms are open, what color paper the Amendments should be printed on,

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should the Committee meet on a Tuesday morning or a Wednesday morning. Somebody someplace has got to say, 'Hey, you're in charge. That is why we elected you. You've got to make the decision.' Some of those decisions are good. Some of those decisions are subject to question. But all of those decisions are always subject to question when political advantage or individual advantage surfaces. All of us who have been here for some number of years know in spite of, and I'll agree, forget about good government. Forget about the right of people to know. Forget about the right of your Bill to be heard. Lay all of that on the side. Everyone of us here who has been here knows that if not at 8 o'clock, at 11:15, at 11:30, or at 11:40, that Motion would have been put. And all of us who have been here any period of time know that whether the man in the Chair was a Republican, a Democrat, a Socialist, a Libertarian, or anyone else, that Motion would have had to pass if the process is to go on. And that is basically what we are talking about here. We're not talking about a question of dumping 250 Bills. We're not talking about calling Party Conferences at 8 o'clock in the evening to discuss what we do on Workmen's Compensation, what we do on banking Bills, should we adjourn, should we send out for Kentucky Fried Chicken, is the Speaker going to pay for it tonight or do we all go out and get our own? You don't do that at 8 o'clock at night on the day before you are, quote, supposed to adjourn. Someone somewhere somehow has got to end up making those decisions. And it seems to me that what we have accomplished in this country, not only in this Legislature, but we have succeeded in accomplishing in this Legislature is totally paralyzing our legislative system so that the system cannot end up operating, so that decisions, in fact, that have to be made for the long term

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public good cannot be made because the moment says it is unpopular. Don't do it now because somebody will yell. Somebody will scream. Let Chicago situation close down. To hell with downstate coal miners. Talk about pollution, whatever it happens to be. And we have gotten ourselves into that problem through all of this greatness and all of this openness. We talk about democracy when in fact the press is listening. But when the press is not listening, those same Members come to the man who is in the Chair and say, 'You know, Charlie's got a bad Bill. Skip over his. Can you find some way of moving around the Calendar? Call my Bill first. My Bill is important to my constituents. Let's forget those other four because they are going to be problems.' Someone, someone has to end up making those kinds of decisions. Now, the person who sits in the Chair says, 'Hey, there's no people running around with big signs saying hey we want you.' We asked for these jobs. We're here to take those kinds of decisions and those kinds of responsibilities. But what we don't have to take, I don't think, is a two edged sword that at one side says, 'You done wrong', but the other side that says, 'Hey, screw the other guy first'. And that is a good part of what ends up happening here. And it is a good part of what ends up happening yesterday. And at some point during that day some decision had to be made on who is going to get shafted. That decision, to a lot of us, seemed to me to be made more...more equitably and all democratically by all 177 of you. If the Chair is going to put on the mantel of leadership and democracy, then that democracy ought to be spread around all the Members. You vote against those Bills you want killed. You vote for those Bills you want passed. That also becomes part of the process. For those reasons, Mr. Speaker. I think the Motion was well put. I

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think the Motion was well voted on. And I think without bias or prejudice, think that the individual who happened to be in the Chair at the time did what had to be done in the best interest of maintaining the process."

Speaker Ryan: "Representative Katz."

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, Representative Robbins asked the right question. He just gave the wrong answer. He said the question is what is good for the people of Illinois. Well, the answer as far as that question is concerned is that if we lived by the rules and the deadline, there would be no tragedy to the people of Illinois. We delude ourselves into believing that the people of this state care about what is fundamentally a massive collection of trivia. The abundance of legislation enables us to avoid facing the only really significant issue the people of this state face at this time. That is the issue of public transportation and the roads of this state, and we have an ample supply of Bills. If all of the Bills that last night should have been heard were placed on the Spring Calendar, and we devoted ourselves to the subject of public transportation for northeastern Illinois and roads for the State of Illinois, the people of Illinois would breath a sigh of relief. We would have, indeed, earned our keep for this Session, and I would urge that we follow such a course."

Speaker Ryan: "Representative Johnson."

Johnson: "Well, unless the clock is mistaken, it is almost 12 o'clock. We've spent two hours. We're concerned about deadlines, and we've spent two hours here going through this interesting diatribe and charade about what happened last night. I don't know what happened, and I really don't care, but if we're going to get out of here before midnight on Thursday, if we go straight through we're going to have

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to put a little bit of control on this. Can you...can we go to Conference or whatever we're going to do and eliminate this long diatribe and speeches on both sides? I'm sick of it."

Speaker Ryan: "I think your point is well taken, Representative. Representative McGrew."

McGrew: "Thank you, Mr. Speaker. I move we adjourn till Thursday morning at 10 o'clock."

Speaker Ryan: "You weren't recognized for that purpose. Representative Flinn."

Flinn: "Well, Mr. Speaker, I am serious about what I am about to say. And it may sound a bit odd, but if we do go to Conference, I would suggest the Leaders in both Parties consult with the Senate Leaders and see what they are willing to pass over there before we start taking from the table and spending a lot of time because that is really where the action takes place. Let's face it, I don't want to degrade the House or lower them or anything, but we pass tons of Bills here that are drowned by the hundreds over there. And I suggest that rather than waste any more time, that we go to Conference and find out if we can't work something out with the Senate leadership."

Speaker Ryan: "Representative Deuster."

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House, very briefly, yesterday it was obvious to everybody that some sort of a decision was going to have to be made. There were actually three ways to go. The first option was to let the ax fall at midnight. That would be unfair. All the Bills would die, I think. The second option was to suspend the deadline so that we could deliberate a little more this week. That is the decision that our leadership made. The third option is still available whenever we get to it, and I would like to indicate to the Members that

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yesterday afternoon I filed a Motion which is at the Speaker's desk up there that all of the Bills that are remaining on the Calendar on the Order of Third Reading, Third Reading Short Debate, and Postponed Consideration be placed on the Spring 1982 Calendar. I...I have discussed this with a lot of Members on both sides of the aisle, and in my own mind, I think that incorporating the remarks of Representative Katz, there may be some fairness in that. I have some Bills, but I don't think the state...on the Calendar. I don't think the State of Illinois is going to come to a halt if my Bills aren't passed until next year. I think that is true with a lot of even some of the hot potatoes that are still around. And so I would like to say, Ladies and Gentlemen of the House, that at the appropriate time if we ever get to it and that Motion seems to be a sensible way to go, I will ask for your support for that Motion so that all the Bills that have...we have worked through Committee and gotten out to the Order of Third Reading, that they not died, but that they remain on the Calendar, and next year we can discuss them and take them up. Thank you."

Speaker Ryan: "Representative Redmond."

Redmond: "Mr. Speaker and Members of the House, pardon me for rising a second time, but since the first time I talked, there are three things that have come to my attention of things that have happened in the past. Now, unfortunately, the House of Representatives does not emulate Congress and have a record of precedence, but I think that we are bound by precedent to some extent. When I was Speaker, there was a Bill that then Representative Tipsworth sponsored, and it passed the House and went to the Senate and it was called to my attention that there was some infirmity in the Bill. And because of that infirmity and the infirmity in the

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procedure, I refused to sign it and refused to pass it and the Bill never went to the Governor. There was another Bill that I recall, that those of you that were here when Representative Washburn was the Minority Leader, a Bill that involved the Energy Commission, as my memory, and Senator Geo-karis was the Sponsor, and it was discovered after it had gone over to the Senate that it didn't have the necessary extraordinary Majority that it required in the House, and it was too long...too far removed for us to do anything. So the Governor was prevailed upon to veto it. And I would like to call your attention to those of you who were here in the 81st Session that at the last day of the Session, there were not sufficient number of Members on the floor to pass the needed legislation. And instead of having a fast gavel, we recessed for a couple of days and we brought the people back so that we did it according to our rules, and according to the law and according to our Constitution. Those are three precedents that I would like to call to your attention that this chamber did not ignore the facts and that we did things according to the rules."

Speaker Ryan: "Representative Friedrich."

Friedrich: "Mr. Speaker, I would like to ask for a 45 minute recess for the purpose of a Republican Conference in room 114 immediately."

Speaker Ryan: "Mr. Greiman, do you...Mr. Madigan... request a Conference, Representative Greiman."

Greiman: "Mr. Speaker, as you...no, as the Majority Leader pointed out, we only have to look at one light to decide, so we're all going to go to lunch today and there will not be a Democratic Conference."

Speaker Ryan: "What room, Representative Friedrich?"

Friedrich: "Room 114 please."

Speaker Ryan: "Republicans will meet immediately in room 114. We

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will return to the chamber at 12:30. The House will come to order. The Members will be in their seats. On page four of the Calendar under House Bills Third Reading Short Debate Calendar appears House Bill 1039, Representative McClain. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1039, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill."

Speaker Ryan: "Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 1039 is a Bill that actually came at the suggestion..one day I was talking with Dwight Friedrich. It's a Bill that would add an additional drive-up facility for banks. In downstate Illinois, the major issue is where in communities that are 50 or 40 thousand people, like Quincy, the banks are downtown and all they want to do is have drive-up facilities in or around the community. This would still keep intact that you could have ...There is no branch banking here or there is no violation of any provision of how close you are to another bank facility. All this would do is allow one more drive-up facility. I think most of the Membership is familiar with the issue. I'd ask for a favorable vote."

Speaker Ryan: "Is there any discussion? Representative Getty."

Getty: "Mr. Speaker, I wish to state for the record the fact that it is my belief that this Bill is properly..has been tabled and that in order to have it before the Body, that it would require the affirmative vote of 107 Members to take it from the Table. And I will ask that the record reflect my continuing objection to any Bill which the Speaker would call which was on the Order of Third Reading or Postponed Consideration or Third Reading Short Debate last night and is still there, other than appropriation Bills. It is my

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feeling they were all tabled. It would take 107 votes and that any Bill purporting to pass out of here would have an infirmity and I would object to proceeding on any of those Bills without the affirmative vote of 107 Members to take it from the Table."

Speaker Ryan: "Well, thank you, Mr. Getty. For the record also, I'd like to point out that the Chair feels that the ...all of the Bills are on the Calendar and they're not on the Table and that's where we're going to proceed from. Representative Huskey."

Huskey: "Could I ask a couple of questions on this 1039, Mr. Speaker?"

Speaker Ryan: "Proceed."

Huskey: "Representative McClain, what facilities, drive-in facilities, are we talking about? Are you talking about a single unit, one single unit allowed extra? I can't hear you."

McClain: "Yes, that's all."

Huskey: "Well, I was reading the Synopsis of the Bill here and they've got 1980 Calendar Year, four machines, 1980. What does that mean?"

McClain: "I'm sorry. Would you repeat that, Mr. Huskey?"

Huskey: "Well, in the Synopsis, I don't know what lines they are, but you've got 1980 Calendar Year, four machines, 1981 Calendar Year, two machines, 1982, two machines, 1980...What does that mean? 1983, two machines. That all in ...pretended that's single?"

McClain: "No. That's got nothing to do with my Bill..."

Speaker Ryan: "Just a minute. Just a minute, Gentlemen. Just a minute. Representative Matijevich, for what purpose do you arise?"

Matijevich: "Mr. Speaker. Mr. Speaker, if this is the Order of Business, I want to respectfully join with Representative

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Getty, if we are on this Order because you need two to record that dissent and I want to join Representative Getty."

Speaker Ryan: "Well, that's been recorded and ..."

Matijevich: "Well, you need two..."

Speaker Ryan: "...Your dissent will be recorded also. Representative McClain?"

McClain: "Thank you, Mr. Speaker. In light of all that, I'll move to take this Bill from the Table."

Speaker Ryan: "That Motion is out of order. It's not on the Table. It's in the Calendar..on the Calendar. Just a minute, Representative Huskey, please? Just hang on. We'll proceed here now. Now, now, Representative Huskey, proceed with your questioning on the Bill."

Huskey: "Well, Representative McClain, if we can go on without being so rudely interrupted, I'm not opposed to your Bill. I just want to clarify...I just want to clarify...I was trying to clarify what it means by those additional machines. Is that a single..."

McClain: "That's got nothing to do with machines or anything. It's just one additional drive-up facility within 3500 yards of the main bank facility. It's got nothing to do with machines..."

Huskey: "Has that been amended out of it or..."

McClain: "I don't know what you're talking about, Mr. Huskey."

Huskey: "I'm talking on House Bill 1039."

McClain: "Yes. That's not in my Bill. I don't..I don't know who's put that in now, since it's got nothing to do with my Bill."

Huskey: "Okay. I'm not opposing the Bill, if it's just one unit, one drive-in unit, and that's what you're talking about."

McClain: "That's all it is, Sir."

Speaker Ryan: "Representative Dunn, do you seek recognition?"

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Dunn, John: "Yes, Mr. Speaker. At the appropriate time I would like my formal dissent to the acting upon this Bill on Third Reading recorded and I would like to know if we are acting now pursuant to a Motion to take this Bill from the Table."

Speaker Ryan: "No. That Motion was ruled out of order. And you're not timely with your discussion. We're on House Bill 1039. Is there any further discussion? Representative Dunn."

Dunn: "Mr. Speaker, are you saying that I am not timely with a request to be recorded as dissenting from the proceedings..."

Speaker Ryan: "...No. Your records are in the...Your remarks are already recorded, Representative."

Dunn: "For that purpose, Mr. Speaker?"

Speaker Ryan: "For whatever purpose you dissented on."

Dunn: "So long as my dissent is recorded, Mr. Speaker, I appreciate your so doing that. Thank you very much."

Speaker Ryan: "Representative McClain to close on House Bill 1039."

McClain: "Thank you very much, Mr. Speaker. Mr. Friedrich will close, Dwight, if you'll..."

Speaker Ryan: "Representative Friedrich to close."

Friedrich: "Mr. Speaker, Members of the House, I have consistently opposed branch banking or multi-bank holding companies, but I think this is the solution for the banking system in the State of Illinois. The real name of the game is, are the banks taking care of their communities; are they taking care of the people? This Bill would certainly allow the banks in Quincy to take care of the people of Quincy. It would allow the people of the banks of Springfield to take care of the people in this area and on up and down the state and actually would solve the problem

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of providing banking facilities for the public. And I think that's what we all want. And I think it has worked well. These separate facilities have put facilities in the neighborhoods and in the shopping centers and so on where they're needed. And so I would urge your support."

Speaker Ryan: "The question is, 'Shall House Bill 1039 pass?' All in favor will signify by voting 'aye'; all opposed by voting 'no'. Representative McPike, to explain his vote."

McPike: "Yes. It would be very difficult to oppose this Bill. I just got a kick out of the closing argument that says, this is the solution to allow one more facility within 3500 yards when the credit unions are branching all over the entire state. It's silly to say this is the solution to our problem. But I support any modernization of the banking laws."

Speaker Ryan: "Have all voted who wish? Representative Braun, to explain her vote."

Braun: "Mr. Speaker, the deadline having been passed, I believe that under Rule 25-D that these Bills are tabled. However, in light of the Speaker's previous ruling, I will cast my vote. I have serious difficulty with the notion that this is a valid vote and I'm certain that this leaves this Bill open to judicial challenge after we have taken final action on it. I will vote 'aye', Mr. Speaker, but again, I'd like my hesitancy recorded for the record. Thank you."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 131 voting 'aye', 4 voting 'no', 14 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1044, Representative McMaster. Read the Bill."

Clerk Leone: "House Bill 1044, a Bill for an Act to amend an Act relating to County Boards, Third Reading of the Bill."

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Speaker Ryan: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. 1044 does just what it says in the digest. This would allow county boards more flexibility in determining their compensation. At the present time, some of the county boards that are on a fixed yearly salary have trouble getting Members of Committees to attend Committee meetings. They feel that perhaps by lowering their salary on a yearly basis and by putting in the per diem as an alternative to go along with the salary, it would secure better attendance at their Committee meetings. For that reason, I am urging the passage of this Bill."

Speaker Ryan: "Is there any discussion? Is there any discussion? The question is 'Shall House Bill 1044 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Representative O'Brien, oh you're not a Representative. Do you seek attention? Mr. O'Brien, I thought I heard you call my name. No? Representative Dunn."

Dunn: "Yes, my name is Dunn, Mr. Speaker, and I do seek attention and I wish to be recorded in dissent on this and every other Bill, and I am willing to facilitate the operation...orderly operation of the House if you can suggest the procedure by which I can be recorded in dissent on this and every other Bill that was on Third Reading last night except appropriation Bills. Can that be done? If not, I wish to stand up on every Bill and record my dissent."

Speaker Ryan: "Representative O'Connell."

O'Connell: "Mr. Speaker, Ladies and Gentlemen of the House, to explain my vote. There has been some misunderstandings, I believe in this Bill. It does not represent a payraise for county boards. It simply gives the county boards the

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flexibility to compensate on a per diem or a annual compensation. I just wanted that for the record."

Speaker Ryan: "Representative Barkhausen."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, I want to second the remarks of Representative O'Connell. We had a problem in Lake County a couple of...in the last couple of years wherein more than one Member of the Lake County Board, after being defeated in the primary for reelection, suddenly decided that they didn't want to show up. And Members of the County Board complained that there was no legal way that they could dock that Member's pay for the remainder of his term. This would give county boards the flexibility to base, to some extent, pay on the Member's attendance. I want to commend the Sponsor for an excellent concept, and I would encourage 10 more green lights on the Board."

Speaker Ryan: "Representative Getty."

Getty: "Mr. Speaker, in response to an inquiry raised by Representative Dunn, I would respectfully suggest to the Chair and Representative Dunn, that I am having now drafted...rather typed, a formal dissent to apply to all of these Bills until and unless they are taken from the table and will be filed by Minority Leader Madigan and myself and Representative Matijevich, and I would invite any of the other Members who wish to join in that dissent, including Representative Dunn, to do so. We'll have plenty of room for you to do so."

Speaker Ryan: "Representative Wolf. Representative Wolf. Representative Deuster."

Deuster: "Well, I wish the people who are going to vote green would put it up there so we don't have to talk any more. But actually right now, the county board sets their own salary like we do, and they have to take heat for it. All

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we're doing by this Bill is giving them a little flexibility in composing the type of salary and per diem combination that they might decide, as Representative Barkhausen pointed out, this will allow them to have a form of compensation like we do so the people who attend can be compensated for their...meetings can be compensated for their per diem. And I would urge more green lights so we can get on with the business of the House."

Speaker Ryan: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. In response to Representative Barkhausen's point, the Lord giveth and the Lord taketh away. The county boards, however, if we give them the power to take away, we also give them the power to give. And the problem with this particular proposal is, as we all know, that per diem allowances are more obscure forms of compensation than straight salaries. This gives county boards the opportunity to give their Members a double shot, as it were, to give them a double salary, and for what purpose? At least Members of the Legislature have to spend time away from home and have to rent hotel rooms and pay for meals while away from home. The Members of the county boards go home at night. They sleep in their own beds. They eat food out of their own refrigerator. They have no need for per diem allowance, and I think to give them the power to give their...give themselves a double salary, is really unconscienable."

Speaker Ryan: "Representative Yourell."

Yourell: "Mr. Speaker, did we take this off of Short Debate? Alright, I...in explaining my vote, I am voting 'aye', and I am voting 'aye' because I think the Sponsor is accurate in his interpretation of this legislation in that they cannot receive the per diem and the salary at the same time. They have to make the decision as to whether they

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are going to take either the per diem or the salary. Now, if I am wrong on that, I will change my vote. If the Sponsor is going to explain his vote, then he can tell me at that time."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 78 voting 'aye', 54 voting 'no', and 23 voting 'present'. Representative....Representative Braun."

Braun: "I'm sorry, Speaker. I thought my light was on. It apparently wasn't."

Speaker Ryan: "Well, I thought we had a malfunction here. Your red light was flashing, and I informed the electrician of that."

Braun: "Oh, the same malfunction. Yes, it has been for a couple of days. In any event, Mr. Speaker, I just wanted again to record, I misspoke. I didn't mean Rule 25. I meant Rule 35 had, in my opinion, had not been complied with today being the 19th of May, and I would like to join Representative Dunn and Representative Getty in the standing dissent to all the Bills that follow."

Speaker Ryan: "Well, as I understand it, Representative Braun, Representative Getty is going to make that available to all you people that want to dissent, and we can proceed with the business of the House. You can sign a form and whatever you want to dissent to you can dissent to."

Braun: "Thank you, Mr. Speaker. It saddens me to do this, but it just...I just believe that the rules have to be respected...irrespective of whatever else is going on."

Speaker Ryan: "This Bill failing to receive a Constitutional Majority is hereby declared lost. House Bill 1045, Representative McMaster."

Clerk Leone: "House Bill 1045, a Bill for an Act to amend the Sheriff's Act, Third Reading of the Bill."

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Speaker Ryan: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. I hope we do a little bit better on this one. Mr. Speaker, there are three elected Constitutional officers of each county, the sheriff, the treasurer, and the county clerk. In the statutes, the county clerk and the treasurer are given the responsibility of purchasing supplies for their office. It is a feeling that this has been left out of the Sheriff's Act or sheriff's part of the statutes, and for that reason, I am merely adding the sheriffs in the same as the county clerks and county treasurers are to have the responsibility for purchasing supplies for their offices. I would say that in the case that there is a purchasing agent in the county that...of course, that would supercede this legislation. I would also like to point out, I see Mr. Madigan bristling over there, that Cook County is excluded from this Act."

Speaker Ryan: "Representative, this Bill is on Short Debate. We need an opponent on the Bill. Representative Darrow."

Darrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this legislation does is allow your sheriff to go out and make purchases...to purchase whatever he wants. If he wants to buy a plane, if he wants to buy a boat, he is able to do that. You then would go to the county board and say pay for it now that I have purchased it. It is the county board that has to set the tax rate. It is the county board that has to take the heat, and it is the county board that has to set the budget up each year. Under this legislation, that budget and those tax rates can soar based on what action the sheriff takes. I am very much opposed to this and should it receive the votes necessary for passage, I will ask for a verification. Not to be dilatory, but due to the fact that I am opposed to the legislation. Thank you."

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Speaker Ryan: "Representative McMaster to close."

McMaster: "Thank you, Mr. Speaker. Mr. Darrow is completely wrong in his statement that this gives the sheriff the power to go out and buy automobiles, boats, airplanes. That is completely erroneous, Clarence. As you know that any appropriation, any purchase of the sheriff has eventual approval by the county board. And it does not give him the unlimited ability to go out and buy whatever he wants. This legislation is already in existence for the county clerk and the county treasurer, and they are under the same constraints of going to the county board with their budget and with approval of anything they buy. For this reason, you are wrong, and I would urge the support of this Bill."

Speaker Ryan: "The question is 'Shall House Bill 1045 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Koehler to explain her vote."

Koehler: "Mr. Speaker, Ladies and Gentlemen of the House, I would just like to mention to you that in the House gallery now we have the Hopedale Elementary School from Hopedale, Illinois, Mrs. 'Britton' and Mr. Peterson, and they are represented by Representatives Ackerman and Ozella from the 45th District. Thank you."

Speaker Ryan: "Representative Matijevich to explain his vote."

Matijevich: "In explaining my 'no' vote, Ladies and Gentlemen of the House, this would be the same as if we in the Legislature would provide a lump sum appropriation to one of the Constitutional officers and then say, 'You do whatever you want with that lump sum fund.' I don't think that is a good way to appropriate funds. The county board is the board which has the authority to appropriate by line item. That is their function as representatives of the taxpayers even though I have a respect for sheriffs as chief law enforcement officers of the county. But I don't

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think they should have this authority."

Speaker Ryan: "Have all voted who wish? Representative Stuffle to explain his vote. One minute."

Stuffle: "Yes, Mr. Speaker and Members, this is a Bill very similar to one that Representative McMaster and I had in last time which passed this House with a fairly comfortable margin and was stuck as most of our other Bills in the Senate Rules Committee. He is very accurate in arguing that we're trying to do basically for the sheriff what the other constitutionally elected local county officers have the ability to do already. If you go back and look at what some of the county boards have done to hamstring sheriffs and to load up newly elected sheriffs with the old sheriff's supplies, purchases from his friends, and neighbors, and buddies, you know what is wrong in this state with the sheriff's ability to do exactly what Representative McMaster is trying to let them do. For those reasons, we ought to give this an 'aye' vote."

Speaker Ryan: "Representative Ropp to explain his vote."

Ropp: "Thank you, Mr. Speaker, Members of the House. What those red votes are saying is that after the county board has approved the budget for the county sheriff, he has to then go back and ask them whether or not he can spend the money after they've already given approval first. I think this is...this is important legislation. It does not in any way discourage the sheriff from going out...or what this does by your red vote, is totally discouraging a sheriff to even go out and spend the money after he's been duly authorized under the county board's approval. I say a green vote is the right vote that gives him the authority to go out and spend the money after he's already justified and gotten it passed through his initial budget."

Speaker Ryan: "Representative Lechowicz, one minute to explain

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your vote."

Lechowicz: "Thank you, Mr. Speaker. In explaining my 'aye' vote, I personally believe that if you take a poll of the people of Illinois, one of the most pressing things that is on their minds is the public safety that they encounter, both themselves and for their families. Now to promote public safety in all sections of the state, especially in downstate Illinois, probably the most important office holder is the sheriff of the respective county. We've passed Bills helping the sheriffs in downstate counties incorporating certain areas, making their districts contiguous and compatible, and now we're going to say that, 'I'm sorry. We're not going to provide for you the necessary equipment and supplies for your office'. That's all this Bill does. This should not be a partisan issue. This Bill should not be held hostage for any personal problems. It should be passed and signed into law."

Speaker Ryan: "Have all voted who wish? Representative McMaster, one minute to explain your vote."

McMaster: "Thank you, Mr. Speaker. I see this is unnecessary, but let me again say that the people who are saying that the sheriff can go out and buy whatever he wants without county board approval are wrong. They do not understand the operation of county government, the appropriation process, the right of Committees, of the Sheriff's Committee, for instance, to approve anything that he purchases, the fact that the county board must each month approve that Committee report of the Sheriff's Committee, and at that time they have complete control over approving his purchases, and it does not give him unlimited buying power. And I can't understand why these people lacking the knowledge, will not understand what I am saying. Because this is the way county government operates. The county

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government has complete control. This is not taking any control away from them. Thank you."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 105 voting 'aye', 44 voting 'no', and 15 voting 'present'. And this Bill having received the Constitutional Majority... Representative Darrow asks for a verification. Representative McMaster asks for a Poll of the Absentees. Read the absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Bradley, Brummer, Deuchler, Epton, Garmisa, Hanahan, Huff, Margalus, Oblinger, Slape, White, and Younge."

Speaker Ryan: "Proceed with the verification, Mr. Clerk. Poll the Affirmative votes."

Clerk Leone: "Abramson, Ackerman, pardon me. Abramson, Alstat, Barnes, Bartulis, Bell, Bianco, Birkinbine, Bluthardt, Boucek, Bower, Breslin, Capparelli, Carey, Catania, Christensen, Collins, Conti, Currie, Daniels, Davis, DiPrima, Domico, Donovan, Jack Dunn, Ralph Dunn, Ebbesen, Ewing, Fawell, Findley, Flinn, Dwight Friedrich, Griffin, Hallock, Hallstrom, Hannig, Hastert, Hoffman, Hoxsey, Hudson, Johnson, Karpiel, Jim Kelley, Dick Kelly, Kociolko, Koehler, Kosinski, Kucharski, Kulas, Kustra, Laurino, Lechowicz, Leinenweber, Leverenz, Macdonald, Martire, Mautino, Mays, McAuliffe, McBroom, McCourt, Barr, McGrew, McMaster, McPike, Ted Meyer, Roland Meyer, Mulcahey, Neff, Nelson, Oblinger, pardon me. O'Brien, O'Connell, Peters, Piel, Polk, Pullen, Rea, Reed, Reilly, Richmond, Robbins, Ropp, Sandquist, Schraeder, Schuneman, Irv Smith, Stanley, Steczo, E.G. Steele, Stuffle, Swanstrom, Tate, Telcser, Terzich, Topinka, Tuerk, Vinson, Vitek, Watson, Wikoff, Winchester, J.J. Wolf, Sam Wolf, Yourell, Zwick, and Mr. Speaker."

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Speaker Ryan: "Are there any questions, Representative Darrow?"

Darrow: "Yes, Zwick."

Speaker Ryan: "Representative Zwick."

Darrow: "Where?"

Speaker Ryan: "There she is next to you almost, Representative Darrow, coming down your side of the aisle."

Darrow: "Robbins."

Speaker Ryan: "Representative Robbins is here in his seat."

Darrow: "Abramson."

Speaker Ryan: "Representative Abramson is in his chair."

Darrow: "Bell."

Speaker Ryan: "Representative Bell is in the aisle."

Darrow: "Birkinbine."

Speaker Ryan: "Representative Birkinbine is in his seat."

Darrow: "Bluthardt."

Speaker Ryan: "Representative Bluthardt is in his chair."

Darrow: "Bower."

Speaker Ryan: "Representative Bower. Representative Bower in the chamber? There he is in the back."

Darrow: "Carey."

Speaker Ryan: "Representative Carey. In his seat."

Darrow: "Christensen."

Speaker Ryan: "Representative Christensen. Representative Christensen in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him please."

Darrow: "Domico."

Speaker Ryan: "Representative Domico. Representative Domico in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Darrow: "Donovan."

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Speaker Ryan: "Representative Donovan. Right here in front."

Darrow: "Jack Dunn."

Speaker Ryan: "Representative Dunn, Jack Dunn. Representative Jack Dunn. Is Representative Jack Dunn in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call. Representative Karpel, for what purpose do you seek recognition?"

Karpel: "Do I have leave to be verified please?"

Speaker Ryan: "Representative Darrow, do you give her leave to be verified?"

Darrow: "Fine."

Speaker Ryan: "Proceed."

Darrow: "Bianco."

Speaker Ryan: "Representative Bianco. Representative Bianco in the chamber? Representative Bianco. How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Darrow: "Flinn."

Speaker Ryan: "Representative Flinn. Is Representative Flinn in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Darrow: "Hallock."

Speaker Ryan: "Hallock was that?"

Darrow: "Yes, Hallock."

Speaker Ryan: "Representative Hallock, in his chair."

Darrow: "Hoffman."

Speaker Ryan: "Representative Hoffman in his chair."

Darrow: "Kulas."

Speaker Ryan: "In the back of the chamber."

Darrow: "Kustra."

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Speaker Ryan: "Over here by his desk."

Darrow: "Leinnweber."

Speaker Ryan: "In his desk...in his seat."

Darrow: "McBroom."

Speaker Ryan: "Standing up by his chair there."

Darrow: "McGrew."

Speaker Ryan: "Representative McGrew. Representative McGrew in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call. Return Representative Christensen to the Roll Call."

Darrow: "R.J. Meyer."

Speaker Ryan: "In his seat."

Darrow: "Richmond."

Speaker Ryan: "Representative Richmond. Representative Richmond. In his chair."

Darrow: "Mulcahey."

Speaker Ryan: "Representative Mulcahey. Representative Mulcahey in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call. Representative Satterthwaite, do you seek recognition?"

Satterthwaite: "Mr. Speaker and Members of the House, I would like to call your attention to the fact that over on the Republican side of the gallery a class has just come in from the 'Alerton' Broadlands Longview School with Mrs. Ann 'Liquer' as their teacher. It is an eighth grade class. Welcome to Springfield."

Speaker Ryan: "Welcome. Proceed, Representative Darrow."

Darrow: "Mr. Speaker, throughout this Session people have jumped up and introduced different people. Here is another case of it. I wish they would abide by the rules on that. Oblinger."

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Speaker Ryan: "Representative Oblinger. Is Representative Oblinger in the chamber? How is the Lady recorded?"

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

Speaker Ryan: "The Lady is not recorded, Representative Darrow."

Darrow: "O'Brien."

Speaker Ryan: "Representative O'Brien. Is Representative O'Brien in the chamber? Where? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Darrow: "Steczo."

Speaker Ryan: "Representative Steczo is in his seat."

Darrow: "Terzich."

Speaker Ryan: "Representative Terzich is right here on the front."

Darrow: "Robbins."

Speaker Ryan: "Representative Robbins is in his seat."

Darrow: "That is all we have, and I believe Mulcahey was verified off and he has returned."

Speaker Ryan: "Representative Mulcahey returned to the Roll Call. What's the count, Mr. Clerk? Return O'Brien to the Roll Call. On this question there are 100 voting 'aye', 44 voting 'no', and 15 voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1048, Representative Ewing."

Clerk Leone: "House Bill 1048, a Bill for an Act to create a Truth in Taxation Act, Third Reading of the Bill."

Speaker Ryan: "Representative Ewing. Representative Yourell, for what purpose do you seek recognition?"

Yourell: "What sheet are we on, Mr. Speaker?"

Speaker Ryan: "Page four of the Calendar on the Order of House Bills, Third Reading, Short Debate."

Yourell: "That's not priority of call then."

Speaker Ryan: "No."

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Yourell: "Thank you."

Speaker Ryan: "Page four of the Calendar. Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this is a piece of legislation that I think everybody's going to want to be recorded 'yes' on. This provides that no taxing district and including home rule units can increase its property tax levy above the amount of property taxes extended during the previous year without first publishing its intent. They must also hold a public hearing on the increase. We are not insisting in this legislation that they have a separate public hearing from the normal public hearing required on their budget. What it does require is that we publish proposed tax increases. It helps put the burden for tax increases on those who are levying them. The intent of this Bill is to open up local taxing bodies to the survey of the local taxpayer. Instead of calling your office he can talk to his County Board Member, his School District Board Member about the proposed tax increase. It's been rather quiet on the property tax front. But Ladies and Gentlemen, in a few weeks the property tax Bills will be out and we know that there are going to be some sizable increases. These property tax increases are not the fault of the General Assembly. They are caused by actions of local taxing districts. Maybe all of them are justified. This Bill does not limit taxes. It doesn't limit the power of local governments. It only requires that local governments tell their taxpayers when they're going to increase taxes. And I would ask for an affirmative vote on this piece of legislation."

Speaker Ryan: "Any further discussion? Anybody in opposition? The question is, 'Shall House Bill 1048 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Bluthardt, one minute to explain your

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vote."

Bluthardt: "Merely a question which might satisfy me. Does the publication of a tax levy ordinance take care of this requirement?"

Speaker Ryan: "Representative Ewing, to explain his vote. One minute."

Ewing: "The tax levy publication ordinance would not necessarily take care of it because you have to explain the increase or at least set forth the increase figures. If that's set forth in the statute, if you can make your ordinance meet the not too stringent requirements that just set forth the increase then that would take care of it. One publication would take care of it."

Speaker Ryan: "Representative Peters, one minute to explain your vote."

Peters: "Mr. Chairman, just on a ... Mr. Speaker, on a point of order. Representative John Dunn has entered into the record his dissent. I note on this he is voting 'yes'. I don't know that he would want to jeopardize his standing by voting 'yes' on any of these Bills that come up. I just want to call that to the attention of the people around him who may be voting him or if he forgot."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 133 voting 'aye', one voting 'no' and 14 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1065, Representative Yourell."

Clerk Leone: "House Bill 1065, a Bill for an Act to amend Sections of an Act to revise the law in relationship to counties, Third Reading of the Bill."

Speaker Ryan: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1065 clarifies that counties may provide

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emergency ambulance service but are not required to do so.
I ask for a favorable Roll Call on House Bill 1065."

Speaker Ryan: "Is there any opposition? The question is 'Shall House Bill 1065 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 146 voting 'aye', 1 voting 'no', and 12 voting 'present', and this Bill having received a Constitutional Majority is hereby declared passed. Representative Peters, do you seek recognition?"

Peters: "Yes, Sir, just in terms of the record again. I wish the record to indicate that on House Bill 1065, Representative Matijevich who objected to the proceedings, is recorded as voting 'aye'."

Speaker Ryan: "Representative Matijevich."

Matijevich: "Now, if you want to keep mentioning my name, Pete, go ahead. But there is nothing wrong with entering a dissent into the record when you believe that some proceeding is injurious to the public. And you can still vote 'aye'. Now, go ahead and mention my name all along. I don't give a damn, but I voted...I voted the way I wanted to vote. I've got every right to vote like you have, and I have every right to follow the rules and enter a dissent like you have, too. Now, go ahead and use my name again if you want. At least I didn't change my name, Pete."

Speaker Ryan: "Representative Peters."

Peters: "Well, the Gentleman from Lake County has shown his usual great style. I will not comment on that nor bring myself to that level. The Gentleman has every right to dissent to any proceeding in this House. That is his right as an elected Member of this Body whether the people of his county made an error in sending him, that is their judgment, not mine. He has every right to vote the way he

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wishes. He has every right to vote the way he wants to vote. He has every right to make whatever statement he wishes on the House floor. As a Member of the House, I also have a right to enter into the fact...the record, that the Gentleman dissented on the entire proceedings, and it should be noted in the record that people cannot end up picking and choosing where they want to say yes, where they want to say present and want to say no. That is in my humble judgment as a layman, not as an attorney, should this end up coming up into court, I am sure someone will want to end up going to the conscience, going to the correctness, to the real intent of the people who issue those dissents. That is all that I, as a Member, want to have also put in the record. And that, I think, is my right."

Speaker Ryan: "On this question there are 146 voting 'aye', one voting 'no', 12 voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1072, Representative Wolf. Read the Bill."

Clerk Leone: "House Bill 1072, a Bill for an Act to create an Act in regard to reciprocal banking, Third Reading of the Bill."

Speaker Ryan: "Representative Wolf."

Wolf, J.J.: "Thank you, Mr. Speaker. This Bill is really a merely Bill in its truest sense. The enactment of House Bill 1072 would merely permit American banks to operate a single facility in the downtown central business district, that is, the Chicago Loop, provided, of course, that other states have a similar law which would permit Illinois banks to establish themselves in their principal city. This Bill poses no danger to small banks especially in downstate Illinois. Foreign banks such as the Bank of Tokyo and the

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Bank of India have had this option since, I believe, 1972 under the Foreign Banking Act. 1072 will allow American banks to track the Foreign Banking Act to open a single facility in the Chicago Loop area on a reciprocal basis only. And that's all this Bill does."

Speaker Ryan: "Is there any opposition? Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members. First of all, I would ask ten Members to join me in taking this Bill off of Short Debate because I think it's not a merely Bill. It does a great deal more potentially than what is contained in the arguments made by the Sponsor."

Speaker Ryan: "Does the Gentleman have ten Members to join him? The Bill is off of Short Debate. Proceed, Representative."

Stuffle: "First of all, I think it's important to consider what the Bill does not only in terms of what Representative Wolf stated but in terms of the overall philosophy of banking in this state and what this Bill could do to our structure potentially as a foot in the door. And refer you, first of all, to an analysis of this Bill done by Susan Gordy Epstein, the wife of our former Democratic Parliamentarian on behalf of the First National Bank of Chicago which opposes this Bill. A number of the banking organizations and people in them also oppose the Bill. The reasons are these: First of all, the reciprocity in this Bill is not equal reciprocity. It provides for an Illinois bank to go elsewhere, if a New York bank, for example, can be put in Chicago. If a Chicago bank were to be put into New York under reciprocal agreement it would be dealing with a situation that exists there of multi-bank statewide branching while the New York bank in this state, if our structure stayed the same, would be dealing with a single bank unit banking structure. That's the first problem I see. The second problem I see is the fact that the City

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Bank of New York is the bank that promoted this Bill. It's been widely recognized as the promoter of the Bill even in the Wall Street Journal. City bank is the bank, and I refer you to a Wall Street Journal article of 9/24/80, that is in the works of negotiating a \$250,000,000 loan to the Apartheid Government of South Africa. I know that Representative Wolf is not a party to that type of thing and Representative Wolf would not be. But the people who are behind this bank are the promoters of that loan and that loan issued to that Apartheid Government. Also, I would indicate to you briefly that this Bill has not passed in any other state to allow the reciprocity. It has failed in California. It has failed in Michigan. It has failed in Pennsylvania. It has failed in New York and is currently tied up in the State Senate in New York. So I would argue for defeat of this Bill for the arguments advanced in Mrs. Epstein's analysis of the Bill and because the reciprocity is not fair. We're already seeing money flow into New York because of subsidiaries of city banks that are here. We're taking Illinois consumer money and deposits and putting them in other states. And for those reasons with respect to the Sponsor, I would urge a 'no' vote."

Speaker Ryan: "Representative Conti."

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House, as the previous speaker said this is commonly known as the City Corps Bill since it's being promoted by the City Corps of New York. The State of New York is considering legislation permitting out-of-state banks to acquire an actual bank in the City of New York, providing that, as in this Bill, the State of Bank home office permits a New York bank to enter into this territory. New York can open banks in Chicago but Chicago can't go into New York. Both states

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have rejected the concept for a good reason. The Illinois General Assembly should reject it for the same reason. Banks that wish to operate in New York can do so just as New York banks can operate in any other state of the Union. At the present time, City Corps operates ten subsidiaries in Illinois. And manufacturers, Hanover of New York, operate seven as such banks... Bank of American California. Six other major New York and California banks function effectively in Illinois market. If for no other reason this Bill should be defeated it's because it really would be adjudicating something that's pending. California and Florida both are waiting to see what the Illinois General Assembly is going to do if they pass this Bill. And, in essence, what we're really doing is adjudicating something that is pending in these two states right now in their General Assemblies. If we pass this they're going to be looking at the State of Illinois and they'll be doing the same thing. This is nothing but what they call the City Corps Bill Bank and it should be defeated."

Speaker Ryan: "Is there any further discussion? Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to ask the Sponsor a question if I may."

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

Bullock: "Representative Wolf, could you indicate to the Body in your humble estimation as to what the beneficial effects would be to major Illinois banks, more specifically those located in Chicago as to what effect, positive effects this Bill would achieve both for the banking community as well as for its depositors and necessarily the citizens?"

Wolf J.J.: "Well, Mr. Bullock, there seems to be all kinds of spectors raised here as to what the thing may do in the future. The Bill is very simply drafted. It says, if the

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people take the time to read Section 3, it talks about establishing a single unit in the banking office in the central business of Chicago providing there is a Reciprocal Act on the part of another state for the Illinois banks to establish a single bank in the principal city of that state. Now, that's all the Bill does. I don't know if people are getting into structure. They're talking about branch.. this doesn't deal with any of that. I think it would be helpful because it would track the Foreign Banking Act. As I said before, we have the Bank of Tokyo. We have the Bank of India. We've allowed that since 1972. This would give our Illinois banks the same courtesy, the same right to establish banks in the principal city of any other state provided we have a reciprocal agreement. If they say New York doesn't have the reciprocal agreement then I don't know what the big bugaboo is about. Then obviously New York couldn't do and we couldn't establish a bank in New York. It's only for those states which may enact reciprocal laws that the Illinois banks may do likewise. It doesn't affect downstate.. It doesn't affect the small banks. It is only confined to the central business area of the City of Chicago which is the Loop."

Bullock: "Representative, could you indicate to this Body as to what would be.. what is the posture of the major banking associations in Illinois in relationship to House Bill 1072?"

Wolf, J.J.: "I would imagine like others that there are some who would be opposed to it and some who would be for it."

Bullock: "Could you cite the Independent Bankers Association on this Bill?"

Wolf, J.J.: "I cannot."

Bullock: "Could you cite the Association for Modern Banking in Illinois as a posture on this Bill?"

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Wolf, J.J.: "I cannot."

Bullock: "Mr. Speaker, to the Bill."

Speaker Ryan: "Proceed."

Bullock: "Mr. Speaker and Ladies and Gentlemen of the House, I have tremendous respect for Representative Wolf and his efforts to modernize banking in the State of Illinois. Unfortunately, House Bill 1072 does not address that essential issue. House Bill 1072 more rightfully belongs in the U.S. Congress where perhaps this issue should be fully debated and decided at the federal level. I find it awfully difficult that neither of the Associations in our state that have come together voluntarily to improve banking practices have given affirmative support for the Bill. I find it equally interesting that at this time that we would be pressing for these types of innovative practices in inter-state banking when we have not seen fit to move ahead with holding companies in the State of Illinois. I think it would be a tremendous mistake at this time for us to engage in this type of support for a modernized practice in Illinois. And hopefully, this issue will be rightfully addressed at the federal level where I submit to you it belongs. And for those reasons and others, I am not able to support House Bill 1072 and would respectfully ask others to consider opposing the Bill and casting a negative vote."

Speaker Ryan: "Representative Ralph Dunn."

Dunn, Ralph: "Thank you, Mr. Speaker. I, too, want to rise to oppose House Bill 1072. This Bill passed out of Financial Institutions by a pretty good vote but it was kind of wired before it got there I think. It should be a federal matter. We appreciate the fact that Representative Wolf is handling the Bill and trying to help with it, but I'd like to call to the attention of the Members that opponents are

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the Independent Community Banks of Illinois and the Illinois Bankers Association. This is showing on our Republican staff analysis. And so I join with them and with... I hope many of you to oppose House Bill 1072 and urge a 'no' vote on it. It's a kind of a form of branch banking or multi-bank holding companies from out-of-state. And we don't have multi-bank holding companies in the state as of yet."

Speaker Ryan: "Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Ryan: "Indicates he will."

Leverenz: "The similar legislation, Representative, has it been introduced in other states?"

Speaker Ryan: "Representative Wolf."

Wolf, J.J.: "Yes, I believe Maine has a Reciprocal Banking Act and I believe it's pending in a couple of other Legislatures. I cannot tell you which ones they are."

Leverenz: "Perhaps as a form of informing you, I understand the other two states that have legislation introduced along these lines, the Sponsors in those states have withdrawn those Bills and those issues are now dead in the State of New York and in the State of California. And I know of no legislation on the books in any state that deals with this. What state is it that has this?"

Wolf, J.J.: "I believe Maine does but if the other states have withdrawn from.. for whatever reason the Sponsors have withdrawn the Bill, Illinois has always been a progressive leader in any field. And I think it is not too much to ask that we be leader again."

Leverenz: "Who asked for this Bill to be introduced?"

Wolf, J.J.: "I think your.. no it wasn't...It was..I did. My name is on the Bill."

Leverenz: "Mr. Speaker, technical question."

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Wolf, J.J.: "Mr. Bartulis is a Co-Sponsor."

Leverenz: "Mr. Speaker, could you help us understand the number of votes it will take to pass this?"

Speaker Ryan: "What is it you want to understand, Representative?"

Leverenz: "It may take something beyond 107."

Speaker Ryan: "Is that your request?"

Leverenz: "Does it take 107 votes?"

Speaker Ryan: "The Parliamentarian tells me it takes 89 votes, Representative Leverenz. Representative Giorgi. Representative Leverenz. Leverenz."

Leverenz: "It has to do with Section 13, Section 8 on branch banking in the Constitution?"

Speaker Ryan: "Well, we've already made the ruling, Representative. The ruling is 89 votes. Representative Giorgi."

Giorgi: "Mr. Speaker, I want to support this Bill but I want to clear the air now, Mr. Wolf. In the event, one of the OPEC nations comes in and starts a bank in the Chicago area, may by innovation and imagination outdo the Chicago banks, don't blame me for sending the money out of the country like you've blamed me for the Workmen's Comp and Unemployment Comp issues. Business is running away because I understand these guys have been with us manipulating money and making money and making us eat it."

Speaker Ryan: "Representative Jack Dunn."

Dunn, Jack: "Mr. Speaker, I move the previous question."

Speaker Ryan: "The Gentleman moves the previous question. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Motion prevails. Representative Wolf, to close."

Wolf, J.J.: "Thank you, Mr. Speaker. I'm not too sure what the Gentleman from Winnebago said. But with regard to OPEC

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nations, you're talking about the foreign banking. Foreign banks already have the right and privilege under the Illinois Act to establish a bank. And we've got them all over the downtown Chicago area. Mr. Speaker and Members of the House, we often get some legislation where people get all excited over really nothing. People have talked structure. They've talked about branch banking. They've talked about all kinds of things in a debate. This is not a structure Bill. It's a Reciprocal Act Bill. It's very simply stated in the Bill in Section 3. It allows American banks to track the Foreign Banking Act by establishing a single unit in the downtown business section of Chicago, that is to say the Chicago Loop area, provided that they have laws in their state which would allow Illinois banks to establish a single bank in the central business section of their largest city and that's all the Bill does. I would ask for your favorable votes and support."

Speaker Ryan: "The question is, 'Shall House Bill 1072 pass?' All in favor will signify by saying 'aye', voting 'aye', all opposed by voting 'no'. Representative Huff, to explain his vote."

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In explaining my 'no' vote, Mr. Speaker, we've heard Representative Wolf simply state that the out-of-state bank simply has to establish a banking facility in the state. But he doesn't qualify how that acquisition must be made. Those banks, as in this case, Mr. Speaker and Ladies and Gentlemen of the House, they have to acquire a bank. That means they have to come in here and buy up the assets of any bank in the State of Illinois in order to exist. And any bank from Illinois must be able to do that if they're going to go elsewhere. This is nothing more than 666 all over again and

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Representative Wolf is wrong."

Speaker Ryan: "Have all voted who wish? Representative Dunn (John), do you wish to explain your vote?"

Dunn, John: "An inquiry of the Chair, Mr. Speaker. I understand what the Chair's ruling was but I don't understand what if any reason there was for the ruling of the Chair on Representative Leverenz's..."

Speaker Ryan: "Your inquiry is not timely, Representative. Have all voted who wish? Have all voted who wish? Representative Leon, to explain his vote."

Leon: "Thank you, Mr. Speaker. Ladies and Gentlemen of this Body, this Bill is dependent upon concurrence of a light law in Illinois. At the present time, the State of New York in their Senate are considering this measure. Unless we pass this Bill the effect of the New York Legislature will be nil. I believe this Bill is necessary to encourage, you might say, international banking in Chicago which we need the flow of money from other nations and other countries in order to help our economy. I would urgently ask for a 'yes' vote on this measure."

Speaker Ryan: "Have all voted who wish? Representative Peters, to explain his vote. Representative Wolf, to explain his..."

Wolf, J.J.: "Well, Mr. Speaker, I was just hoping to get some more votes so at least I could put it on Postponed Consideration if we can't pass it today. This is my first Bill."

Speaker Ryan: "Have all voted who wish? Representative Dunn, did you care to explain your vote?"

Dunn, John: "Parliamentary Inquiry, Mr. Speaker. Just to satisfy my own curiosity. I've asked two questions today and neither one of them has been answered."

Speaker Ryan: "Maybe, Representative, we don't indi... the Roll

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Call doesn't indicate you're here today."

Dunn, John: "I announce for your benefit and for anyone else who needs to know that I am in attendance and am present and expect to be paid a per diem."

Speaker Ryan: "Have all voted who wish? Take the record. On this question there are 53 voting 'aye', 83 voting 'no', 26 voting 'present'. This Bill, having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 1080, Representative McAuliffe. Or no, Representative Vinson. House Bill 1080. Wait just a minute. Take that out of the record, Mr. Clerk. Take that out of the record. Representative Giorgi."

Giorgi: "Yes, Sir, Mr. Speaker, on a point of order."

Speaker Ryan: "Yes."

Giorgi: "What has been happening to some of the Members that have come here since we took the quorum Roll Call. Have they been added to the Roll Call?"

Speaker Ryan: "No, they haven't, Representative. But that is an Oral Verified Roll Call. It is going to take leave of the House to do that."

Giorgi: "Well, then, Mr. Speaker...alright, Mr. Speaker. I ask for another...I ask for another verified quorum Roll Call."

Speaker Ryan: "Well, you're not timely right now, Representative. Representative Dunn, do you seek recognition again?"

Dunn: "Yes, Mr. Speaker, I just...I didn't stand up to challenge anything about the per diem. It would be awfully nice if I collect the per diem. I am here every day, and whether I collect it or not, I had questions that I asked earlier. I asked earlier on a point of parliamentary inquiry about the procedure for dissent. On this past Bill I asked for an explanation of the Chair's ruling on whether this Bill required 3/5ths vote or not, and neither time was I granted the courtesy of an answer. I am a duly elected Member of

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this Body, and a reasonable inquiry, and I would like to know the answer to...I would like to know the answer to my question, Mr. Speaker. I made the..."

Speaker Ryan: "Representative Dunn, I answered that question for Representative Leverenz. The question is not mute. The Bill got 53 votes, and it has been declared lost."

Dunn: "...The right to be heard."

Speaker Ryan: "You've been heard, Representative."

Dunn: "What is the answer to the question?"

Speaker Ryan: "I've answered the question. It is not mute. I've ruled on it."

Dunn: "What is the reason for the answer with regard to the question on the Bill on banking? The Constitution says that a branch banking Bill shall be passed only with a 3/5ths vote of the Members of this General Assembly. The question was raised, and the only answer was given that it takes 89 votes. In light of the Constitution of the State of Illinois, I want to know what is the reasoning behind the ruling. That is my parliamentary inquiry. If I am out of order, I am out of order, but that is my..."

Speaker Ryan: "It is not a branch banking, Representative. Turn him off. It is not a...shut him off. It is not a branch banking Bill, Representative Dunn. It is the Reciprocal Banking Act. That is the ruling of the Chair. That is the reason for the ruling, and...well, I've done it. Now, that takes care of that. Representative Giorgi, do you seek recognition?"

Giorgi: "Yes, Sir, Mr. Speaker, on a parliamentary procedure."

Speaker Ryan: "Proceed."

Giorgi: "You took a verified Roll Call. Now...and the Journal is going to indicate that that is who was present today. Now you're taking Roll Calls, and people that are not on the Verified Roll Call are voting putting in this repture again."

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I think you ought to make a ruling that anyone that appeared and asked to be on the Roll Call is on the Roll Call, or we're going to have phantom voters."

Speaker Ryan: "Have ghost voters you mean."

Giorgi: "Ghost voters. Your type."

Speaker Ryan: "Representative, we had an....an Attendance Roll Call was the first Roll Call that we had. Then we had an Oral Verified Roll Call. Does that answer your question? Representative Giorgi."

Giorgi: "Speaker, a half a dozen Members of the General Assembly appeared after the verified Roll Call. And now they are voting on these Bills. Our Journal is going to show that they were absent on the Verified Roll Call, and it is going to indicate that people are voting that aren't here. These people ought to be allowed to get on the Roll Call."

Speaker Ryan: "Representative Ewing."

Ewing: "Mr. Speaker, we have people vote on your side of the aisle that aren't on the Roll Call all of the time. Now let's cut it and move on. Other people have Bills that want to be heard."

Speaker Ryan: "Representative Telcser."

Telcser: "Mr. Speaker, I was simply going to suggest to the Assistant Minority Leader that he let his Leader handle the situation with you at some time during the course of the day. What I am suggesting, Representative, is that you let your Leader, Representative Madigan, discuss the question with Representative Ryan sometime during the course of the day and try and work it out if they can."

Speaker Ryan: "Mr. Clerk, will you read House Resolution 295? Representative Jones do you seek recognition prior to that? Read the Resolution, would you please? 295."

Clerk Leone: "House Resolution 295. Whereas, Walter Jackson of Chicago, Illinois has gained wide spread renown as a

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consummate song interpreter since he emerged in the '60's as a smooth soul stylist with his series of "Chicago Sound" hits; and Whereas, in his debut album with Columbia Records, "Tell Me Where It Hurts", Walter Jackson reaffirms his reputation as an assured and relaxed performer with an easy rapport with all audiences; and Whereas, Walter Jackson has built a brilliant career as a distinguished song writer despite a bout with polio when he was 17 years old that left him on crutches; and Whereas, he describes the aftermath of this illness..."

Speaker Ryan: "House be in order so we could hear the Resolution for the Gentleman that's on the podium, please."

Clerk Leone: "Whereas he describes the aftermath of his illness as being "handicapped but not crippled" and by the early '60's was performing in night clubs and cabarets; and Whereas, in 1962 he signed with Columbia Records and gained attention with such song recordings as "I Don't Want to Suffer" and "That's What Mamma Says" before scoring with his first national hit, an interpretation of "It's All Over" in 1964; and Whereas, in the 1970's he took leave from the recording business until the song "Feelings" put by Walter Jackson back on the charts for more than a half a million copies in 1967, and he followed with strong performances of smooth popular hits such as "I Want to Come Back As a Song", "Good to See You", and "Send In the Clowns"; therefore be it resolved, by the House of Representatives of the Eighty-Second General Assembly of the State of Illinois, that we express our appreciation for the music he has given us during the past two decades, and our applause for overcoming a handicap that occurred at a crucial stage in his emerging career; and be it further resolved, that suitable copies of this preamble and Resolution be presented to Walter Jackson as a formal and

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lasting symbol of our best wishes and esteem. Adopted by the House of Representatives, May 13, 1981."

Speaker Ryan: "Representative Henry, for an introduction."

Henry: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This being the year...the international year of the handicapped brought no more appropriate time for a Gentleman to come from Chicago to be with us tonight at the Soul Food Dinner. I give you the one and only, the Chicago Love, the Illinois Love, Walter Jackson, Walter Jackson."

Walter Jackson: "Thank you. Mr. Speaker and Representatives of the House, Ladies and Gentlemen, I've done a lot of recordings in my time but I...and also I've received a lot of awards. This is one of the most fantastic awards that I've ever hoped to receive. Thus, it's the only one that I'll cherish the most. Thank you so much, please come and join us tonight. Thank you very much."

Speaker Ryan: "Representative Emil Jones."

Jones: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. It is indeed a pleasure to have Walter Jackson here in Springfield with us today because he will be performing tonight at our Soul Food Soiree Dinner Dance and I know we've a little controversy between the Democrats and Republicans but this is a non-partisan affair. We intend to adjourn at 7:00, Mr. Speaker, and go to the Hilton and enjoy a very good time. Eat some good food so we can have something on our stomachs when we come here tomorrow to work through midnight. So, we look forward to each and everyone of you being there tonight and to hear this international star, Walter Jackson. Thank you."

Speaker Ryan: "The Gentleman moves for the adoption of House Resolution 295. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Resolution is adopted. Representative Bullock."

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Bullock: "Well, Mr. Speaker, you remember many years ago, we needed that old negro spiritual to sort of invigorate us and give us the type of fortitude that we needed to carry our burdens. At this time in light of the shenanigans that have taken place between the...both sides of the aisle today, I was wondering if our guest, Mr. Walter Jackson, who I have admired from a distance, and so has my wife, would give us at least a rendition of that great song, "Feelings" which I think we need more of in this Body, at this time, more than ever."

Speaker Ryan: "Representative Henry twisted his arm and I think he's agreed to do that for us."

Walter Jackson: "This is kind of weird. I'll try. (sings song, "Feelings")"

Speaker Ryan: Well, Mr. Jackson, let me tell you, if that doesn't settle this group down, so we can get at our business, so we can be at your affair tonight, I don't know what it's going to take. Representative Braun."

Braun: "Thank you, Mr. Speaker. I'd like to join in welcoming Mr. Walter Jackson and I would move that all the Members of the House be added to the congratulatory Resolution."

Speaker Ryan: "Lady has asked leave that all Members be added to the House Resolution, 295. Are there any objections? Hearing none, leave is granted. Thanks again, Mr. Jackson, very much. Representative Terzich, for what purpose do you seek recognition?"

Terzich: "Well, Mr. Speaker, one is I would like to know if I am ex-communicated for going to church this morning, and two, if I am not here, where am I?"

Speaker Ryan: "You'll have to check with the Pope. Representative Kulas."

Kulas: "Yes, Mr. Speaker, I think in light of the shenanigans that went on last night, it would have been more

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appropriate if Mr. Jackson would have sang Send in the Clowns."

Speaker Ryan: "Most of them were here. Representative Vinson, you ready to take a dive on 1080? Read the Bill."

Clerk Leone: "House Bill 1080, a Bill for an Act to amend the County Home Act, Third Reading of the Bill."

Speaker Ryan: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker. I am sure 1080 is going to be a noncontroversial Bill. It deals with the problem that we have had with county operated nursing homes downstate. In Cook County, the county can levy a tax to support those nursing homes. Downstate counties cannot. This permits downstate counties to do the same thing if they do it with a referendum. That Amendment was added in Committee. It would permit downstate nursing...counties to continue operating nursing homes even given the current situation of under reimbursement by public aid, and I would urge an 'aye' vote on the Bill."

Speaker Ryan: "Is there any opposition? Anyone stand in opposition to the Bill? Representative Bradley."

Bradley: "No opposition, I just have a question. I was wondering how many counties that he represents that would fall into this category."

Speaker Ryan: "Well, he can give you that one. This Bill is on Short Debate, and..."

Vinson: "I believe that the..."

Bradley: "Well, I didn't want to stand in opposition, I just wanted to ask a question."

Vinson: "At least four."

Speaker Ryan: "Representative Dunn, do you stand in opposition to the Bill? The question is 'Shall House Bill 1080 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Ralph Dunn to explain his

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vote."

Dunn: "Thank you, Mr. Speaker, Members. I was just going to ask the Sponsor a question, but I suppose this has a frontdoor referendum on it. I thank you, and I am going to vote 'aye'."

Speaker Ryan: "Representative Bartulis to explain his vote."

Bartulis: "Thank you, Mr. Speaker. The reason for my 'no' vote from Macoupin County, and we just had our nursing home go broke. Now, if we levied more money, it would be just more cost to the taxpayers, and I think this is a bad Bill. Think about this. I don't think government should be in business. Let's get the business out of the people's pocket. Put it back in there."

Speaker Ryan: "Representative Vinson, one minute to explain your vote."

Vinson: "Thank you, Mr. Speaker. In response to Representative Dunn's question, it is a frontdoor referendum. What we're doing right now is levying a tax on the private...on the public...on the private pay patients to try to subsidize the public pay patients. This just legitimizes the situation and makes it very public, and it would permit the counties to keep operating these nursing homes."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are...on this question there are 109 voting 'aye', eight voting 'no', and 21 voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1143, Representative McAuliffe."

Clerk Leone: "House Bill 1143, a Bill for an Act to amend the Illinois Vehicle Code, Third Reading of the Bill."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1143 merely makes a definition of the crosswalk. It defines it as being 15 feet wide and makes it just a

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technical change in the law to make it easier to a police officer to determine who is at fault in accidents at crosswalks. Move for its favorable passage."

Speaker Ryan: "Is there anybody...anybody stand in opposition to the Bill? The question is 'Shall House Bill 1143 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 131 voting 'aye', three voting 'no', 13 voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. Representative Rhem on House Bill 1152. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1152, a Bill for an Act to amend Sections of the State Comptroller Act, Third Reading of the Bill."

Speaker Ryan: "Anyone standing in opposition? Representative Rhem, have you explained the Bill?"

Rhem: "No, I was waiting for permission to explain it, Mr. Speaker."

Speaker Ryan: "Go ahead."

Rhem: "Mr. Speaker and Members of the House, House Bill 1152 provides that replacement warrants for \$500 or less for lost circuit breaker payments and all other requests for replacement warrants for \$25 or less, may show entitlement by a written statement instead of by an affidavit. This Bill is good for the senior citizens, and I am requesting your favorable vote."

Speaker Ryan: "Any opposition? The question is 'Shall House Bill 1152 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 127 voting 'aye', eight voting 'no', and 10 voting 'present', and this Bill having received the

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Constitutional Majority is hereby declared passed. House Bill 1153, Representative DiPrima. Read the Bill."

Clerk Leone: "House Bill 1153, a Bill for an Act to amend an Act to provide for the educational opportunities, Third Reading of the Bill."

Speaker Ryan: "Representative DiPrima."

DiPrima: "Yes, Sir. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1153 is designed to increase the amount of educational benefits that can be received from \$150 to \$250 for children of desiezed or permanently disabled veterans whose death or disability was service connected with the Spanish-American War, American...World War I, World War II, and the Korean Conflict. Amendment #1 to House Bill 1153, now this Amendment would include Viet Nam permanently disabled veterans and those killed in action during the Viet Nam War so that the children of these patriots can also receive these benefits. The present statutory language does not include the veterans of the Viet Nam War, and I would appreciate a favorable vote."

Speaker Ryan: "Is there any opposition to House Bill 1153? The question is 'Shall House Bill 1153 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 145 voting 'aye', three voting 'no', and five voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1155, Repre...Representative Peters, do you seek recognition?"

Peters: "Mr. Speaker, on a point of order, if I might file in the record, that on House Bill 1143 Representative John Dunn and Matijevich were voted 'aye'. On House Bill 1152, John Dunn and Matijevich were voted 'aye'. And House Bill 1153 Representative Braun, John Dunn, and Matijevich were voted

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'aye'."

Speaker Ryan: "Representative McClain, for what purpose do you seek recognition?"

McClain: "Thank you, very much, Mr. Speaker. I would just suggest that the Gentleman would not use people's names in debate and we're going to get real cheap here if we keep doing things like that instead of running the House well."

Speaker Ryan: "Your point is well taken, Representative. Representative Dunn. John Dunn."

Dunn: "Yes, Mr. Speaker, I have great respect for the Gentleman who just made the point. I don't think there's any particular inconsistency in dissenting to a procedure that you consider to be inequitable and unfair and voting upon the Bills which come up over your opposition on the merits at the final passage stage in this General Assembly. The people sent everyone in this room here to vote on these measures and I intend to vote on them, 'yes', 'no', 'present' or however I see fit as they come up. There is no particular inconsistency in doing that. I wish the Gentleman would refrain from his comments and I would like the record to show that my dissent is continuing and is recorded in writing and it either now is or soon will be filed with the Clerk of this House. The dissent originates from the action taken last evening and has nothing to do with the Third Reading and final passage stage votes taken at this time, because I have no control over whether those votes will be taken at this time. I can't help it. I have objected as strongly as I know how and I intend to pursue in that objection and I intend to vote any way I see fit on these Bills as they come up. I think that's not only my right and my prerogative, but it is my duty."

Speaker Ryan: "Representative Satterthwaite, for what purpose do you seek recognition?"

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Satterthwaite: "Mr. Speaker and Members of the House, there are many of us on this side of the aisle who chose not to take the time of the House to reiterate the sentiment that Representative John Dunn has just expressed to the Body. Since we do not know whether these Bills will be challenged in court for their validity, the only recourse open to us as Members now is to cast our individual votes on the Bills because our individuals rights as Members under the rules are being ignored. So, I think it would be foolhearty for anyone in this chamber to feel that simply because Members on this side of the aisle have not raised their voices in protest before that we all go along with some kind of a decision on the part of the leadership that this is the way to proceed. I have the same kind of dissent as Representative Dunn and Representative Madigan and Representative Getty and others have expressed but we are trying to fulfill our responsibility to our constituency in the best way we can. So, my vote on these Bills will be done in my best conscience of how I should vote on the issue at hand and will not be recognized I hope as an approval of the method by which we have arrived at this point of the Order of Business."

Speaker Ryan: "Representative Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, several Members have already expressed in the record their concern regarding the legality and validity of Bills being considered today in light of the action taken by the Chair last night. At the beginning of Session today, I read into the record my opinion that all Bills on the Calendar on the Order of Third Reading, all non-appropriation Bills on the Order of Third Reading on the Calendar are more properly placed on the order of being tabled. At this time, a dissent is being filed by myself and other Democratic

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Members to the Speaker continuing on this Order of Business. Quite clearly, there is doubt in the minds of many of our Members as to the propriety of our continuing to consider House Bills, House non-appropriation Bills on the Order of Third Reading. I would say to you, Mr. Speaker, that there is available to you a method by which you can eliminate this confusion and doubt in the minds of the Members. One of your Members, Mr. McMaster, has stated his willingness to move that all of these Bills be taken from the table and that the postponement of the deadline for consideration of House Bills would be legally and validly put over until the date selected by you last night. So I say to you, Mr. Speaker, why do you continue to keep all of us in confusion and doubt? Why do you not recognize the willingness of one of your Members to offer a Motion which pursuant to our rules is the proper method by which to resolve this confusion and doubt? And I say to you again, Mr. Speaker, what are you afraid of? Why are you afraid of submitting questions..."

Speaker Ryan: "Bring your remarks to a close would you, Representative."

Madigan: "Mr. Speaker, why are you afraid to subject questions to the will of the Body? Do you fear the Membership? What is it in the Membership that you fear, Mr. Speaker? They are human beings. They have been sent here by their constituencies to represent the people, doing the people's business. They are not evil people. They hold no ill will toward you, Mr. Speaker. You should not be afraid of them. You should allow them to participate in the decision making process here in the House of Representatives, and please, Mr. Speaker, don't be so afraid."

Speaker Ryan: "Representative Friedrich."

Friedrich: "Mr. Speaker, it seems to me that the people on the

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other side of the aisle have made their dissent and their objections in writing. It's a matter of record. If it's for the courts, the courts will have it and they will rule on it at the proper time and I think that this continuous getting up and saying we dissent for this reason, going back over the whole thing is dilatory, and I think that we have all noted that they object to the proceedings and it's in the record."

Speaker Ryan: "Representative Peters."

Peters: "Mr. Speaker, just to make my point in the final time for the record and I will not continue taking the time of the House, but I thought it was necessary to protect what I consider my right as a Member to enter my dissent, to state that more than once as those who have dissented to other proceedings have stated their dissent more than once so that it is clear that it, in fact, is just not some statement that is made, but, in fact, is a dissent. What I am suggesting for the purposes of the record and the purposes of any future hearings or court litigation on this is that certain Members have objected to the proceedings. I am suggesting that should there be any further court litigation that it is my view that those who have dissented, their participation and further deliberations is questionable. I am further suggesting, as a Member, that in any court hearing on any Bills which have started with today's Order of Business that the court, in my view, should consider the actions on the total number of Bills passed and the actions on the individuals who dissented to, in fact, attempt to discern whether that was a true dissent which, to me, can best be indicated by a non-participation in the process. That is my view. Those who hold views otherwise are entitled to them and I would indicate that for the record and add, add to that list that I have

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mentioned, Representative Satterthwaite, since I did not know she had also entered into that dissent."

Speaker Ryan: "Representative Giorgi."

Giorgi: "Mr. Speaker, by divine revelation, I was just appointed a priest. I heard Peters confession. I forgive him for his sin except the stain of sacrilege still remains."

Speaker Ryan: "Representative Stearney."

Stearney: "Mr. Speaker, I have a point of order on House Bill 1155 when you're ready to get to that."

Speaker Ryan: "We're in that order now, Representative."

Stearney: "My point of order is this, Mr. Speaker, as to 1155. That Bill was already called yesterday and passed. That being the case, the Bill should not be called now. It should be held until the end of the call. There are over 350 Bills on this Calendar. These Members are sitting here waiting patiently to have one bite at the apple. No one should get two bites of the apple until everybody has had their Bill called. Furthermore, this Bill is on Short Debate Calendar. It has as much right as being on the Short Debate Calendar as I have to be Red China's Foreign Minister to the U.N.. Something is definitely wrong. So I would ask, Mr. Speaker, that since this Bill was already called and passed it should be held until tomorrow night until the opportunity arises when everybody else has had an opportunity to have their Bill heard. I have been sitting here patiently with three Bills. You haven't gotten to them and probably never will if you continue the antics that we're been going through. But this Bill should definitely be taken out of the record and put over till tomorrow night."

Speaker Ryan: "Is your request to take this off the Short Debate Calendar, Representative?"

Stearney: "Not only to take it off the Short Debate Calendar. It

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should have been..."

Speaker Ryan: "You'll need ten Members to join you."

Stearney: "... everybody else because this was a ruse to get it on Short Debate, have it heard. You take ten Members, you hear it, but nevertheless it's heard. It should have been put on the Regular Debate Calendar like everybody else's who had a Bill which would ingender some controversy."

Speaker Ryan: "This Bill hasn't been treated any different than any other Bill, Representative."

Stearney: "It has."

Speaker Ryan: "Do you... Representative Vinson on House Bill 1155."

Vinson: "Thank you, Mr. Members.... Mr. Speaker, Ladies and Gentlemen of the Assembly. The state of the law in Illinois today is that if a plaintiff and a lawyer sue somebody for an act that person never did, for an act that person never participated in, for an act that person never was present at, that that person only has a countersuit against that plaintiff and lawyer if the court finds that special damages were present. The only way that court will find that special damages are present is that that defendant was siezed and arrested or if that defendants property was siezed. In almost no cases is that the case. Since 1934 no court in Illinois has found that to be the case. It's most important in the case of products liability, in the case of most insurance cases and in the case of medical malpractice. The tremendous cost of insurance in these fields is due to nuisance suits, frivolous suits and strike suits only designed to get settlements out of some deep pocket. This Bill places the defendant on an equitable footing with the plaintiff in those cases. The defendant must prove that the plaintiff lost the original suit, that he brought the original suit

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with willfull and wanton disregard for the truth of the fact stated in the original suit and that the defendant himself suffered actual damages as a result of that judicial process. What this Bill does is to place the defendant on an equitable footing. It gives a chance for equity and justice and, for the first time, it will bring Illinois into the real world. Thirty-six other states have now abolished the principle of special damages. That's what this Bill would do and I would urge you to vote 'aye' on the Bill."

Clerk Leone: "House Bill 1155, a Bill for an Act to amend the Civil Practice Act. Third Reading of the Bill."

Speaker Ryan: "Representative Leinenweber, do you stand in opposition?"

Leinenweber: "I certainly do, Mr. Speaker, and I also would join with Representative Stearney and ask to have this taken off of Short Debate so that it can be discussed."

Speaker Ryan: "You'll need to get ten Members, Representative. You've just barely got ten, Representative, but you got them."

Leinenweber: "Thank you, Mr. Speaker."

Speaker Ryan: "It's off Short Debate."

Leinenweber: "Thank you, Mr. Speaker. I rise in opposition to House Bill 1155 for many of the reasons and some more that I mentioned when I sought to amend this Bill to make it a little less odious to our system of justice in the United States. Now, what the Gentleman said is not entirely true. He is correct in that a winning litigant is not entitled to his cost in attorney's fees unless he can show several things or fit within a statutory remedy. He mentioned two of them. There is a third one that is for malicious prosecution which is admittedly very difficult for an individual to prove. However, for a long time we've had in

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the law of Illinois, Section 41 of the Civil Practice Act which provides for a winning party obtaining his costs and fees in the event he has been the victim of a law suit containing untrue pleadings. Now at the request of the same special interest group that is pushing this Bill and several years ago we amended Section 41 to make it much more usable by winning litigants. Currently, you can prove, you can obtain your attorney's fees and costs under Illinois law, under Section 41 of the Civil Practice Act if you can prove that the other party filed untrue pleadings and a reasonable person would have believed them untrue. Now this is not a very difficult or impossible burden for a litigant to meet and quite often there has been quite a number of claims made under Section 41. However, to provide for a separate and distinct law suit, called a counterclaim, is absolutely ridiculous and contrary to the philosophy that we've been operating under for many, many, many centuries. Unfortunately, sometimes people are victims of law suits which have no merit. Unfortunately, those meritless law suits have to be defended. However,..."

Speaker Ryan: "Just a minute, Representative. Could we have a little order so the Gentlemen and the Ladies in the back could hear the presentation. Proceed."

Leinenweber: "We can analyze the situation to our criminal law. We decided a long time ago it's better to have a few guilty people go free than to convict an innocent person, and therefore; injustices do occasionally arise under our criminal justice system. Similarly, on a civil suit we decided a long time ago that people ought to be free to and encouraged to, to bring their disputes with their neighbors and with doctors or whoever it is into court rather than settling them outside of court. Because of that philosophy

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of encouraging people to go to court rather than handle the matter outside of court, we occasionally do see a frivolous suit filed. But we should not discourage people from going into court, particularly in this day and age when we see an awful lot of mayhem outside. Now that's exactly what this House Bill 1155 seeks to do. It's a spite Bill, directed at the legal profession to prevent the legal profession from serving their clients. Now I'm not up here to say that every lawyer has filed only suits that have a lot of merit to it. I know there is a problem. That's why we have Section 41, but we don't have a problem so great that we have to change centuries of our common law philosophy which is to encourage people to go into court and settle their problems and obtain redress in that way. It is for this reason and many other reasons that I encourage you to vote against this very, very dangerous, bad Bill that goes against the philosophy of centuries of common law."

Speaker Ryan: "Representative Jaffe."

Jaffe: "Yes, Mr. Speaker, I really don't know how this got on Short Debate if both the Chairman of the Bill and the Minority Spokesman were both against this Bill being on Short Debate. That someday will have to be..."

Speaker Ryan: "It's not on Short Debate now. It's on Full Debate."

Jaffe: "I got on..."

Speaker Ryan: "If you want to... the issues of the Bill..."

Jaffe: "...But it was on Short Debate before it was taken off by Representative Leinenweber. Everything that Representative Leinenweber I think says is correct. I think that the defendant in the law suit can proceed in a number of different ways. They can proceed under Section 41 which goes to pleadings that are not true. They can proceed on malicious use of prosecution. People are not without

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remedies in the State of Illinois, but what this will do, is it will curb law suits in which one you want to file a new theory. In other words, if A has a theory of law that has not been used before and wants to go into the courts and try it out, no new theories will ever come forth and the reason that they won't come forth is because the lawyers are going to be scared to death to use them. Because God forbid he should file this suit and lose it. Instantly, there's going to be a law suit against that particular lawyer. Now, you have to understand that you're not just dealing with the medical profession. I realize in this Session of the Legislature, we're on a single track that runs straight out of the Illinois Medical Society's building. But the truth of the matter is you're not just dealing with the medical profession. You're dealing with the entire practice of law. You're not just talking about medical malpractice cases. You're talking about every case in the world. You're talking about personal injury cases of different types and I believe even in this case, you would be talking about contract cases. You would so screw up the practice of law and the theories of law that you would be ashamed if you ever passed this type of legislation. I can understand that the medical society wanting to do this. You know, I would tell them I won't practice medicine. The medical society really shouldn't practice law. They're not doing too good of a job practicing medicine and I got to tell you they're doing a terrible job when it comes to the practice of law. I would vote 'no' on this Bill."

Speaker Ryan: "Representative Topinka."

Topinka: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I think, you know, we often times see inequities in the system and try and address them and this piece of

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legislation here, I feel addresses a very great inequity, the power to be able to countersue. As it is now, not only doctors but many other people are constantly at the mercy of people who would like to sue just for a profit to the point where it's become almost an industry unto itself. These people who are constantly harrassed by frivolous law suits have no redress. Doctors are just only one facet of the population that have to go through this. I think everybody is entitled to some redress. They can't go around the world, around in life constantly having one arm tied behind their back. I think this is a very good piece of legislation because it will, indeed, cut back on frivolous law suits and make people and lawyers, who also make a good buck off of encouraging these, to think twice before they do it. I would encourage its passage."

Speaker Ryan: "Representative Greiman."

Greiman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, in 1951 when I entered law school, the first project that my legal writing professor asked me to write was on the right of a person injured during pregnancy, that's the child, for injuries. It was prenatal injuries, so-called. Where the child is then born and has injuries later that are apparent from the injury that occurred during pregnancy. That was our project. The law was, in 1951, that a prenatal injury could not be recovered upon. That if you were hurt, if one was hurt while in their mothers womb, it was tough. That was the law and it had been that way for a thousand years before. But lawyers began to file suits on that issue and many of the judges listened and reversed them, nonetheless, and said, 'No, that's not the law. You can't recover for prenatal injury.' Finally, about ten years later, the courts came to the conclusion that there was a right. That there was a right indeed to

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be recovered for prenatal injuries. Those law suits, lawyers who filed those suits, lawyers who pioneered those law suits would indeed be subject to liability under this Act. It is a mindless Bill. It freezes, if you will, any thought that we have, any ingenuity that men and women have, any thought that we bring to our occupation and should be defeated soundly."

Speaker Ryan: "Representative Johnson."

Johnson: "Mr. Speaker and Members of the House, I think there's probably not any Member of this chamber who would accuse me of being anti-lawyer or even anti-plaintiff, but I think there are certain areas of the law that are now so muddled and so ineffective that appropriate legislation has to be framed to address those particular areas. And one of the most acute areas that I've found in my law practice is the lack of a remedy for actions that are filed, when in fact they never should have been filed. The only remedies we have now are nebulous, the abusive process and malicious prosecution common law doctrines that have grown up and really have no contours at all. We need something that allows an individual who has had to expend time, reputation, attorney fees, costs and otherwise in defending frivolous law suits. And I think this Bill puts in concrete forms in very moderate forms. If you look at the Bill, it's very moderate, it's very well defined and protects not only people who are in the posture of classic malpractice case but a good many other cases, too, where the law is used not for its proper purposes but abused and causes damages to other people. I think this is a reasonable Bill. It's something that's probably overdue and for the first time it will put in the statutes which the common laws have been unable to do for 2000 years and that is to have a meaningful, defined, remedy for actions

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that were inappropriately brought. And for those reasons, I would urge you to vote for House Bill 1155 and help Representative Vinson clarify the law."

Speaker Ryan: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this very well-intentioned, but equally poorly conceived Bill. Expanding on the remarks of the able Chairman of the Judiciary I Committee and the Minority Spokesman of that Committee, among the defects in this Bill would be an abridgment of the confidential relationship that exists between an attorney and the attorney's client. When a losing litigant decides to file a countersuit and joins in that countersuit the plaintiff's attorney, what will happen then is that the defendant who won was found not guilty will then want to take the sworn statements of the attorney to get at, if indeed the original law suit was willful and wantonly filed. When he takes the sworn statement of the attorney, he will ask the attorney questions as to conversations that took place between that attorney and that client. You're faced then with a problem. Should the attorney divulge and violate the confidential relationship that existed between he and his client, he would, in fact, be delving into the very basis of an attorney-client relationship, confidentiality. If he refuses to divulge the conversations that took place, he would be rendered unable to defend himself in this law suit in which he's a defendant. This would not promote justice. Quite the contrary, this would raise the malpractice insurance fees that the doctors are so often talking about and it will promote litigation. Finally, if this defendant sues the original plaintiff and the attorney and loses that lawsuit, if the attorney is found not guilty, does the attorney then

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have the right to sue the other attorney so that we have attorneys suing attorneys based on problems that they were never there in the first place. This will promote litigation. It will promote excessive malpractice insurance and it will have a very chilling effect on the whole nature of an attorney client relationship. For those reasons, though this Bill is well-intentioned and aimed at combating frivolous law suits, in fact, it does exactly the opposite and I urge a 'no' vote."

Speaker Ryan: "Representative Karpiel."

Karpiel: "I move the previous question."

Speaker Ryan: "The Lady moves the previous question. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the previous question prevails. Representative Vinson, to close."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You've listened to a significant debate on an important issue. It's an issue that goes at far more things than medical malpractice. It's an issue that architects support. They support this Bill. Engineers support this Bill. They support this Bill because there is no effective remedy right now in the law. Section 41, which Mr. Leinenweber refers to, was an effort to solve the problem. It failed. It failed miserably. It does not succeed. Thirty-six American jurisdictions now have something like this in the law. They do that because without this kind of provision there is no remedy for somebody who's wrongfully sued. I want to put you in the mind of the common man who in any negligence accident, any negligence action is sued, and sued largely because he's insured. There's a deep pocket that they're striking at and that is the reason. But if we debate this issue on the subject of medical malpractice and hospitals alone, let's

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debate it on that issue. I have no concern for debating it on that issue. Doctors now pay in the case of general surgeons 18,000 dollars a year for medical malpractice insurance. Obstetricians, \$22,000; neurosurgeons, \$30,000. Hospitals pay about eleven dollars a day for medical malpractice per bed. A 400 bed hospital that equates to better than a million dollars a year. What does that do to the cost of care in hospitals? What does that do to the cost of any medical care? I would ask you to consider one other issue. Until this year, until this year Judiciary Committees are thought to be the special preserve of lawyers. That is the special cast. Now do you believe that is right or do you believe that every profession, every interest group should come before this General Assembly on its own merits, argue its case on its own merits and be disposed of on its own merits? I would argue that that is the right thing to do. I would argue that this Bill places the case on an equitable footing, and I would urge you to vote 'yes' on this Bill."

Speaker Ryan: "The question is, 'Shall House Bill 1155 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Bullock, to explain his vote. One minute."

Bullock: "Thank you, Mr.... Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In explanation of my 'aye' vote, it's two fold. In most instances the lawyer decides to sue everything in sight. In malpractice suits, the hospitals and nurses are co-defendants in 50% of the cases. We know that doctors must practice defensive medicine. Consequently, the cost of medical care goes up. This is a fine Bill. Representative Vinson has ably explained its intent. I think it will go an awful long way to resolving two problems. One of which is reducing the cost of

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medical care and secondly, to force attorneys to be more selective in the practice of law."

Speaker Ryan: "Representative Stearney, to explain his vote."

Stearney: "Well, there's so very little time. I do want to say, Mr. Speaker, that you take your signals very well from Mr. Vinson over the House phone in refusing to recognize me during this debate. I wish to let you know that I'll treat you..."

Speaker Ryan: "You're out of order, Representative. Do you want to explain you vote?"

Stearney: "There's no further need."

Speaker Ryan: "Representative Katz, to explain his vote."

Katz: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, Legislators are given certain privileges, the right not to be arrested on the way to the Session, the right to speak even liable on occasion without being able to be sued not to protect Legislators, but to protect the public. Lawyers must be accorded certain rights too, not to protect lawyers but to protect the right of people to be able to get a lawyer to represent them. Section 12 of the Illinois Constitution says, 'Every person shall find a certain remedy in the laws for all injuries and wrongs which he receives to his person, privacy, property, or reputation. He shall obtain justice by law freely, completely and... (cut off)'."

Speaker Ryan: "Go ahead, Representative."

Katz: "If lawyers are afraid to represent clients, then those clients will not have legal representation. The history of the common law grew because lawyers were willing to start out and take cases that were not previously liable and were willing to expand the common law. That has been the history of English and American-Juris prudence. If you chill the willingness of lawyers to do this kind of thing,

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you will, in effect, deprive people of the right to have someone who can speak for them so that they can in fact vindicate their rights under Section 12 of Article I to find a certain remedy in the law for all of their ills and harms. I vote 'no'."

Speaker Ryan: "Representative Daniels, to explain his vote."

Daniels: "Yes, Mr. Speaker, what Mr. Katz said is correct in many regards. The trouble today is that many lawyers have not learned the meaning and the true meaning of the term justice and they themselves have not been responsible for many of the wrongs that they have perpetrated on the public. This Bill addresses that in some direction. This Bill places the legal profession of which I am one, and proud to be one, on a notice that there must be some responsibility for the actions of that profession. I suggest to Representative Vinson that this is indeed a very important piece of legislation. I'm glad he Sponsored it and brought it to our attention. I proudly vote 'aye'."

Speaker Ryan: "Representative John Dunn, to explain his vote."

Dunn: "Mr. Speaker, I don't see all the majority leadership team on the aisle here and there's a Gentleman been questioning my votes and if he's within ear shot, I'm voting 'aye' on this Bill."

Speaker Ryan: "Representative Ewell, explain your vote."

Ewell: "Mr. Speaker, I can't vote for the Bill, but Representative Vinson is absolutely right. It is a very excellent Bill."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 129 voting 'aye', 22 voting 'no', and 11 voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1239, Representative Kelley. Read the Bill."

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Clerk Leone: "House Bill 1239, a Bill for an Act to amend an Act concerning fees and salaries. Third Reading of the Bill."

Kelley: "Mr. Speaker, I'd like to table that. It's identical to legislation passed out previously."

Speaker Ryan: "Table it. Gentleman moves to table House Bill 1239. Are there any objections? Hearing none, leave is granted. House Bill 1243, Representative McAuliffe. Read the Bill."

Clerk Leone: "House Bill 1243, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Ryan: "Representative McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1243 just makes technical changes in the language to make it a little bit more understandable to defining pedestrian rights in a cross walk. Doesn't change the meaning of the Bill... meaning of the law. Ask for your favorable consideration."

Speaker Ryan: "Any discussion? The Gentleman moves for the adoption of... the question is, 'Shall House Bill 1243 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 140 voting 'aye', none voting 'no' and 5 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of House Bills, Third Reading, Priority of Call appears House Bill 598, Representative Chapman."

Chapman: "Thank you, Mr. Speaker. House Bill 598 has two parts. The first amends the Downstate Teachers Retirement Article. It clarifies that the restriction imposed by that law is to be applied prospectively to all annual salary increases effective after June 30, 1979. It has no fiscal impact. It is approved by the Illinois Pension Laws Commission."

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The second part of the Bill is in Amendments 2 and 3. Amendment 1 has been withdrawn. Amendment 2 relates to the Fireman's Act. To my knowledge, there is no opposition anywhere to Amendment #2 and Amendment #3 conforms to the requirements to the State Mandate's Act and indicates that there is a disclaimer of reimbursement liability under the State Mandate's Act. This means that any fiscal impact that this might have will be a total of less than 1000 dollars. The Bill came out of Committee by a unanimous vote. I ask for your approval of House Bill 598."

Clerk Leone: "House Bill 598, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Ryan: "Is there any discussion? The question is, 'Shall House Bill 598 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 134 voting 'aye', 11 voting 'no' and 7 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Barkhausen, I apologize. I started one Bill below yours. That's where I should have started. We'll now go to your Bill. House Bill 1006, Representative Barkhausen. Read the Bill."

Clerk Leone: "House Bill 1006, a Bill for an Act to create the Premises Liability Act. Third Reading of the Bill."

Speaker Ryan: "Representative Barkhausen."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1006 is a somewhat technical Bill which can most be appreciated by those who not only are attorneys but who are now in law school. It is a Bill which changes the area of Premises Liability and Property Law. Under our current law and the common law that we adopted from the futile days of England, there are different standards which property

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owners owe to people coming on their property depending on what the nature of the person is that's coming on the property. That is, if one owns a store and a customer is coming on the property, the property owner, the store owner owns the standard of ordinary care and is under a duty to be free from negligence. On the other hand, if one coming on the property is in the category of a social guest, such as a friend or your aunt coming over to visit, in order for that person to recover under current law, the property owner, the homeowner in this case has to be actively negligent. In other words, the owner in this particular case would have to knowingly take some particular action that would pose an unreasonable risk to the social guest. About half of the jurisdictions in this country have changed what, in modern times, has become a rather artificial distinction and have simply adopted a standard whereby all people coming on property for whatever reason other than trespassers are owed standard of ordinary care under the circumstances which is the normal standard for negligence or to be free from negligence. It passed out of Committee comfortably with a vote of 9 to 3 and that is a Committee of lawyers again, the Judiciary Committee. I also want to emphasize for those of you who are from rural areas and are concerned about the practice of farmers in letting certain individuals come on their property for recreational purposes that there already is on the books a law which provides that farmers or rural property owners in this kind of situation are immune so long as no fee is charged to the persons coming on their property for these recreational purposes. Be happy to entertain any questions."

Speaker Ryan: "Representative Daniels in the Chair."

Speaker Daniels: "Representative Johnson."

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Johnson: "Representative Barkhausen, just a couple of questions.

You know, this Bill has been introduced at least every year since I've been here and I assume indefinitely before that. Isn't there a reason for the law the way it is and that is that if a person is on your property for matters of benefit to you that you owe them a duty of due care, but if they're on your property for matters of their own interests that you owe them a lesser standard. And just as you eluded to the exception in the law for farmers, which I agree with, doesn't it seem logical that there ought to be a varying standard? Our law has always recognized that people that are on premises who pay versus ones who don't and people who are on premises for their own benefit versus benefit of others, there ought to be a distinction in the law in that regard. Otherwise, you're going to have a multiplicity of lawsuits everytime somebody comes over to borrow a cup of sugar and they slip on a pool of water in your kitchen they're going to be able to sue you. And it seems to me that the existing law that recognizes the distinction between that ought to be recognized, and I might point out to you that, if you want pro-lawyer Bill, this is it because it's going to add greatly to the amount of litigation that would be involved when you've only got... when you've got a due care standard versus the standard you have otherwise. I realize what you're trying to do. I'm not being unfair. I have opposed this Bill ever since it's been brought up when Bruce Waddell did back in '76 or '77. It's never been changed and every Bill on the subject has been defeated, and I just wonder why you think we all of sudden ought to owe the same standard to somebody who is on your premises for their reasons versus your reasons."

Barkhausen: "Representative, I don't know what the history of this legislation has been in past Sessions. Being a

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freshman around here, I'm not in a position to know that. I would assure those of you who are concerned about increased litigation that, although the Trial Lawyers may be in support of this Bill, that I received the other day a list of 15 Bills in which the Trial Lawyers are interested and was rather pleased and self satisfied to find out that I was 0 for 15. Even though I am a lawyer, I have no particular interest in increasing litigation or my batting average with the Trial Lawyers wouldn't be a big goose egg. In answer to your particular question about why different standards of care ought not to be perpetuated I would say that they are to the extent that the person who is really coming on property for his or her own purpose and not in any manner for the purpose of the property owner, that is the trespasser, does have a different standard of care and that is a much lower standard of care. Of course, it's owed to the trespasser. The social guest I would argue is not coming on the property solely for the social guests own purpose. It's generally for a mutually beneficial purpose of the guest and the property owner and what has happened in a number of court cases is that courts have bent over backwards and twisted the common law to try to place the social guest into the category of one who is other than a social guest, that is, one who would be coming on the property for the purpose of the property owner. In one particular case, there was a homeowners brother who was coming over to the property owners house and even though the person was clearly a social guest under the traditional standard, the court found that the person had, in fact, been invited because the brother was being called upon to help the homeowner move. So, I'm trying to get... trying to remove the courts from the burden of having to create artificial distinctions where, under property law as it

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exists today, I don't believe these distinctions should any longer exist or; otherwise, a majority of jurisdictions in the country would not have already made the change that I'm opposing by means of this legislation."

Speaker Daniels: "Any further discussion? Representative Dunn."

Dunn(John): "Thank you, Mr. Speaker and Ladies and Gentleman of the House. I would just like to point out to the Membership that this piece of legislation I think is very well intended and I commend the Sponsor for introducing it and it is an item of subject matter that in the last Session of the General Assembly was a subject of a Subcommittee hearing and the Chairman of that Subcommittee was a very fine Member of this Body and is serving in this General Assembly at the present time. I'd like to point out that if this Bill does become law it will make some very fundamental changes in what has been known for a long time as the common law in this area, and the standard of care or reasonable standard of care will apply across the board, as I understand it, except in the case of trespass. This means to me, at least, that the existing case law will have to be rewritten in this area and until that is done the issue of negligence and the legal interpretation of what is and what is not negligence in this area will remain in the state of flux. So I think we should be a little bit cautious about proceeding in this area, rushing in unless we are certain that what we are doing is something that will actually facilitate decisions and facilitate understanding of the law and will not confuse things. I, at this time, am a little uncertain about whether this Bill will actually accomplish its purpose. So, unfortunately, I have to oppose the Bill, but I do commend the Sponsor for introducing it and I commend the Chairman of the Subcommittee in the last Session who handled this matter so

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diligently in the General Assembly."

Speaker Daniels: "Is there further discussion? Gentleman from Cook, Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Daniels: "Indicates he will."

O'Connell: "Representative, can you explain how this Bill applies to a fact situation where you have a dual situation wherein an individual may become an invitee as well as a licensee? I think the law school example of the retail store where you... when you appear in the retail store itself you are an invitee, but if you go into the back of the retail store you become a licensee. Can you explain where the level of duty would change in relation to this particular Bill or would it change?"

Speaker Daniels: "Representative Barkhausen."

Barkhausen: "Representative, I don't pretend to be an expert on this subject. What I've noticed in a couple of cases that I've looked at in connection with this Bill is that courts have a tendency wherever they can to put people coming on property under the category of invitees. That is, the person coming on property for mutually beneficial purposes so that one who, by any means, might take on the characteristic of say a salesman selling something to the retailer they would have the.. probably the characteristics of an invitee and; therefore, the retailer, the property owner would owe that person a standard of reasonable care under the circumstances rather than a lower... a lesser duty of care."

O'Connell: "What happens when that salesman is invited into the retailers, the back room for a cup of coffee? What does the salesman become then, under this Bill?"

Barkhausen: "If that is all that he was there for, he might be a

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social guest or a licensee. However, what I've said and what courts have found is that even though a person described as you have is solely on the property for social reasons, the courts seem to bending over backwards to find that they're there for some other mutually beneficial purpose of the guest and the property owner."

O'Connell: "So this Bill would simply raise the level of duty for the social guest of the licensee?"

Barkhausen: "That's right. It would raise the level of duty of the property owner to that owed others and the standard of care would be not a particularly onerous one. It's just ordinary care under the circumstances."

Speaker Daniels: "Is there any further discussion? The gentle Lady from DuPage, Representative Fawell."

Fawell: "Thank you, Mr. Speaker and I call for the previous question."

Speaker Daniels: "The Lady has moved the previous question. The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', all those opposed 'no'. The 'ayes' have it. Representative Barkhausen, to close."

Barkhausen: "Yes, in closing, Mr. Speaker, Ladies and Gentlemen of the House, let me just try to answer the concern raised by Representative Dunn who suggested that this Bill would confuse rather than clarify an already somewhat confused area of the law. As I've tried to point out, the court decisions in this area have really made a muddle of this area of property law and this is simply an attempt to, as other jurisdictions have done, to hold property owners to one standard of care, not an overly high one, simply ordinary care under the circumstances. I failed to mention in my previous remarks that the Supreme Court in their annual report had the restraint, I should say, in this particular case to suggest that this is one area where the

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Legislature might act unlike the comparative negligence situation they happily left this particular decision to be made by us rather than jumping in themselves. I do suggest that it is an appropriate time for us to be clarifying this area of the law. Staff has mentioned to me that this particular proposal has come up on only one other occasion. The reason I'm told that it was defeated at that time was because it hadn't been pointed out that the farmers who have people coming on their property for recreational purposes and without remuneration were not... it was unclear that these people were granted immunity as they are already under the law. So everyone is protected and I ask for your favorable consideration of this reasonable proposal."

Speaker Daniels: "The question is, 'Shall House Bill 1006 pass?'. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all those voted who wish? Representative Katz. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this question there are 120 'ayes', 17 'nos', 21 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House will stand at ease for a minute. The machine is broken and it's being repaired right now. Ladies and Gentlemen of the House, that Roll Call was destroyed in the machine so we're going to take a new Roll Call. The question is, 'Shall House Bill 1006 pass?'. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill having received 119 'yes', 20 'no', 22 'present', having received a Constitutional Majority is hereby declared passed. House

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Bill 666. The Clerk shall read the Bill."

Clerk Leone: "House Bill 666, a Bill for an Act in relationship to the authorization of multi-office banking through bank holding companies. Third Reading of the Bill."

Speaker Daniels: "Representative McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The main purpose of House Bill 666 is to provide a means for banks in the State of Illinois to compete more favorably with other financial institutions and other banks in an open and free market. House Bill 666 would allow banks in Illinois to affiliate under common ownership through a multi-bank holding company. The state itself would be divided into five regions. A multi-bank holding company could acquire banks within the holding company's home region and within one contiguous region. After the date of enactment of this Act, newly chartered banks could not be acquired until they had been in existence for ten years. Furthermore, a multi-bank holding company could not charter any new that is a denoble bank. In addition to this, it allows the establishment of an additional facility in Illinois. Currently, you're allowed two, one within 1500 feet and one within 3500 yards. This would allow one anywhere in the county or within ten miles from the bank itself. As I said earlier, the purpose of this legislation is to open up competition in Illinois, not only among banks but against other types of financial institutions. Today banks compete against Savings and Loans, credit unions, investment firms, money market funds, mortgage companies, loaning companies, finance companies, life insurance companies, credit card companies along with the retail trades. Just one example should show you what the banking industry is up against today. In the last year money market funds have increased to a total now of 115 billion

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dollars nationwide which is more than the total deposits of all banks in the State of Illinois. Our banks must compete with that and must compete with these... with Merrill Lynch who has offices all over the country and all over the state, whereas they cannot open facilities further than 3500 yards. In the face of that itself, you would have to say our present laws are no more than ridiculous. When they compete against Savings and Loans in this state for example, I have a letter from a bank in central Illinois and this banker says he has to compete against Savings and Loans which have branched and merged from Decatur on the south, to Streator on the north, Champaign to the east, and Morton to the west. And while all this has gone on, this banker has had to find viable facilities within 3500 yards. It's not only important that they be allowed to compete against other types of financial institutions, but it's also necessary that banks be allowed to expand and compete in order to more efficiently meet the needs of those people that use banks. I have a letter from a contractor in southern Illinois who says that for many years now the local bank has been unable to meet our credit requirements because they're maximum single loan limit is not sufficient to meet our needs. As a result, they are forced to use out of state correspondent banks. Particularly in the metro-east area they use out of state correspondence banks in St. Louis and, consequently, pay a higher price to do business in the State of Illinois. Every study that I've been able to find, including those provided by every banking group in this state, every study by an economist would show, and let me expand that a little further. Every study by the United States Senate that I have been able to find and read has shown that multi-bank holding companies are favorable not only to increased competition but are

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also favorable to the consumer. Let me just read a very brief conclusion here put out by the Federal Reserve Bank in St. Louis by an economist that had studied the question. In summation he says, 'The net affects of the holding company movement have been favorable for the general public. Multi-bank holding companies have offered a wider range of banking services and have increased credit extended to consumers in small businesses over what otherwise would have been likely while at the same time increasing competition.' I think this Bill is a compromise Bill that has been worked out over the last four years. Obviously, it doesn't meet... I say compromise I recognize right away that Larry Stuffle is going to get up and say ICBI doesn't agree with it. It's not a compromise in that sense. There are still many small banks in towns where there are only one bank that obviously oppose this Bill as they oppose any change in banking structures. It's a compromise in that it meets the requirements of many banks in this state without going so far as to establish branch banking in this state. I think it's extremely important to the financial industry, to the banking industry in Illinois that we do modernize our laws. I think House Bill 666 goes a long way to meeting those requirements. I would ask for an 'aye' vote."

Speaker Daniels: "Representative Polk."

Polk: "Well, Mr. Speaker and Ladies and Gentleman, there have been a lot of talk around the floor now and just walking up and down the aisle I've heard people talk about the branch banking Bill and this is not the branch banking Bill. It was determined that the branch banking Bill that didn't pass last year if we recall. We're talking about limited services facilities and there are some provisions in this issue that have a definite effect upon us in downstate.

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And it gives one additional facility now... which would give us one additional facility making it a total of three. Banks are presently allowed just two facilities, one within 1500 feet, another within 350 yards of the bank. Second, the additional one limit committee service facility will be allowed only within the home office county or if outside the county no further than 10 miles from the bank. Those of us who were concerned earlier and I was certainly one, that we were talking about going across county lines in which it meant obviously everyone was concerned Cook County was going to start to leap frog and before I knew it there I was going to have that Chicago bank sitting right outside of 'Silvis'. Obviously, we've taken precautions to see that's not going to happen. And third, for the additional limited service facility the statutory home office protection would be one mile. In other words, the third limited service facility could not be established closer than one mile from the home office of another bank. Now that's not branching. That's simply giving us an opportunity to expand, to expand the business of the community has so needed, has desired, has requested and I sincerely request an 'aye' vote."

Speaker Daniels: "The Gentleman from Will, Representative Van Dwyne."

Van Dwyne: "Thank you, Mr Speaker. Very quickly, I'd like to introduce all the children from Homer 33C School District who are accompanied by their teachers, Jim 'Slauff', Mrs. Landrey, Arlene Anderson, and Mary Brower right up here in the balcony."

Speaker Daniels: "Is there any further discussion? The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, would the Sponsor yield to a question?"

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Speaker Daniels: "He indicates that he will."

Stuffle: "Representative McPike, under Section 305 of this Bill a multi-bank holding company is prohibited from acquiring a bank that is less than 10 years old. A provision you mentioned in your debate. What, in your Bill, would prohibit a one bank holding company that exists that owns a bank that is less than 10 years old from going the opposite direction under this Bill and acquiring an established bank in the state?"

Speaker Daniels: "Representative McPike."

McPike: "That is the purpose of this Bill is to allow a bank holding company to acquire other banks. That's clearly the purpose of the Bill. Unless I'm misunderstood your question you can acquire banks in your region and in a contiguous region."

Stuffle: "My question was to the fact that you have a ten year limitation that as I understand the Bill, there's a limit on how old a bank must be before it can be acquired under the holding company provisions. My question was with regard to a one bank holding company existent now in the law. Can that bank, under your Bill, begin to acquire older banks?"

McPike: "Well, obviously the answer is yes. That's what I said. That's the purpose of this is to allow banks that now exist. We have one bank holding company. The purpose is to allow the banks to start to acquire other banks in the form of holding companies to facilitate competition and everything I've talked about in the Bill. Yes, that's the intent of the Bill."

Stuffle: "To the Bill then."

Speaker Daniels: "Proceed."

Stuffle: "First of all, Mr. Speaker, I know that this Bill, the vote will be close. I suspect there may be the votes to

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pass it. I would like to be recognized at the appropriate time if the Bill receives the appropriate number of votes to ask for a verification. To the Bill, I rise in opposition to this Bill as I have each of three terms here. This is a key question before this House in my opinion and I would ask the House the key question that I think arises on this Bill. We've heard that somehow the big banks in the state care about the consumer and I ask you if you really believe that those big banks give a damn about the consumer. I think if you do, you're kidding yourself. I think if you do you would understand that under this Bill I think there are no benefits for the consumer in this state. In reality, this is the Bill for bank stock holders. A Bill that would bail out bank stock holders that would allow NBHC's to swallow up the existing little banks in this state and end their independent decision making. I think you've got to consider what would happen to funds under this Bill that are now in local communities and whether those big banks given the ability to make a loan as we do now to a farmer or a small businessman at a decent rate of interest would in turn ship that money to a housing development, a condominium development or a shopping center somewhere else in the state. I think this Bill would begin to dry up our credit downstate. I think that stock holders itchy to sell out for a profit would do just that without any concern for our consumers. I think those people smell the meat a cooking as Paul Powell once said on this House floor. To achieve the profits that they need they have to pass along the costs of those profits to our consumers. I think it will dry up money. I think if you look at the facts, the unit banks in this state already charge less money for the services they render than do the holding company affiliates around this country. The national

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studies clearly show that and I think they fly in the face of what my good friend, Representative McPike, said. They show that the unit banks do loan to their communities at lower rates than do the holding company banks in other states. A critical concern is Representative McPike's statement that this is a compromise. He said I would bring that point out and I do. It is a compromise only among those banks that want holding companies and always have. It is not a compromise with the Illinois Banker's Association. It is not a compromise with the ICBI. It is not a compromise with the community banks. The Bill will not foster competition. Those people don't support this Bill. If you want to foster competition you ought to kill the Bill. Lastly, the proponents of the Bill claim that the Bill would help business. They allege that we opponents are somehow old fashioned because we believe that unit banking is serving the interests of the public. The 1979 year end FDIC reports I believe contradict that view and say impertinent part that Illinois' loan deposit ratio is the third highest in the United States. Illinois' ratio of farm loans is second only to the State of Texas in those states considered. Illinois' commercial loan performance is far above the national average. The businesses that some claim support this Bill, if you look at a poll done in 1980 of the Illinois Members of the National Federation of Independent Businesses show that 65%, two-thirds of the people polled opposed holding company banking Bills. Only 18% favor them. The farm groups oppose this Bill. The Farmer's Union opposes the Bill. The Farm Bureau opposes the Bill as they have at every convention since this issue and branch banking, be they different or not, have come up before this House and the Senate. I submit to you finally that the Bill is anti-farmer. The Bill is anti-labor. The

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Bill is anti-consumer. The Bill is anti-business. It's a Bill for the few people not the many. It's a Bill for the stockholders to make a few people rich, to take away consumer credit, to take away downstate credit. It's a bad Bill. It was bad my first term and bad my second. It's gotten no better with age. I ask you to vote 'no' and keep in mind only that one basic question. Do you really believe the big banks want to help the little people in this state? Vote 'no', please."

Speaker Daniels: "Is there any further discussion? The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What I'd like to do. I'd like to pose a couple points to probably the five percent who haven't made up their minds at this point. Obviously, about 95% of the Members here are either going to vote for or against and there's five percent that aren't quite sure. What I would like to do is read to you verbatim what was given us in Committee the testimony of the president of the..."

Speaker Daniels: "Excuse me, Representative Piel. We're going to open the voting switch for the electrician. We're just testing the voting machine. We're not voting on this Bill. Sorry for interrupting, Representative Piel. Proceed."

Piel: "What I'd like to do is go from the testimony that was given our Committee by the President of the Illinois Banker's Association. And I quote, 'The Illinois Banker's Association offers several reasons to explain their opposition. A change to the multi-bank holding company system would offer no benefit to consumers.' Falsehood. I'll prove that in a second. 'There are no competitive benefits upon the banking structure derived from multi-bank holding companies.' Another quote. 'The resulting benefit to the stockholders of the acquired bank could be a

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windfall of the value of their stock.' And lastly, 'The Bank President or manager of the affiliate bank will be under pressure to increase the net earnings of the his bank by charging his customers higher loan rates and service charges'. Well, Ladies and Gentlemen, let's go back to his first point. It would offer no benefit to consumers. Well, I want to put it this way, they're stating that if a big bank moved in the loans wouldn't be there. It wouldn't offer a benefit to the consumers. Well, you're smaller banks in the State of Illinois, Ladies and Gentlemen, are offering less loans to their consumers comparing size. 77.3% of the ICBI banks give loans to deposit ratio of the big ICBI banks. 61.3% of the IBA banks have a loan deposit ratio, and 62% of the ICBI banks have a loan deposit ratio which tells you what are they doing? The smaller banks are investing their money in other funds then lending them out in their own community. That's the point of a bank, to lend the money that the people put in deposits to lend out in your own community. So when the President of the IBA comes out with, 'it would offer no benefits to the consumers'. He's wrong. He's dead wrong. You have competition in the community and I will guarantee you they will lend the money out in their community more than invest it. Because if you don't lend your money out, the people are going to deposit their banks in your competitor. Now, another point. By the way, let me explain for those of you that don't know. ICBI, Independent Community Banks of Illinois, is an off-shoot group of IBA members formed for the specific purpose of opposing any structure change in Illinois. So, when you talk about the ICBI and you talk about the IBA, you're talking about the same people basically. 60%, I say 60% of your independent community banks in Illinois are in one bank towns. There's no

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competition. When they say that there is no competitive advantage to having more than one bank in a city, I say baloney. If you get two banks across the street from each other, there's going to be competition and they're going to offer competitive rates. So when they tell you that the rates are going to go up, it's a falsehood. The rates aren't going to go up because there's going to be competition in the market place amongst the banks there. Now when they're talking about it's going to increase stockholders value. Well, look at your own personal situation. If you put 100, 500, 1000 dollars in a savings account rather than a checking account, you put it there for one reason only, to get interest. Even though it might be three, four, five, six percent interest, you put it in there to get interest. If you invest in stocks whether it's in banking stocks, IBM, XYZ Corporation you are hoping to eventually get a profit on the money that you have invested. So it's an obvious situation. Eventually, you hope to get a profit from what you have invested whether you put it into a savings account or whether you put it into stock. So, of course, if you can sell your stock at a profit, you're going to. But it still getting back to the same situation. The people who are coming in there that have bought your stock are going in there to make money and they're going to make competition in the market place. The small bank towns, if the farmer comes into a small bank town and says, 'I want to borrow 100,000 dollars' and his loan limit isn't that much, what does he have to do? He has to go to his big correspondent bank and borrow money, have them pick up the excess amount on the loan. So when it's a situation of the farmers being against it. Hey, they're against it because they don't quite understand that they're local bank is farming out of a lot of these loans

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because they can't handle the limit. They cannot handle the limit. So, basically what you're smaller banks are saying is two things. One, don't do anything that will make me compete because if I compete, I've got to offer more competitive rates and I can't make the money that I want to make out of my stock. Two, don't do anything that would change those laws that have worked well for my personal behalf even though it might not prove to be beneficial to the people of the State of Illinois. We're allowing credit unions to do it right now. We're allowing Savings and Loans to do it right now. Let's get out of the dark ages and allow the banks to do it. And I would ask for your favorable vote on House Bill 666."

Speaker Daniels: "The Gentleman from Johnson, Representative C. L. McCormick."

McCormick: "Mr. Speaker, Ladies and Gentlemen of the House, being neither a lawyer nor a banker, you may have to give me just a little leave way in getting to the thing that I want to ask you, Mr. Speaker. A week or so ago I went into the 'Drovers' bank at Vienna and like always I always renew my notes. I don't know what I'd do if I ever had one paid off. And usually I just go up to the door or to the window the girl just goes and gets a new note and she gives it to me but this time she said, 'C. L., the President of the bank wants to see you in his office', and I said, 'Oh, my Lord, they're not going to renew it. What in the world am I going to do?'. Well, anyway, when I got to the President's office, Mr. Speaker, he reached up and shook hands with me and invited me in and set me down and made me feel real well at home. And then he said, 'Hey...'. Of course they got my note fixed up and renewed and it was 17 and a half or 18%. I forgot which. Then he said, 'C. L.,' he said, 'By the way,' he said, 'How do you feel about

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666?'. I said, 'Have you been reading Revelations or something?'. 'No', he said, 'I've been reading the Illinois Banker's Statements that's coming out'. And I said, 'Well, I know what the Bill is'. He said, 'What do you think about it?'. He said, 'Do you think that the Speaker is for that Bill?'. I said, 'I don't know', but I took my little book out and I looked over the Committee that heard the Bill and I said, 'Now, I haven't talked to George or the Speaker but looking over this Committee and who picked it, I'd say yes, he's going to be for 666'. He said, 'Well', he said, 'Do you think he'd do... Do you think that he's going to make such a ruling that it only takes 89 votes to pass that Bill in the light of the bravura security corporation versus Smith decision?'. Of course, I didn't exactly know what that was so he brought the little lawyer in and he wrote it down for me so I could read it you know. And I said, 'Well, I'll tell you this, I don't know whether the Speaker knows anything about the bravura decision or not, but he's got a real smart, high-powered, high-paid lawyer up there that he'll know all about that'. But I said that I'm going to ask him to make a ruling on this before I make my speech against this Bill. So, Mr. Speaker, with your high-powered lawyer and knowing basically what I think the Speaker would rule, what is your ruling on the number of votes needed to pass this branch banking Bill?"

Speaker Daniels: "Representative McCormick, I will take a second and look at the Bill and talk to the high-powered lawyer on my left and we'll give you an answer in a second."

McCormick: "And then I'd like to finish my little speech."

Speaker Daniels: "You'll certainly have time to do that.
Representative McCormick."

McCormick: "Yes, Sir."

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Speaker Daniels: "After consulting with the Gentleman on my left, the Parliamentarian of the House, and after carefully reviewing this legislation, it is the ruling of the Chair that this Bill is not branch banking under the provisions of the Illinois Constitution and, therefore; will only require 89 votes for passage and that will be the ruling of the Chair. You may proceed."

McCormick: "Mr. Speaker, that's just exactly what I told by bankers the ruling would be."

Speaker Daniels: "You may proceed, Sir."

McCormick: "I really didn't anticipate you being in the Chair but it's all the same. But, Mr. Speaker,..."

Speaker Daniels: "Neither did I, Sir, neither did I."

McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, you know, those of us in Illinois that don't look at big things like the First National Bank of Chicago or whatever that big bank is up there. We look at the small things and the things that are vital and important to the vitality of the rural areas of downstate Illinois and I know you fellows love to talk about those big banks and those big transportation systems and all of that stuff up there. But buddy, if you didn't have some of us working in southern Illinois and sending our money up there through various means, it wouldn't be there. Down in my two southern Illinois end of the state, the two districts down there have about ten percent of the small banks in Illinois. They work for the farmer and the little storekeeper and the people like me that need them. They're not out to grab every nickel that you can have. If you get in trouble, they go along with you with a renewal or helping you to get by the humps and the bumps and you don't get that. It's like missing a payment in GMAC. When they send the second payment, they send the man with the key to take your car."

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I'm talking to you about the human part of banking. You know what this Bill, he says it isn't branch banking but do you mind if I get into it just a little parable or little something whatever you want to tell it. It makes think of a little story, Mr. Speaker, and it won't take me but just a moment to tell it. You know, everything in this world isn't just exactly what they say it is even though it might be in this book or it might be in that Bill 666 that they say is not branch banking. Well, let me tell you something. I know a banker friend of mine one time that got something that he didn't think he was getting, too and I'm going to tell you about that man. He was a bachelor banker. He had lived with his mother all these years, just he and his mother together, and she had taken good care of him. He's kind of a nice boy, 52 years old. I'll tell you what he did. His mother died though and there was nobody to take care of him so he decided that he needed a wife. Somebody to sew, darn his socks and take care of cleaning his house and get him some shirts washed once in a while. So he decided he needed a wife. His mother had told him for years, 'Go to the church to get you a wife'. 'Go to the Sunday School'. You know, 'Go where there's nice people'. Well, he went there and he didn't find anything pretty enough for a rich banker at 52 years old. So he decided to go to the tavern, the corner tavern and he went there a couple of Saturday nights and one night he looked over at the door and here come in the most beautiful thing that he'd ever seen in his life. A blond headed women, blue eyes, her eye lashes flipped up like this. She was made right in every way. He said, 'Oh, bartender, I want to meet that woman. That's the woman that the banker in this town ought to have'. Okay, they did meet and they sparked like we all sparked in southern Illinois and Ladies

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and Gentlemen, finally they decided to get married. He had to have this beautiful, perfect woman. Alright, they got married and he called ahead and had reservations for the hotel and he couldn't hardly wait to get to the hotel. When he got there he almost left her downstairs getting up and getting himself ready for bed and then he come in and he set down on the side of the bed to watch this beautiful thing get ready to go to the bed. And all of a sudden he started looking aghast and off come that beautiful blond hair and looked inside and it said made of human hair in Paris and she laid it over on the table. Then she took off the eye lashes or whatever these things are and it said made by Coty and she laid them over on the table. She got down to her fingernails. No. Before she got there... Before she got to her fingernails she flipped out those pretty beautiful blue eyes and they were as green as a gord, what was left. And then the next thing, she took off those beautiful fingernails, long beautiful... and she laid them over on the table, and then Ladies and Gentlemen, the next thing she took off, this boy said, 'Oh my goodness, Lord, she's cornered the market on foam rubber'. And he couldn't decide whether to crawl on the table or crawl in the bed and that's what you're doing now. You're buying something that's all decorated up and when you get it, it'll be so sickening you can't go to bed with it. Thank you, Mr. Speaker."

Speaker Daniels: "Gentleman from Cook, Representative Jones."

Jones: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is such an important piece of legislation that we have with us down here today a great former Member, Representative Jessie Madison come down here to see how we vote on this vital piece of legislation. Representative Jessie Madison."

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Speaker Daniels: "Welcome back to Springfield, Representative Madison. The Gentleman from Cook, Representative Bullock."

Bullock: "Well, Representative Daniels, I knew we were friends but I didn't know you liked me that much to put me on after C. L. McCormick's motel expose'. In Chicago, C. L., we'd call that Class X. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 666 in many respects addresses a very important question in Chicago particularly in the communities that I represent on the south side of Chicago which has been recently described aptly in the Chicago Tribune series, "City on the Brink" in the Chicago Sun Times series all of which relate to a problem of urban decay and urban decline. Also, in the community that I represent we've had several sick banks which have, in effect, either been sold or have had to close their doors. House Bill 666 in creating multi-bank holding companies in my estimation goes an awful long way to addressing the very critical need for the minority community. And that critical need is to have access to equity to hopefully reconstruct, rehabilitate, rejuvenate, renovate and hopefully abate urban decay and decline and sprawl. I believe that if we had had holding company legislation in the State of Illinois we would not have seen a southside bank reach the position that it reached where it had to be sold for, obviously, less than what the community deserved to receive for it. We would not have seen a guarantee bank close its doors and thus deny service to the depositors in the community that is sorely needed of those reserves. One of the earliest speakers I think very aptly described what is essential to holding company legislation and that is the subject of loan to deposits ratio. That the people who really support this Bill have a much better loan to deposit ratio, that is to say that they invest in their local

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communities, irrespective of their size whether it's 25 million dollars an asset or 500 million dollars in assets. I think when you vote on this Bill you have to ask yourself whether Illinois shall remain with the dubious distinction, dubious only to West Virginia, of not having brought itself into the 20th Century and modernized its banking. I don't think the Members of this legislation want to continue that delapidated, antique system. I think we want to see the great State of Illinois to move ahead and I don't see in this bank, in this Bill the kinds of constraints that some of the people have eluded to on the small independent local banks. All banks are community banks and they are constrained by federal law for community reinvestment to show that they are sensitive, concerned, and involved in the community under the Federal Reinvestment Act. Mr. Speaker, Ladies and Gentlemen of the House, I strongly support House Bill 666. I urge you to do likewise. I think to do less would be to further perpetuate an archaic system that we have in banking in the State of Illinois."

Speaker Daniels: "The Gentleman from Will, Representative Davis."

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

Speaker Daniels: "The Gentleman has moved the previous question."

The question is, 'Shall the main question be put?'. For what purpose does Representative Friedrich, Gentleman from Marion rise?"

Friedrich: "Mr. Speaker, you've allowed at least five people who spoke on the affirmative side of this. Now, you want to shut it off before you can get any opposition. Now, I know your position on this and I know you're not prejudiced but at least let's have a fair hearing on this."

Speaker Daniels: "Does the Gentleman withdraw his Motion? Representative Davis. Representative Davis withdraws his Motion. The Gentleman from Marion, Representative

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Friedrich."

Friedrich: "Mr. Speaker, first I would like to have it in the record that in my opinion this does take 107 votes because if you can put a bank ten miles from the other bank you're branch banking. I can have a bank in Centralia and have banks in six other towns in that area. If that's not branch banking I don't know what you call it. I think maybe we ought to consider calling this a branch banking Bill though. We ought to call it the fat cat Bill or the New York banker's Bill because that's exactly what it is. You say that it will stimulate competition. I tell you it will dry up competition because all the competition you'll have is a half a dozen big bankers in the State of Illinois. I saw what happened to the dairy industry in Illinois. We used to have dairies in all the small towns now the milk is hauled in from Wisconsin or someplace else and there isn't a dairy in my district. I saw the same thing happen to the bakeries. Now the bread is made in Carbondale and there isn't a bakery in Marion County. I saw what happened in South Dakota. Every bank in South Dakota is either owned by the First National Bank of St. Paul or the Northwestern Bank of Minneapolis. I saw this happen in the small loan business. I happen to be in that business and we had three companies that were locally owned. We member of the Chamber of Commerce. We went up and down the street raising money for the hospital and all these things. Now then I can't even tell you who owns those because the banks in California and so on own the small loan companies. You go to them for a contribution for the United Fund(Way) and you know what they tell you? Call the home office. We call the home office and they say, 'I'm sorry, we gave in Evansville', or someplace else. That's what you're trying to get yourself into. Mr.

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Speaker, may I continue?"

Speaker Daniels: "Proceed."

Friedrich: "Now this business of five districts is the biggest joke of all. All you've got to do is have five members in your partnership and you can own every bank in the State of Illinois. All you have to do is own one in each district and you've got it made. Now anybody can see through that. Now, as far as the credit requirements are concerned, I can tell you honestly that there never has been a loan request made in the City of Centralia for a worthwhile project that was not financed by local banks or through the correspondent banks there. We pool our assets for a loan and we get it done. Now, let me tell you again that the First National Bank of Chicago couldn't be less interested in a farm loan in the Petokia area or in your town. Most of you represent farm districts and I can tell you you can put in the corner of your eye all the money you're going to get out of the First National Bank of Chicago for a farm loan. As far as you blacks are concerned, if you think that this is going to put banks in every little neighborhood there, they'll put the banks and the branches where they can make the money and you won't have anymore banks than you've got now. In fact, if they can suck the money out and loan it to England at a higher rate than they can loan it to you, I'll guarantee you they'll do it. So watch out for this octopus that you're creating here and vote 'no'."

Speaker Daniels: "Gentleman from Coles, Representative Stuffle, for what purpose do you rise?"

Stuffle: "On a point of order, Mr. Speaker."

Speaker Daniels: "State your point."

Stuffle: "Simply to add my voice to Representative Friedrich's dissent so that this is formally in the record with two

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people pursuant to our rules making the dissent for the decision of the Chair regarding the number of votes that this Bill takes to pass."

Speaker Daniels: "It's so noted, Sir. Gentleman from Cook, Representative Zito."

Zito: "Move the previous question, Mr. Speaker."

Speaker Daniels: "Gentleman has moved the previous question. The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. Gentleman from Madison, Representative McPike, to close."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think most of the points have been made here already. I would just like to add one other. The banks in Illinois have been losing their share of the total amount of deposits year after year. They've been losing them to all the other financial institutions they have to compete with namely the Savings and Loans and the credit unions and now the money markets. They have been losing their share of the deposits. Banks in this state finance industry. They finance business and we often talk about the business climate and then we get into discussions of labor versus management. But here is one clear example where labor and management are not involved in the business climate. It so happens that those banks are in favor of this Bill, namely those that are members of ICBI control 71% of the deposits in the state. And those most violently opposed to this Bill are members of ICBI and they control 9% of the deposits in this state. Those banks that are financing industry in Illinois are telling this Legislature that we need changes in the banking laws in order to stay competitive and in order to continue to finance industrial growth. Obviously, ICBI banks with 9% of the assets are

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not funding industrial growth in this state. I would just close by saying that I really can't blame the small banks in this state that don't want to compete. There are 400 banks in Illinois that happen to be located in towns with one bank and we would all like to have that position. No one in town to compete with. It would be nice to have the only grocery store or the only car dealer in town and these individuals have the only banks in town. Obviously, they don't want to compete. Obviously, they have opposed every change in the banking laws since I've been here and since many other people have served in this Legislature. This will open up the state to increased competition. It will make better business climate as we allow our banks to more favorably compete for the amount of funds that are available. I think it's good for the consumer, the banking industry and business combined. I'd ask for an 'aye' vote."

Speaker Daniels: "Ladies and Gentlemen of the House, for the record, the ruling on House Bill 666 is that this Bill requires a Constitutional Majority of 89 votes. We have examined this Bill, the constitutional provisions and the record of the 1970 Constitutional Convention. House Bill 666 is not a branch banking Bill within the meaning of Article XIII, Section 8 of the 1970 Constitution. The meaning of the term branch banking is that Section is not defined in the Constitution. However, we are guided by the intent of the Constitutional Convention which is clearly established in the debates and proceedings. That intent clearly distinguishes between bank holding company legislation and branch banking legislation and establishes that the Convention did not intend to include holding company legislation within the meaning of Article XIII, Section 8 requirements for an extraordinary majority. The

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question is, 'Shall House Bill 666 pass?'. All those in favor signify by voting 'aye', those opposed by voting 'no'. The record is open. The Gentleman from Macoupin, Representative Bartulis. Now before you start, Representative Bartulis, we have approximately 13 people that want to address this Bill. Everyone will be recognized. Representative Bartulis first, then Representative Neff and we'll go from there to make sure that everyone has an opportunity to speak. Representative Bartulis."

Bartulis: "Thank you, Mr. Speaker, Members of the House. Thank you, Mr. Speaker and Members of the House. Explaining my 'aye' vote, a few years back when I was freshman here in the House I was on the Finance Committee and we had...went down to Representative McCormick's district, and held a hearing over there. And I think it was the President of his bank. I don't know who testified, but it must have been really and here is what he had said. He testified how bad these Bills were and why we shouldn't have them but then we had testimony from two other people. One was a very large farmer down there which explained that he had to go to five different banks to get a loan. And those five different banks were owned by the same person that testified against this Bill. It must have been, surely it had to be McCormick's bank President over there. But then, not only that, I'm a member of the Farm Bureau and I have a letter right here from the Farm Bureau. I think everybody else did get one. But I got a letter as a Legislator why they oppose, they oppose House Bill 666 and just the other day if you...we've all been captive here in Springfield and it says on Monday's issue of the Illinois State Journal, 'Illinois Farm Bureau plans to establish its own money market mutual fund to move that would put it in competition

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with banks, other saving institutions and a variety of similar funds for short term investment dollars. 'The prospect of Farm Bureau competition worries officers of some financial institution, especially the small town bankers.' Now, therefore; I think this worthwhile legislation, especially the ones downstate who think Farm Bureau is so interested in small bankers. They're interested in their own. Thank you."

Speaker Daniels: "Gentleman from Henderson, Representative Neff, to explain his vote."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In explaining my vote, this legislation is definitely a step toward monopoly banking in Illinois. The unit banking system has worked very well. I think in fact, I do not think anyone can disagree that Illinois has at this time one of the finest banking systems of any state. Illinois... In Illinois we've had... goes back to many years, twenty some years ago when three large banks of the state started out to push similar legislation to this. And they had one thing in mind and that was control the banking in Illinois. And certainly we do not need to believe that this could not happen. This happened in California, where today three large banks practically control almost all of the banking in the entire state. This legislation would affect the people of the state. Voting 'no' means that we are voting their wishes. If people could vote on this issue or if we had a referendum, I'm sure it would be soundly defeated as it was in Colorado recently where it was soundly defeated by a referendum of three to one. And I want to state this legislation is opposed by the Illinois Banker Association and also the Independent Banker's Associations who represent over a thousand banks in the state, out of a little over 1200 banks. This gives some

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idea how the banks feel. But again we're not here talking for the banks, we're talking for the people. And I think the people keep in the free enterprise system and keeping from having a monopoly is the best for the people in the long run. And, I hope we'll all oppose this legislation."

Speaker Daniels: "Gentleman from Cook, Representative Huff. Timer's on."

Huff: "Thank you, Mr. Speaker. In explaining my vote, all I have to say is that in my opinion this is a monstrous proposal. The implications are absolutely staggering. In this highly charged international sphere of mega-bucks the State of Illinois has been invited to play a game that it's ill-equipped to play. You're not going to be a player in this game, Ladies and Gentlemen, you're going to be played with. We're asked to come to the table in which the rules of the game is that Illinois must turn its pockets inside out in order just to play. I submit, Ladies and Gentlemen, if you approve this thing it will come back to haunt us like RTA only it will be ten times ten in its magnitude. This is the Pandora room. If you open the door of this room, Ladies and Gentlemen, you will never get out. This legislation will cause a definite shift in the concentration of wealth in this state and none of us really know where it will end. I submit that this is not legislation..."

Speaker Daniels: "Please bring your remarks to a close."

Huff: "Thank you, Mr. Speaker. All I want to do is to have you remember this; that this is nothing more than a faint entreatment for Illinois to take on the position of the fangful masochist whose desire for pain is matched only if the sadists will to administer it. And Ladies and Gentlemen, that's exactly what we we'll get a financial bludgeoning, the likes of which we have never seen. And

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finally, Mr. Speaker, let me admonish you with this. It says in the Bible that it is easier for the camel to go through the eye of the needle than it is for a rich man to go to heaven. Mr. Speaker, I submit the rich won't mind going to hell as long as they can go by way of Illinois."

Speaker Daniels: "Gentleman from Cook, Representative Birkinbine. Timer's on."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For some reason anytime we talk about banking here in the Legislature we seem to think that these are not people, that somehow it's not a business. Well, banking is indeed a business and if a bank is going to be successful it must have and it must appeal to consumers. The same consumers that are in small towns now that take their money to local banks, should such a bank be acquired by a bank in an adjoining district, they're certainly not going to move it out of there because there are customers there. It's no different than any other kind of business. The argument in the past has been that the big Chicago banks are somehow going to rise up and swallow the entire state. Well, under this map, the only areas that the Chicago banks can go into is the surrounding collar county area. That argument is out the door. Lastly, I ask you to look at this map that I think everyone has seen of this five region area. If we tried to put..."

Speaker Daniels: "Please bring your remarks to a close."

Birkinbine: "Yes, I will. Thank you. If we tried to put such a restrictive map on any other kind of business, everyone here in the Legislature would vote 'no' and the reason why is because it would not be good for our constituents who are consumers. I'd recommend that you vote 'aye' on behalf of this good Bill. Thank you."

Speaker Daniels: "Gentleman from Cook, Representative Ewell."

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Ewell: "Mr. Speaker, Ladies and Gentlemen, we're being asked to close our minds and incase it in concrete. I suggest to you that this Bill is a good Bill. I suggest to you that there is no way that minority areas are going to get the kinds of funds they need in order to develop. You hear people cry constantly about what they need for their community and what they want, but yet by the same token, if you enclose your mind in concrete and your eyes, you will never get the money. It's well to say..."

Speaker Daniels: "Please bring your remarks to a close."

Ewell: "It's well to say that if I keep my hand closed, nothing will ever go out. But by the same token, nothing will ever come in."

Speaker Daniels: "Gentleman from Perry, Representative Ralph Dunn. Timer's on."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, would like to join with Representative Friedrich and Representative Stuffle in dissent on your ruling of the Chair and have it noted in the Journal."

Speaker Daniels: "So noted."

Dunn: "Under Section, Article XIII, Section 8 this is purely a branch banking Bill. In the 58th District, and that's where our concern is, Representative Richmond and I did a survey just last Spring and we found out that two-thirds of our banks, some 35 banks out of the 51 banks prefer to keep the unit bank, keep the system they are. They're competitive with each other. If we pass this Bill, we'll have one or two or three or four banks in the State of Illinois and we won't have competition. Representative McPike, said in his opening remarks that this... that the banks need this. They may need it but I'm more concerned about the constituents in our district and what they need. I haven't heard from a single constituent who's not

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connected with the bank saying vote for this Bill. I'd urge a 'no'...(cut off)."

Speaker Daniels: "Gentleman from St. Claire, Representative Flinn."

Flinn: "Well..."

Speaker Daniels: "Timer's on."

Flinn: "Mr. Speaker, we've spent enough time on this. Cancel my request."

Speaker Daniels: "Thank you, Sir. The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I have to oppose this Bill because I believe that our local banks are the heart of the small cities in downstate Illinois. I also believe the speakers who have indicated that funds will be drained away from the agricultural industry. I'm afraid that this is only the first step in achieving branch banking through the back door; something that the fathers of our Constitution tried to protect against. I am very upset that we're allowing this Bill to pass with less than the necessary 107 votes, and I would hope that we don't get 89 votes up there today."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? The Gentleman from Knox, Representative McGrew."

McGrew: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. I, too, represent a district that has a great number of small banks. As a matter of fact I represent a district that has many towns so small they don't even have a bank. And I can tell you that the only hope they have of ever getting the financial services is through some sort of branching that we can work up and down the State of Illinois. You know, they sat here and argued that it won't do any good, but I can tell you that many

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little towns in New Windsor and Prairie City and so on and so forth think this is the only hope that they have of ever getting a facility for financial services there. You know, they're running around yelling of how dangerous this is. It reminds a little bit of the lady that used to live down the street from me that had two pet chickens. She loved them dearly and tried to train them an awful lot. You know, one day as luck would have it, one of them got sick and she felt so much compassion for it that she killed the other one to give it chicken soup and I suggest that's what you're trying... (cut off)."

Speaker Daniels: "Gentleman from Wayne, Representative Robbins."

Robbins: "I'm a little bit old fashioned. I believe in doing business with people I can see and not with a computer and not with a college trained man that doesn't understand what you have in business. Missouri has branch banking. Look at what it has cost the people. I can't understand why a union can stand back and let their union members have to pay the extra interested costs for the banking that we will have over what we got. And I want you to remember that once this passes, you will never have another chance to vote on it again because it will be controlled by the Federal Government and not by the State of Illinois."

Speaker Daniels: "Gentleman from McClain, Representative Ropp. Timer's on."

Ropp: "Thank you, Mr. Speaker and Members of the House. Last year I voted against this concept. This year I've received a number of letters from people from small banks who say if this passes it's going to hurt consumers. I've received letters from larger banks, they say if this doesn't pass it's going to hurt consumers. I'm a farmer. My interest rates on borrowing money this year have only increased 100% over last year. I'm saying that we're operating under a

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system right now where we don't have the same kind of rules and regulations for every financial institution. This concept will attempt to do away with the island of banks now that are operating in a sea of financial institutions that are operating under different rules and regulations. They're continuing to wash away at these opportunities that some banks are being prohibited to be a part of. I say a 'yes' vote will... (cut off)."

Speaker Daniels: "The last Gentleman to speak, Representative Richmond, from Jackson."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Very briefly, I agree. Representative Dunn pretty well stated what I was going to say. I would add to that in addition to the fact that we did take a poll of the banks in the 58th District and some throughout southern Illinois. The results were very obvious that this was an in fight... in the industry. I found that... I find the average person on the street doesn't care whether this Bill passes or not and so I... It's pretty obvious that I wanted to go along with the small banks that oppose this Bill."

Speaker Daniels: "Excuse me, Representative Jones, Gentleman from Cook. Timer's on."

Jones: "I don't know why you put the timer on, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, this issue has been before us on a number of occasions and I have been on both sides of the issue. I've been on the side of the issue opposing this legislation because in many areas of the City of Chicago where they have no banks at all, and yet those individuals who look forward to the financial institutions to provide the necessary funds to rebuild those communities, these institutions have been lost. But I believe it's time for a change. I believe it's time that we give the banks an opportunity to prove to us that they

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want to do the job in the City of Chicago. And, for that reason, and that one reason alone, I urge my friends to go with me this time. Give them a chance and vote 'aye'."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. Gentleman from Coles, Representative Stuffle."

Stuffle: "I persist in my request for a verification."

Speaker Daniels: "The Gentleman is within his rights. There will be a verification. Representative Polk requests a poll of the absentees. As soon as we get the information out of the machine, Representative Polk, we'll poll the absentees."

Clerk Leone: "Poll of the absentees. Deuchler. Epton. Garmisa. Hanahan. Margalus. Oblinger. Peters. Preston. Telcser. Terzich and White."

Speaker Daniels: "Proceed with the poll of the Affirmative Roll Call. Gentleman... Representative Stuffle. Monroe Flinn, Representative Flinn asks for a verification. May he be verified? Leave to be verified. Representative Flinn. Representative O'Brien."

O'Brien: "Mr. Speaker, one of my colleagues in the Senate would like to meet me over there. Leave to be verified?"

Speaker Daniels: "Representative Stuffle, Representative O'Brien asks for leave. Representative O'Brien is verified. Proceed."

Clerk Leone: "Poll of the affirmative. Alexander. Alstat. Barkhausen. Barnes. Bartulis. Beatty. Bell. Birkinbine. Bluthardt. Boucek."

Speaker Daniels: "For what purpose does the Gentleman from Cook, Representative Huff, rise?"

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

Speaker Daniels: "Gentleman is recorded as voting 'no'."

Huff: "Change my vote to 'aye'. What the hell."

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Speaker Daniels: "Mr. Clerk, the Gentleman from Cook, Representative Huff, requests to change from 'no' to 'aye'."

Clerk Leone: "Continuing with the poll of the affirmative. Bradley."

Speaker Daniels: "We're in the middle of a verification. If we can have a little order in the House. Proceed with the verification."

Clerk Leone: "Bradley. Braun. Bullock. Capparelli. Chapman. Christensen. Conti. Cullerton. Currie. Davis. DiPrima. Domico. Doyle. Jack Dunn. Ewell. Pawell. Flinn. Virginia Frederick. Giorgi. Greiman. Griffin. Grossi. Hallock. Hallstrom. Hastert. Huff. Jones. Kane. Karpel. Katz. Keane. Jim Kelley. Dick Kelly. Klemm. Kosinski. Kucharski. Kustra. Laurino. Lechowicz. Leinenweber. Leon. Macdonald. Martire. Mays. McAuliffe. McBroom. McClain. Barr. McGrew. McPike. Roland Meyer. Nelson. O'Brien. O'Connell. Piel. Pierce. Polk. Pouncey. Reed. Reilly. Rhen. Rigney. Ronan. Ropp. Sandquist. Schneider. Schraeder. Irv Smith. Stanley. Steczo. Stewart. C. M. Stiehl. Tate. Tuerk. Turner. Van Dyne. Watson. J. J. Wolf. Younge. Yourell. Zito. Zwick and Mr. Speaker."

Speaker Daniels: "Gentleman from Coles, Representative Stuffle. Any questions of the Affirmative Roll Call?"

Stuffle: "Representative Alexander."

Speaker Daniels: "Representative Alexander in the rear of the chamber."

Stuffle: "Representative Alstat."

Speaker Daniels: "Representative Alstat. Representative Alstat. Is Representative Alstat in the chamber? Mr. Clerk, how is he recorded?"

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

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Speaker Daniels: "Remove him."

Stuffle: "Where did we begin with? I didn't hear you state that."

Speaker Daniels: "We started with 93 'ayes'. We removed Representative Alstat. We are now returning him to the Roll Call. We've got 93 'ayes'."

Stuffle: "Representative. Thank you. Representative Chapman."

Speaker Daniels: "Representative Chapman is right in the front."

Stuffle: "Domico."

Speaker Daniels: "Representative Domico is in his chair."

Stuffle: "Giorgi."

Speaker Daniels: "Representative Giorgi is in his chair."

Stuffle: "Huff."

Speaker Daniels: "Representative Huff is in his chair."

Stuffle: "Representative Keane."

Speaker Daniels: "Representative Keane is in his chair."

Stuffle: "Representative Kucharski."

Speaker Daniels: "In his chair."

Stuffle: "Representative Kustra."

Speaker Daniels: "In the rear of the chambers."

Stuffle: "Representative Pouncey."

Speaker Daniels: "Representative Pouncey's in his chair. For what purpose does the Representative from Cook, Representative Margaret Smith, rise?"

Smith: "I'd like to have my vote changed from 'present' to 'aye', please."

Speaker Daniels: "Record Representative Smith as 'aye'."

Stuffle: "Representative Ronan."

Speaker Daniels: "Representative Ronan is in his chair."

Stuffle: "Representative Stewart."

Speaker Daniels: "Representative Stewart. In her chair."

Stuffle: "Van Duyne."

Speaker Daniels: "Representative Van Duyne is in his chair."

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Stuffle: "Jake Wolf."

Speaker Daniels: "Representative Wolf is in the aisle."

Stuffle: "Representative Beatty."

Speaker Daniels: "Representative Beatty. Representative Beatty.
Is the Gentleman in the chamber? Representative Beatty.
How is he recorded?"

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

Speaker Daniels: "Remove him."

Stuffle: "Representative Reilly."

Speaker Daniels: "Representative Reilly. In his chair."

Stuffle: "Representative Greiman."

Speaker Daniels: "Representative Greiman is at the door."

Stuffle: "Hallock."

Speaker Daniels: "Representative Hallock is in his chair."

Stuffle: "Representative Martire."

Speaker Daniels: "Representative Martire. Representative
Martire. Is the Gentleman in the chamber? How is he
recorded, Mr. Clerk?"

Clerk Leone: "Gentleman's recorded as voting 'aye'."

Speaker Daniels: "Remove him."

Stuffle: "Representative Roland Meyer."

Speaker Daniels: "Representative Roland Meyer is in his chair."

Stuffle: "Representative Doyle."

Speaker Daniels: "Representative Doyle is in his chair."

Stuffle: "Representative Griffin."

Speaker Daniels: "Representative Griffin is in his chair."

Stuffle: "No further questions."

Speaker Daniels: "Representative Preston wishes to be recorded as
voting 'no'. Representative Slape as voting 'no'.
Representative Bullock."

Bullock: "After you announce the Roll Call, Mr. Speaker, I'd like
to be recognized."

Speaker Daniels: "After I announce the Roll Call. Okay,

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Representative Leverenz as voting 'aye'. Are there any other changes? Any other additions or removals or likewise? House Bill 666, there are 93 voting 'aye', 59 voting 'nay', and 13 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Bullock."

Bullock: "Mr. Speaker, having voted on the prevailing side of this issue I move to reconsider the vote by which 666 was declared passed."

Speaker Daniels: "Representative Polk."

Polk: "Move that it lay on the table."

Speaker Daniels: "Gentleman has moved the question lie upon the table. All those in favor signify by saying 'aye', all those opposed 'no'. The 'ayes' have it and the Motion to reconsider is tabled. House Bill 682, Clerk will read the Bill."

Clerk Leone: "House Bill 682, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Daniels: "Representative Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 682 is a Bill that we had in last year which passed similar to this and the Governor amended it to cover only those who retired before 1971. This Bill would bring that date up to, up through 1976. Now I want to clear up something that many people are maybe not aware of. The money from this Bill will come from the increased earnings on the contributions made by the Members while they were working. Now retirees have received only 3%. Survivors have received no increase. Actually, the position of these funds has improved rapidly in many years. We are now over 50% funded. House Bill 682 is a reasonable approached controlled.. controlled approach. This Bill will give nothing to those now working. Many of the people

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are very old and the cost will decline rapidly as a result. This will also.... and while I'm on that subject I'd like to make a few comments and some of the letters I've heard and I'm sure many of you folks have. People, retired school teachers that are drawing as low as \$150 to \$175 dollars a month. Some of these retired teachers are getting up around 80 years old. They retired maybe twenty years ago. They worked on a very low rate. Fifty to sixty dollars a month during the depression years and so forth. And these people, the type of people that I think we all have an obligation to to help. It would be inhuman denying these people this small increase based on their years of service. If we do this the only alternative for these people is to go on welfare. Many of these people do not wish to go on welfare because they consider it beneath their dignity. And I think we should be proud of people like this that do not, not asking for welfare. We'd like to have these people.... and we feel that they deserve to live with some dignity in their old age after a lifetime of productive work. Many of you folks have had many letters and correspondence as I've had on House Bill 682 supporting it and I would hope we'd all support it. And, Mr. Speaker, I'd like to have Representative Stuffle close on this debate."

Speaker Daniels: "Is there any discussion? The Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Yes, would the Sponsor yield, Mr. Speaker."

Speaker Daniels: "Indicates he will."

Ebbesen: "Representative Neff, would, as amended as this Bill originally came out of Committee the first year payout was a little less than twenty million dollars and an increase in the unfunded accrued liability of about \$152,000,000, now you said that as amended this makes those costs

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somewhat less. Now, according to my analysis here the annual cost will be something in the neighborhood of fifteen million dollars and the Amendment #1 reduces that unfunded accrued liability from \$152,000,000 down to \$110,000,000. Is that somewhat in the correct?"

Speaker Daniels: "Representative Neff."

Neff: "Well, instead of twenty million dollars..."

Speaker Daniels: "Representative Neff."

Neff: "The total instead of around twenty million dollars will now reduce it down to thirteen to fifteen million as I recall it."

Ebbesen: "Alright, now are there any provisions in the ... we're amending here the retired or the State Employees system, the downstate teachers, the Chicago teachers, the state.. in the State Universities, employees and their survivors? All these systems are being amended in this Bill. Is that right?"

Neff: "That's correct, Sir."

Ebbesen: "And, are there any provisions in the Bill for any increased contribution on the part of the people who do make contributions now?"

Neff: "No, not in this Bill but I think that's something we will have to address ourself to. I think we all realize that this is... we've talked about, we haven't done anything about it and I think this will have to be addressed in another Bill."

Ebbesen: "Well, to the Bill, Mr. Speaker."

Speaker Daniels: "Proceed."

Ebbesen: "I would just like to make the Members aware. When they cast a vote on this legislation that even though you can say that these people most assuredly need some kind of help but to me I'm all for that but in all this legislation, not just this Bill but there are many Bills out here where

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there are no provisions for deriving the source of revenue to take care of it. Now, I want to repeat again, all we are doing is taking today's services, not necessarily in this case, but we're transferring the payment to some generations out into the future. And I don't know where these people are going to ten, fifteen, twenty and twenty-five years and are going to get those dollars to take care of these expenses but keep in mind you are increasing over a hundred million dollars that liability to the taxpayers of the future in addition to taking on an annual basis thirteen to fifteen million dollars for annual costs and take this into consideration when you cast your vote on this Bill. Certainly the Sponsors have good intentions but I just think that there should be some increase contribution coming from the systems."

Speaker Daniels: "Any further discussion? There being none, the Gentleman from Cole, Representative Stuffle, to close."

Stuffle: "Yes, first of all, to point out with reference to Representative Ebbesen's remarks and for the record that the Amendment to the Bill has reduced the cost of the Bill by slightly more than 1/3 of its initial cost. Now, I rise as the hyphenated principal Sponsor of this Bill to ask your support of the Bill sponsored by Representative Neff and to consider the fact that Clarence Neff, who often doesn't vote for some of the proposals because of the cost before us and is a man who has nothing to gain from the Bill is seeking only to help a very small group of pensioners who tend to be the oldest ones in these particular systems. And my hat is off to him for that. This is an extension of the Bill that this House and the Senate passed last year in the form of House Bill 1009. The Governor put an amendatory veto to that Bill and in so doing he suggested that we extend more benefits to the

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oldest class of low paid pensioners and to add the State Employees to those concepts as well as the teachers and the folks in the university system. This Bill does exactly that. With regard to the Bill, the class of people that we're talking about, there are really two classes, one is dying out very quickly, in fact, every day. Last year when we ran 1009 the oldest class covered in the Bill averaged about seventy-four and a half years of age. They were existing in the university system on an average monthly benefit of \$217. The Governor suggested in 1009 that we extend the benefits as I said. We do so on the basis of service, service in the system as he also suggested. Not on the basis of pension existing, not on the basis of salary because to do that would be to give more to those who have the most by percentage. We don't do that. I think this is a pittance these people get in the Bill. 1009 was rejected in its full form by only one vote in the override Session last year. We suggest only fairness to this small group of people. We do not deny that it costs money to the state and the system. I don't think you can deny that the benefit is needed. I ask an 'aye' vote. These older people are passing on even as we debate the Bill. With an age of seventy-four and a half as to their average age. They're asking for very little, each of them. These are people who don't want to go on welfare. They're too proud to. Some of them are not even here who were here last year as the figures from the system show. They ask for very little. We ask for an 'aye' vote. Thank you."

Speaker Daniels: "The question is, 'Shall House Bill 682 pass?' All those in favor signify by voting 'aye', all those opposed 'nay'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this

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Bill there are 124 voting 'yes', 23 voting 'nay', 11 'present'. House Bill 682, having received the Constitutional Majority, is hereby declared passed. House Bill 726, Representative Stuffle."

Clerk Leone: "House Bill 726, a Bill for an Act to amend the Illinois Pension Code, Third Reading of the Bill."

Speaker Daniels: "The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, this particular Bill is also an Amendment to the pension system, in this case, the downstate teacher pension system. There have been some debate on this Bill as I know that I don't think centers on what the Bill does. The Bill provides that there be two additional annuitant members to the downstate teacher pension system. Those members to be elected by the people who participate in the system. The Bill itself has no cost impact whatsoever. We've fought for many years to bring a Bill out on the floor of this House, myself, Representative Birchler, our former Member and many others on both sides of the aisle to let these retirees have a voice in their system. Other systems happen to have this sort of proposal in it. I think the retirees ought to have a hand in their own activities. They fought very hard to get this over the years and for those reasons I would ask for an 'aye' vote on your behalf."

Speaker Daniels: "Is there any discussion? House Bill 726. If none, the question is, 'Shall House Bill 726 pass?' All those in favor signify by voting 'aye', opposed by voting 'nay'. The record is open. Have all those voted who wish? Have all those voted who wish? The Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker, in explaining my 'no' vote just very simply, I don't know whether actually the numbers as far as

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the downstate Teacher's Retirement Board they change it from nine to eleven and adds two annuitants and this will make the Teacher's Board larger than any of the other public pension systems in Illinois as far as that is concerned. And also you might draw upon some of the communications we've had as House Members and as Legislators regarding the control. You're turning over the control which is maybe good or bad but to the Illinois Education Association take that into consideration as you're casting your vote."

Speaker Daniels: "The Gentleman from Lake, Representative Barkhausen."

Barkhausen: "Mr. Speaker, I don't want to take up any time. I just want to point out that all of those who are concerned about the potential election of more IEA members to this system, I know some people were disturbed that the Governor had appointed an IEA Member. And some of us feel that this particular organization has too much control right now and I would encourage all those who share that sentiment to vote 'no'."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? The Clerk, will take the record. On this Bill there are 122 voting 'yes', 35 voting 'nay', 4 'present'. House Bill 726, having received the Constitutional Majority, is hereby declared passed. House Bill 744, Representative Stearney, the Gentleman from Cook."

Clerk Leone: "House Bill 744, a Bill for an Act to amend the Regulatory Agency Sunset Act, Third Reading of the Bill."

Speaker Daniels: "Representative Stearney."

Stearney: "Ladies and Gentlemen of the House, House Bill 744 would amend the Sunset Act to amend, to exempt the Athletic Exhibition Registration Act from being repealed October 1,

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1981. Amendment #3 was added because when the Bill was introduced it was inadvertently meant that they would permanently exclude the Athletic Exhibition Act from the Sunset Act so Amendment #3 did put it back into the Act so that would have to come up for renewal in 1991. Be glad to ask any questions."

Speaker Daniels: "Any questions? Any discussion? If not, the Gentleman moves the passage of House Bill 744. All those... Excuse me. Representative Katz, the Gentleman from Cook."

Katz: "Mr. Speaker, when you ask questions you might look over at this side too."

Speaker Daniels: "I will try to."

Katz: "I have a question I wanted to ask the Gentleman. Mr. Stearney, as I understand it, this particular group came up for reexamination by the Sunset Commission or by the select Committee that we established at the last Session of the Legislature. Is that correct?"

Stearney: "I presume so."

Katz: "And what was the recommendation of the select Committee with regard to whether or not the public interest justified the continuation of this licensing?"

Stearney: "They recommended the demise of this Board."

Katz: "Alright, I would like to speak just very briefly."

Speaker Daniels: "Proceed, Sir."

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, we have had a number of these Bills that have been coming before us the last few days. We created a Commission that was to relieve us of the detailed problems involved in both the regulation of the licensing groups and also the sunshine provision with regard to an examination as to whether or not the groups who wanted to be licensed and who hadn't before been licensed ought to be continued. Obviously,

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having passed that Bill and having, it having become law with the signature of the Governor we ought to follow the recommendation of the Commission that studied this particular problem. It does not make sense for us to create a Commission to make a law, to fund that and then to ignore totally the recommendation of the Body. By and large, the groups that seek licensure seek it for their own benefit and the public interest is served by not having licensure. In addition to that, all of us are talking more and more in our society about the fact that people want less government. Well here is something that could give them less government. I dare say that every Member of the House here who has been here as long as a prior Session voted for the Sunset Bill. I would urge those Members to stick by what they created and would also urge the new Members to recognize that they are here to represent the people of their district. That they promised to get less government, that this is a way to get less government, that by and large, these licensing groups are set up to protect themselves and we're here to protect the public and I would urge a 'no' vote with regard to House Bill 744."

Speaker Daniels: "The Gentleman from Cook, Representative Ronan."

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

Speaker Daniels: "He indicates he will."

Ronan: "Representative Stearney, isn't it true that this branch of government actually is a revenue producer for the state and that by keeping this branch in operation we guarantee that additional revenue comes into state government?"

Stearney: "Yes, it is. I think it brings in revenue far more than it expends in the administration of this agency as well as performing a viable and necessary function. That is regulating boxing one of the greatest sports in

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America."

Ronan: "And just a second question. Isn't it true that if we didn't have this function there would be a definite chance for increase bodily harm to be done to the boxers and that obviously there's a large safety factor protecting the public and protecting the individuals who work in this industry?"

Speaker Daniels: "Representative Stearney."

Stearney: "Yes, I'm glad you asked that question because it slipped my mind. Without the boxing Commission you would have a totally unregulated industry within the State of Illinois. Namely, the fight game. And I show you what I just took out of the Springfield Journal just the other day. Namely, the tough guy event may face a fight. What they're having down here in the Prairie State Convention Center is unregulated fighting. That is, they've got bouncers coming in and are getting into the ring, totally unregulated, no doctor being present, nobody checking them to see if they're healthy individuals. No one there to see if a man is cut too badly to go on fighting and this is going on here in the State of Illinois. Not only in the state but in the Capital of the state, Springfield. Now, under this Act, under this Boxing Commission Act you would have that prohibited. That type of conduct would be precluded altogether. And furthermore, Mr. Ronan, this industry cannot be regulated like football with the NFL-AFL. This is an industry that needs state regulation. It is being done so in forty other states."

Ronan: "Thank you, Mr. Stearney. Just to speak on the Bill."

Speaker Daniels: "Proceed."

Ronan: "It's obvious that the criticism we've heard on this legislation is tremendously unfounded. One, it's a revenue producer for the state which is very important under these

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dire economic times and it's crazy for the state to get out of the business of making money. Especially on something that's so popular among the public. Number two, the tremendous safety factor is something that we have to pay attention to. We don't want to have a situation in the state where we've got unregulated fighting going on. Where there's a chance for corruption. Where there's a chance for serious problems. When it involves the tax payers and the citizens of this state. I find the criticism against this legislation totally unfounded. When regulation is needed that's the state's responsibility and that's what we should be doing. When regulation's unneeded we should do away with it. And this is an example where regulation helps the people, protects the consumer and gets additional revenue into the state. That's why I think it's such a fine Bill for Representative Stearney to bring before us today. Thank you very much."

Speaker Daniels: "The Gentleman from Winnebago, Representative Kelley."

Kelley: "Mr. Speaker, I'd like to move the previous question."

Speaker Daniels: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye', all those opposed 'no'. The 'ayes' have it. The Gentleman from Cook, Representative Stearney, to close."

Stearney: "Ladies and Gentlemen of the House, I would solicit a favorable vote. This here is a kin to the sport of kings. Boxing has been around far longer than baseball or football or basketball. It's an industry that we should continue regulating it as been clean. It is regulated now by the Illinois Athletic Board. We have had no problems, no injuries and I think we can continue with this record of safety. But we need this Athletic Exhibition Board.

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Therefore, I ask you to vote 'aye'."

Speaker Daniels: "The Gentleman has moved for the passage of House Bill 744. The question is, 'Shall House Bill 744 pass?' All those in favor signify by voting 'aye', opposed by voting 'nay'. The voting is open. The Gentleman from Cook, Representative Lechowicz, to explain his vote."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe that the Sunset Commission made a mistake when they made a recommendation to eliminate the Boxing Commission. As long as you have professional fighting in the State of Illinois it was created by this state to monitor and to make sure there was no wrong doing to the participants or to the people that actually come in and view that type of sport. For that reason, the Commission was created to make sure the protection of the participants and also to the observer. To make a recommendation that that item should be removed was an error. I believe this corrects that situation and I believe this Bill should pass."

Speaker Daniels: "The Lady from Cook, Representative Currie, to explain her vote."

Currie: "Thank you, Mr. Speaker and Members of the House. I, like Representative Ronan and Representative Stearney am very concerned about the boxers and the need, perhaps, to protect them. I dissented from the Sunset Committee report to the extent that I was concerned that we do have permanent restrictions so that boxers would not be susceptible to the kind of damage Representative Stearney assures us is going on right now in Springfield. Unfortunately, if that is the real concern of the Sponsor, House Bill 744 is no help. In fact, House Bill 744 does not improve the regulatory program that now exists one bit. What House Bill 744 does is to create a quite separate

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Athletic Exhibition Board that is not even connected any longer to the Department of Registration and Education. The per diems for the members of that Board are doubled from twenty-five to fifty dollars a day. That Board retains under its own control five permanent employees not responsive to the Department of Registration and Education and that Board is entitled under this legislation to hire as frequently as and many inspectors as it likes to the tune of fifty dollars a day. I would ask where those inspectors might be inspecting around about election time and I would urge those of you who did vote for the Sunset legislation, who do support the work of that Committee which held many hours of hearings on this topic. Those of you who do support good government to reject House Bill 744, not only a contradiction to the report in the request of the Sunset Committee but, in fact, far worse than the program the Sunset Committee recommended be abolished."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? The Gentleman from Rock Island, Representative Darrow, to explain his vote."

Darrow: "Well, the Assistant Minority Leader indicates the Sunset Commission made a mistake with their recommendation. I would assume, therefore, that he will be in here next year with legislation to license the football players since there's no regulation in this state over football players. And there are a number of other professions. But other than that I'm voting 'no' and I'll say no more."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? The Gentleman from Cook, Representative Bowman, to explain his vote."

Bowman: "Mr. Speaker, I hope everyone has had a chance to read the Amendment to this Bill. It is indeed one of the strangest Bills that I've seen come through here. It

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provides for a minimum number of employees for this particular agency. Now, how many pieces of legislation to we have that requires a minimum number of employees. I think that's indeed strange and because there may very well be a few other strange things in this piece of legislation, I vote 'no'."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill, House Bill 744, there are 110 voting 'aye', 63 voting 'no' and 6 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 767, Representative Bower."

Clerk Leone: "House Bill 767, a Bill for an Act amending Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Daniels: "Representative Bower."

Bower: "Thank you, Mr. Speaker. This Bill raises the regular interest rate for the teacher's retirement system from five to six percent. It's supported by the downstate teacher's retirement system, the Pension Laws Commission, the Illinois Education Association and for the Republicans their analysis incorrectly states that the Governor's opposed. He is not. I urge its adoption."

Speaker Daniels: "Is there any discussion? Being none, the Gentleman moves the passage of House Bill 767. All those in favor signify by voting 'aye', opposed by voting 'no'. The record is open. Have all those voted who wish? Representative Telcser, Representative Daniels, 'aye'. Have all those voted who wish? The Clerk will take the record. This Bill, having received 155 'aye', no 'nays', 4 voting 'present'. House Bill 767, having received the Constitutional Majority, is hereby declared passed. House Bill 795, Representative Stuffle. The Clerk will read the

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Bill."

Clerk Leone: "House Bill 795, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Daniels: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, I would ask for the same Roll Call on this Bill. It's opposed by no one, supported by the Pension Laws Commission. It simply changes the function of receiving the petitions for the election of the Members of the Board of the downstate teacher pension system from the Office of Education to the Board itself. It's supported as I say by the Pension Laws Commission. No one's opposed to it. The superintendent wants out of this archaic function. I ask for an 'aye' vote."

Speaker Daniels: "Is there any discussion? Being none, the Gentleman moves for the passage of House Bill 795. All those in favor signify by voting 'aye', opposed by voting 'no'. The record is open. Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill, having 141 'aye', 11 'nay', 5 voting 'present'. House Bill 795, having received the Constitutional Majority, is hereby declared passed. Representative Preston, House Bill 813. The Clerk will read the Bill."

Clerk Leone: "House Bill 813, a Bill for an Act to amend Sections of the Illinois Pension Code, Third Reading of the Bill."

Speaker Daniels: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen. House Bill 813 amends the county pension system to allow, it takes out age discrimination from the county pension system. It allows people who are hired by the county, who at the time of being hired, are 65 years of age or older to pay into the Pension Fund the same way they could if they were hired by the other pension systems throughout the

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state. Cook County has an unusual pension system and this would correct the unusual nature of it and I ask for your 'aye' vote."

Speaker Daniels: "The Gentleman moves for the passage of House Bill 813. Is there any discussion? Being none, all those in favor of the passage of House Bill 813 signify by voting 'aye', opposed by voting 'nay'. The record is open. Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill, having received 120 'aye', 16 'nay', 9 'present'. House Bill 813, having received the Constitutional Majority, is hereby declared passed. Representative Vinson, House Bill 900. I'm sorry. Representative McCormick."

McCormick: "I wanted to be 'aye' on that Bill."

Speaker Daniels: "Alright, Representative McCormick be recorded as 'aye' on House Bill 813. Representative Vinson on House Bill 900. The Clerk will read the Bill."

Clerk Leone: "House Bill 900, a Bill for an Act creating certain investment credits, Third Reading of the Bill."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 900 is the investment tax credit Bill for manufacturers and retailers. The Bill would stimulate savings and investment by granting a credit against the replacement tax of 1% beginning in '83, 2% thereafter if the employers employment rises by at least 1%. The purpose of the Bill is to stimulate savings and investment, get the economy moving, try to take us out of a recession in Illinois and to generate higher employment in jobs. I would urge your favorable consideration of the Bill."

Speaker Daniels: "Any questions? House Bill 900. The Gentleman from Madison, Representative McPike."

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McPike: "Will the Sponsor yield to one question?"

Speaker Daniels: "He indicates he will."

McPike: "What is the approximate cost of this to the Corporate Replacement Tax?"

Vinson: "Representative MCPike, on the manufacturers portion the cost was \$48,000,000. Representative Daniels indicated and I have to apologize to the chamber because on Second Reading I thought the cost on the retailers portion was higher but he indicated that it was only 1/7 of the manufacturers portion. That would mean approximately seven million dollars so the total cost would be about fifty-five million."

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

Speaker Daniels: "Proceed."

McPike: "Mr. Speaker and Ladies and Gentlemen of the House, a few years ago we replaced a corporate personal property tax with a tax on income. The Economic and Fiscal Commission along with the Department of Revenue will verify the figures that I'm about to give you. In 1980, the collections in that calendar year were 3.6% above what the collections would have been under the old tax. In 1981, the collections under the Replacement Tax on income will be 3% below what they would have been under the old tax. This is clearly what we passed, is clearly a replacement and represents no windfall to local governments. What this Bill does is take away in future years fifty million dollars for manufacturers and I would seriously disagree with the Sponsor's estimate of seven million dollars for retailers. All reliable estimates indicate that an additional fifty million dollars for retailers. A conservative estimate is a hundred million dollar cost for this to the Corporate Replacement Tax. That's a 20% loss to units of local government. When there is no indication

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there is no forecast from any reliable sources, in fact, from no sources there is no estimate that this tax is going to grow faster than the old tax. So what you are doing then is taking away revenues from local units of government that have only one recourse to replace those revenues and that is by raising property taxes. I don't see how you can sit here in Springfield and say that the state cannot afford to do this, refuse to put it as a credit against the State Income Tax, refuse to even split that credit half and half between the state and local units. Say that the state cannot afford this and yet turn around and put the burden on local units of government, on local school districts that have to provide services and deny them adequate revenues to do so. Furthermore, the one provision of this Bill that would allow this investment tax credit to double, to go from 1% to 2% if there's an increase in employment of only 1% is ludicrous. To increase your employment from 100 to 101 workers or to increase your employment from 1000 to 1010 workers and therefore, double your investment tax credit meaning that not one hundred million but two hundred million dollars in revenues will be taken away from the Corporate Replacement Tax is raping the local units of government. You cannot, in good conscience, sit here and say that you're going to take 20 to 40% of the Replacement Tax away from them, expect them to provide those services without at the same time excepting the responsibility that you will be increasing property tax on individual home owners by at least the same percentage. This is not a responsible vote to vote 'aye' on this. It's not a responsible position to take that the state cannot afford it but local units of government can. I think this is a terrible unworkable concept. I think it's a disgraceful attitude to say we don't care how you fund your programs

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we're not going to allow manufacturers to pay their fair share. Take it out of the individual home owner. I would seriously ask you to question whether or not in good conscience you can support this type of concept. I would ask for a 'no' vote."

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

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, the previous speaker from Madison spoke about most of the things that I wish to talk about. I would add one or two others. I supported the concept of investment tax credit last year and I think there's some merit to the concept. Unfortunately, this Bill puts the onus on the schools. When we say local government units we're talking mostly about schools. Also about park districts that only have the Real Estate Tax and the Replacement Tax and about other districts, Forest Preserve Districts, county government and city government. This investment tax credit is a credit against money to be received by our schools and local government units. Most of which are at the maximum rate of nowhere else to go. When the personal property tax was abolished I worked as Chairman of the House Revenue Committee on a Constitutional Replacement Income Tax. Representative McPike sponsored that Bill which was a product of the House Revenue Committee. That Bill passed. We promised at that time to local government units personal property tax would be off the rolls, would be gone, that we would replace that properly with a Corporate and Business Income Tax. We did that. The rate on January 1st went down from 2.85% to 2.50%. The rate was just cut on January 1st. Now that rate, after it's been cut, is just going to replace that personal property tax that the local government, most of these schools lost. And now we

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come along and make the schools and local government units finance the economic expansion in the state. They don't have an income tax. They're not going to get it back from increased productivity in the state. The State of Illinois is. The Governor tells us the state can't afford an investment tax credit. If the state can't afford it how can the schools and the park districts and the local government units afford it. They're being cut from Washington. They're being cut here by the so called 'block grant theory'. They're having their share of the income tax cut by the Governor. They're being cut along the line and then we come along and deny them some of their Replacement Income Tax that was suppose to replace the personal property tax. This is a bad Bill and it should be defeated because if the schools don't have the money there's only one person who's going to pay it. And that's the home owners as the previous speaker said. And I vote 'no'."

Speaker Daniels: "The Gentleman from Peoria, Representative Schraeder."

Schraeder: "Thank you, Mr. Chairman, Members of the House. We've heard the same argument from this side of the aisle. Why is my party on this side of the aisle trying to protect local units of government from excessive spending? This Body on this side has consistently allowed overspending by local units of government just as long as it doesn't come from their particular special interest groups. I don't understand that. When the Corporate Personal Property Tax Replacement Tax was enacted it was over replacement. Everybody knows that. In a period since it has been in effect until 1981 we're going to collect \$119,000,000 more than we should have. By the time this law goes into effect in fiscal '84 we're going to have more than enough revenues

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to offset the loss and yet my side of the aisle doesn't want to recognize that. When we got the excess collection of tax what happened to local units of government we're talking about? They didn't abate or rebate or cut levies. No, that wasn't good enough. Spend, spend, spend. Well, I can see why my party is called spenders because this is the way they're doing it. They don't have any sense of fiscal responsibility. This Bill ought to pass with every vote."

Speaker Daniels: "The Gentleman from Macon, Representative Tate."

Tate: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this fine piece of legislation. Several speakers on the other side of the aisle have correctly stated that the replacement taxes actually collected from business totalled \$485,000,000 in 1980. Just 3.6% above the \$468,000,000 that would have been collected under the old personal property tax. However, what they didn't say that in 1980 the dispersements to the local taxing jurisdiction totalled \$553,000,000 or 18.2% above the projected yield of the personal property tax on business. In 1979, not only did the local taxing jurisdictions collect from business an estimated \$452,000,000 but in addition from business they collected \$116,000,000 in replacement taxes. Through 1981 they will have received a projected \$109,000,000 more than they would have without the replacement tax. Now, we can complain and be concerned about our local government units and we can be concerned about the business climate but if you want to ascend a signal to business and you want to protect the jobs in your communities, which all of us have had manufacturers and businesses leave our areas in the last ten years, this would be a good way to start. Vote 'yes' please."

Speaker Daniels: "The Gentleman from Cook, Representative Vitek."

Vitek: "Mr. Speaker, I think it's been explained. Previous

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vote."

Speaker Daniels: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Gentleman from DeWitt, Representative Vinson, to close."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think Representative Tate made the point well. We collected better than one hundred million dollars in the first year of operation. We distributed better than one hundred million dollars in the first year of operation of the replacement tax. That's a new tax. That's increased revenue. That's a drag on business. That's a drag on growth. I'm sorry that somebody said that the schools would suffer under this and suggested that the proper alternative would be to put this against the State Income Tax. What that person failed to realize is that better than 85%, better than 85% of income tax revenues and state revenues passed through the local government. Passed through to welfare benefits. Passed through to mental health recipients. So every tax you go at, no matter what it is, is a tax spent on good purposes. That's true of the replacement tax and I will say that honestly to you. It's also true of state taxes. But the point is that what we have to do is get on with the job of reinvigorating and revitalizing the state economy. We have to stimulate growth. We have to make the pie bigger. And the way you make the pie bigger is by cutting the tax rate. By stimulating savings. By stimulating investment and by encouraging growth. That's what this Bill does. In the past decade, better than two hundred thousand in manufacturing jobs fled the State of Illinois. They were forced out of the State of Illinois because of the cost

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that we sanction on business. Now, what this Bill does is to create some small incentive for business to expand and to grow. For attracting business to Illinois and for making this state move forward. I read to you again as I did on Second Reading one brief paragraph from the Chicago Tribune. 'All together in the 1970's Chicago lost 1/4 of its factories. In many cases the workers went with them to the suburbs, the small towns or the Sunbelt. And because the people left so did the stores that served them. Chicago lost forty-five hundred of its thirty thousand shops in 19.. from 1970 to 1978.' I urge your 'aye' vote for growth, for progress, and for jobs in Illinois."

Speaker Daniels: "The Gentleman has moved for the passage of House Bill 900. All those in favor signify by voting 'aye', all opposed by voting 'no'. The voting is open. The Gentleman from DuPage, Representative Hoffman, to explain his vote. The timer's on."

Hoffman: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, we have heard here today a lot of nonsequiturs. We hear people say this, this and this is because of this. Anyone who has watched the business climb in Illinois knows that a lot of this is pure hokum. And to say that we collected over one hundred million dollars above on the personal property tax above what we've ever had before, you've got to realize that that wasn't a year of twelve months. That was a year of thirteen months. And to say that that is equal to what you would collect in twelve months or is in excess of what you'd collect in twelve months is not correct. Ladies and Gentlemen, there is no question who you're going to take this money away from. If you want to do so, do it, but if you want to be honest with yourself and recognize what you're doing on one hand and who you're hurting on the other I think you have

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to come down in opposition to this Bill."

Speaker Daniels: "The Gentleman from McClain, Representative Bradley. The timer's on."

Bradley: "Mr. Speaker, Ladies and Gentlemen of the House, two points. When it was, the Bill before us was to grant a guaranteed loan to Chrysler for twenty million dollars in state revenue many of those people who are voting red up there were voting green on that issue. All we're doing with this Bill is saying to them, 'now if it is going to take money from local government let's let local government pay some of the costs of keeping business in the State of Illinois.' Point number two is that with the quadrennial reassessment, inflation on real estate, real estate taxes have gone up so rapidly and so high and the assessments that local government is getting more money than they know what to do with in most cases. One school district that I represent had a 1 1/2 million dollar increase, drop their tax rate ten cents generated more money than they've ever generated before. This is a good Bill. It should be passed. It's something, if you believe in the concept, the concept the time has come... (cut off)."

Speaker Daniels: "The Gentleman from McClain, Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. I think this is a good piece of legislation because the thing that has amazed me in the last day or two are the people on the other side of the aisle who have said help the working man, help the working man. I say you've got to help business in one way or another before the working man can have a chance to go to work. This is a good piece of legislation and you ought to be voting green."

Speaker Daniels: "The Gentleman from Winnebago, Representative Giorgi."

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Giorgi: "Mr. Speaker, I just got a list of what you're doing to my local units of government which incidentally are all Republican. You're going to take a million and a half from my schools. From the city you're going to take three hundred thousand, from the county one hundred seventy-seven, the medical school thirty thousand, the Health Department twenty-seven thousand, the assessor's office eighteen thousand, the Health Department sixteen thousand, State's Attorney's office thirteen thousand, city police training, twelve, fire, three and ten and the health system of two thousand dollars. What do you want to do to the units of government that the people of Winnebago County need? And I'm a Democrat. Please, for those Republicans. Are you trying to bankrupt the governments of Winnebago County? We have ninety taxing units. What do you want to do? Put the people in bankruptcy? Have you lost your minds? Call your Governor wherever he's at and ask him some advice."

Speaker Daniels: "The Gentleman from Peoria, Representative Tuerk. The timer's on."

Tuerk: "Well, Mr. Speaker and Members of the House, I think as Representative Hoffman pointed out there are some nonsequiturs to this whole debate. However, I think he's just in the opposite corner. I think that the only way that you're going to stimulate the economy, increase the productivity, develop some progress in this state, improve the business climate is to pass a Bill such as this. And I think the legislation Representative Vinson brings to the Body is perfectly in order. It makes sense. It's going to stimulate the economy and I would urge your support for it."

Speaker Daniels: "The Gentleman from Cook, Representative Bowman."

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Bowman: "Well, Mr. Speaker, this is just another one of those Bills that is Reorganizing the State of Illinois. We're doing exactly to the state what Ronald Reagan would like to do for the nation. What is a good idea, he's having someone else pay for. If it's such a good idea to try and attract business to the State of Illinois there are other ways of doing it. Let's not try and pass the buck for paying for the Bill. Because if we pass the buck there can mean only one thing. The local property tax rates will go up. If you take money away from a unit of local government they're going to turn to the only source that they know and that is the tax on real estate and that will go up if this Bill passes."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? The Gentleman from Lake, Representative Deuster, to explain his vote. The timer's on."

Deuster: "Oh, not to explain my vote but two of my good friends that messed up the pronunciation of nonsequitur and I just want the record to indicate that some of us on this side of the aisle have a dictionary."

Speaker Daniels: "The Gentleman from Lake, Representative Matijeovich."

Matijeovich: "Mr. Speaker, I didn't know for sure how to vote and then I looked up to the Board and I saw two of your leaders who have some experience with local government. And I see one voting 'no' and one voting 'present'. They should know the impact of this Bill so I voted 'no' then."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? The Gentleman from Hardin, Representative Winchester, to explain his vote. The timer's on."

Winchester: "Thank you, Mr. Speaker. I have attended many Chamber of Commerce meetings throughout southern Illinois, downstate Illinois. And I've heard time and time again

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Members on the other side of the aisle saying that this type of legislation is important to stimulate the business community in downstate Illinois. We are listed with the Department of Labor as being a highly depressed area and our constituents are always asking us, do more, do more, to attract business so that we can put people to work in southern Illinois. This will do that and I'm surprised to see many downstaters voting 'no'. And I think that they should change their vote and vote 'aye'."

Speaker Daniels: "Okay, have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On House Bill 900 there are 86 voting 'aye', 75 voting 'nay', 3 voting 'present'. Representative Vinson requests a poll of the absentees. Mr. Clerk, Representative Henry from Cook wishes to be recorded as voting 'aye'. Representative Jones from Cook wishes to be changed from 'no' excuse me. Representative Jones."

Jones: "Thank you, Mr. Speaker. While we have a brief moment break here I want to introduce a fine Legislator who returned here to watch the proceedings. Representative Langdon Patrick."

Speaker Daniels: "Representative Giglio, for what purpose do you arise? He doesn't rise. Okay. The Clerk will proceed with a poll of the absentees."

Clerk Leone: "Poll of the absentees. Bartulis. Deuchler. Epton. Ewell. Garnisa. Hanahan. Margalus. Oblinger. Preston. Redmond. Slape."

Speaker Daniels: "Representative Slape, wants to be recorded as voting 'no'."

Clerk Leone: "And White."

Speaker Daniels: "Mr. Clerk, record Representative McBroom as 'aye'. Representative Henry wishes to be changed from

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'aye' to 'present'. And Representative Zwick."

Zwick: "May I be recorded as 'aye' please?"

Speaker Daniels: "Change Representative Zwick from 'no' to 'aye'.
Representative Dunn (John)."

Dunn, John: "From 'no' to 'aye'."

Speaker Daniels: "Change Representative Dunn from 'no' to 'aye'.
Any other changes or additions? Representative Preston.
Representative Preston wishes to be recorded as 'no'. Any
other changes, additions, alterations? Representative
Leverenz, for what purpose do you arise?"

Leverenz: "Record me 'no'."

Speaker Daniels: "Representative Leverenz wants to be changed
from 'aye' to 'no'. Any other changes, additions?
Representative Bartulis wishes to be recorded as 'aye'.
How was he recorded?"

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

Speaker Daniels: "Record him as 'aye', Representative Bartulis.
Any other changes or additions? Representative Barr wishes
to... Representative Barr from Cook wishes to be changed
from 'no' to 'aye'. Any other changes. On House Bill 900
there are 89 voting 'aye', 75 voting 'no', 4 voting
'present'. And the Gentleman from Cook.. whoops.
Representative Pechous."

Pechous: "Present."

Speaker Daniels: "We're in the middle now, I think, of a
verification. Okay, how is Representative Pechous voted?"

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

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

Speaker Daniels: "Change Representative Pechous to 'present'.
Representative. Representative McAuliffe. Record
Representative McAuliffe from Cook as voting 'aye'. How
was he recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman's recorded as voting 'present'."

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Speaker Daniels: "He needs to be recorded as voting 'aye'. Now, House Bill 900. On this issue there are 89 voting 'aye', 75 voting 'nay', 4 voting 'present' and the Gentleman from Cook, Representative Bowman, asks for a verification. Verify the affirmative Roll Call. Representative Madigan, you had your light on. Was it on this Bill. Okay. Verification of the affirmative Roll Call. Alright, Mr. Bowman, Representative Bowman. Representative McBroom wishes to be verified as 'aye'. Does he have leave? Alright, Representative McBroom is verified as 'aye'. Representative Wolf."

Wolf, J.J.: "Could I have leave to be verified?"

Speaker Daniels: "Alright, Representative Bowman, Representative Wolf requests leave to be verified. Does he have leave? Representative Wolf is verified. Representative Woodyard. Representative Woodyard requests leave to be verified. Representative Van Duyne."

Van Duyne: "Could I have leave to be verified, please?"

Speaker Daniels: "Representative Bowman, does Representative Van Duyne have leave to be recorded? Yes, Sir. Representative Christensen. He asks for leave to be verified. Representative Christensen has leave. Okay, proceed with the poll of the affirmative Roll Call."

Clerk Leone: "Abramson. Ackerman."

Speaker Daniels: "Representative Bowman has requested that everybody be in their seats to have an orderly verification of the affirmative Roll Call. Representative Bowman requests that. Would you please cooperate with the Gentleman? Proceed with the poll of the affirmative Roll Call."

Clerk Leone: "Abramson. Ackerman. Alstat. Barkhausen. Barnes. Bartulis. Bell. Birkinbine. Boucek. Bower. Bradley. Brummer. Christensen. Collins. Daniels. Davis.

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Deuster. Donovan. Jack Dunn. John Dunn. Ralph Dunn.
Ebbesen. Ewing. Fawell. Findley. Flinn. Virginia
Frederick. Dwight Friedrich. Griffin. Grossi. Hallock.
Hastert. Hoxsey. Hudson. Huskey. Jones. Karpriel. Jim
Kelley. Klemm. Kociolko. Koehler. Kustra. Leinenweber.
Macdonald. Mautino. Mays. McAuliffe. McBroom.
McCourt."

Speaker Daniels: "Excuse me, Mr. Clerk. Representative Bowman,
Representative Stanley, standing right here asks to be
verified. Does he have leave? Thank you, Sir.
Representative Bartulis. Just a second. Representative
Bartulis asks for leave to be verified. Right behind you,
Sir. Does he have leave. Alright. Representative Jones.
Alright, how is Representative Jones recorded?"

Clerk Leone: "Representative Jones is recorded as voting 'no'."

Speaker Daniels: "Okay, proceed with the verification."

Clerk Leone: "Barr. McGrew. McMaster. Ted Meyer. Roland
Meyer. Miller. Mulcahey. Neff. Nelson. Ozella."

Speaker Daniels: "For what purpose does the Gentleman from Cook,
Representative Getty, arise?"

Getty: "An inquiry. The Clerk read Representative Jones' name
along with the affirmative votes. Representative Jones
then questioned it and it was determined that he was voting
'no' although the Clerk had previously read it. Now, my
inquiry is, 'Is it possible that the tally which now is 89
included Representative Jones in error and therefore, is 88
and we wouldn't have to go through this?'"

Speaker Daniels: "Mr. Clerk, how is Representative Jones
recorded?"

Clerk Leone: "Representative Jones appears 'no' on the tally."

Speaker Daniels: "And Representative Getty, he is recorded on the
Board here as voting 'no'."

Getty: "Alright, my inquiry though goes to whether the tally

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includes Representative Jones in the affirmative tally as 'aye'. In other words there was some problem I.... with the tally."

Speaker Daniels: "I understand, Sir. Representative Getty, the Clerk advises me that he was not."

Getty: "Thank you."

Speaker Daniels: "Proceed with the poll of the affirmative Roll."

Clerk Leone: "Mulcahey. Neff. Nelson. Ozella. Peters. Piel. Polk. Pullen. Rigney. Robbins. Ropp. Saltsman. Schraeder. Schuneman. Irv Smith. Stanley. Stearney. E.G. Steele. C.M. Stiehl. Stuffle. Swanstrom. Tate. Telcser. Topinka. Tuerk. Van Duyne. Vinson. Watson. Wikoff. Winchester. J.J. Wolf. Woodyard. Zwick and Mr. Speaker."

Speaker Daniels: "The Gentleman from Winnebago, Representative Mulcahey, for what purpose do you rise?"

Mulcahey: "Mr. Speaker, I would like to be recorded as voting with the people and would you please change my 'yes' vote to 'no'?"

Speaker Daniels: "Mr. Clerk, how is Representative Mulcahey recorded?"

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

Speaker Daniels: "Change him to 'no'. Representative Bowman, questions of the affirmative Roll."

Bowman: "Yes, where is Mr. Speaker? What's .. wait before we start. What's the count? Is it that hard to subtract one?"

Speaker Daniels: "The Clerk advises me there are 88 voting 'aye' and 76 voting 'no'."

Bowman: "Then just take the record."

Speaker Daniels: "We're in the verification. Are you done with your verification of the affirmative Roll?"

Bowman: "Is it in order, Mr. Speaker."

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Speaker Daniels: "It is in order because of the time you requested it it was 89 votes. One of your persons changed Representative Mulcahey. It is presently at 88. If you are done with the verification we will finish that. You are not done. Alright."

Bowman: "Okay, where is Mr. Speaker then?"

Speaker Daniels: "Where is Mr. Speaker?"

Bowman: "Ryan. Daniels is recorded and Ryan is recorded."

Speaker Daniels: "Yes, do you want Mr. Speaker?"

Bowman: "Yes."

Speaker Daniels: "He's in his office."

Bowman: "The real Speaker."

Speaker Daniels: "Thank you, Sir. Would you like the real Speaker to come out and wave to you? He's in his office, Sir."

Bowman: "I'm always pleased to see the real Speaker but this time I would just a soon he stay in his office and take him off the Roll."

Speaker Daniels: "I will bring him out if you would prefer, Sir. Is that your wish?"

Bowman: "Look, if he's voting and he's not here then he should not be on the Roll."

Speaker Daniels: "Would you like for me to bring him out? I'd be happy to."

Bowman: "Look, let's just get on with it okay."

Speaker Daniels: "How is the Speaker recorded, Sir."

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

Speaker Daniels: "Remove him."

Bowman: "Okay, how about Abramson?"

Speaker Daniels: "Representative Abramson. Is the Gentleman in the chamber? Representative Abramson. How is he recorded, Sir?"

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

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Speaker Daniels: "Remove him."

Bowman: "Collins."

Speaker Daniels: "Excuse me. Representative Bowman, may I introduce you to the real Speaker, Representative Ryan. Return him to the Roll Call."

Bowman: "Collins."

Speaker Daniels: "Representative Collins. Representative Collins. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Bowman: "Davis."

Speaker Daniels: "Davis. Representative Davis is in his chair."

Bowman: "John Dunn."

Speaker Daniels: "John Dunn. Representative John Dunn is behind you with his hand up."

Bowman: "Ewell."

Speaker Daniels: "Representative Ewell. Representative Ewell. How is the Gentleman recorded?"

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

Speaker Daniels: "The Gentleman is not recorded, Sir."

Bowman: "Oh, he's not recorded?"

Speaker Daniels: "He is not recorded. So we'll leave him as not recorded."

Bowman: "Grossi."

Speaker Daniels: "Representative Grossi is in his chair."

Bowman: "Hudson."

Speaker Daniels: "Representative Hudson is standing by his chair."

Bowman: "I see him. I see him. Okay, and we took care of Jones. Karpziel."

Speaker Daniels: "Representative Karpziel is in her chair."

Bowman: "Kociolko."

Speaker Daniels: "Kociolko is in his chair."

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Bowman: "Is Mautino here?"

Speaker Daniels: "Representative Mautino is in his chair."

Bowman: "Okay. Peters."

Speaker Daniels: "Representative Peters is in the aisle."

Bowman: "I see him. Piel."

Speaker Daniels: "Representative Piel. Representative Piel. Is the Gentleman in the chambers? Representative Piel. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Bowman: "Polk."

Speaker Daniels: "Polk is standing in the center aisle."

Bowman: "Schuneman."

Speaker Daniels: "Representative Schuneman is standing by his chair."

Bowman: "C.M. Stiehl."

Speaker Daniels: "Representative Stiehl. Cissy Stiehl is in her chair."

Bowman: "Topinka. I see her."

Speaker Daniels: "Representative Topinka is in her chair."

Bowman: "Tuerk."

Speaker Daniels: "Representative Tuerk is in his chair."

Bowman: "Wikoff."

Speaker Daniels: "Representative Wikoff is in his chair. Mr. Clerk, Representative Piel has returned. Return him to the Roll Call."

Bowman: "Roland Meyer. Oh, he's in back. Okay."

Speaker Daniels: "I'm sorry. Would you say that again, Sir? Representative Bowman, what was the last one?"

Bowman: "Stuffle."

Speaker Daniels: "Representative Stuffle is standing right there."

Bowman: "Okay, no further questions. No further questions."

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What's the count?"

Speaker Daniels: "Representative Steele, what purpose... no purpose."

Bowman: "This is one of the slowest gavels I've ever seen, Mr. Speaker. Speaker."

Speaker Daniels: "Representative Collins has returned to the chamber. For what purpose does Representative Ewing from Livingston arise?"

Ewing: "Mr. Speaker, I was out of the chamber. How am I recorded?"

Speaker Daniels: "How is the Gentleman recorded?"

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

Ewing: "I think I'd like to have you leave me that way."

Speaker Daniels: "Okay. Alright, Representative Collins has been returned to the Roll. He's back in the chambers, Representative Bowman. Do you see him there? Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker, I was with Representative Ewing. Was I removed from the Roll Call?"

Speaker Daniels: "Mr. Clerk, how is Representative Ebbesen recorded?"

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

Ebbesen: "Thank you."

Speaker Daniels: "Still on the record. Representative Bowman."

Bowman: "Mr. Speaker, I don't know who you're waiting for but it seems to me all this is dilatory. Why don't we just take the record?"

Speaker Daniels: "Alright, any other... Representative Reilly, for what purpose do you rise?"

Reilly: "Vote me 'aye'."

Speaker Daniels: "How was the Gentleman recorded?"

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

Speaker Daniels: "Change him to 'aye'. Representative Conti from

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Cook, for what purpose do you arise?"

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I didn't get in on much of the debate here but I followed this Bill through the Senate. And the Senate has an Amendment on a similar Bill that cuts this in half and I was assured the same thing was going to happen to this Bill when it went there, when it goes to the Senate. I think I'd learn my lesson after all these years but the Sponsor of this legislation happens to be an honorable man. Has never let me down yet to change my vote from 'no' to 'aye'."

Speaker Daniels: "Change the Gentleman from 'no' to 'aye'. Now, Representative McGrew is standing in the rear. For what purpose does the Gentleman from Knox arise?"

McGrew: "Change me to 'no'."

Speaker Daniels: "Representative McGrew wishes to be changed from 'aye' to 'no'. You got that, Mr. Clerk? Representative McGrew from Knox. Representative Reilly is 'aye'. Representative Conti is 'aye'. Representative McGrew has been changed to 'no'. Representative Collins, for what purpose do you arise?"

Collins: "Well, Mr. Speaker, was I knocked off the Roll Call?"

Speaker Daniels: "Would we do something like that to you?"

Collins: "Well, I don't think you would but some of those bad guys on the other side might."

Speaker Daniels: "Mr. Clerk, how is the Gentleman from Cook, Representative Collins recorded?"

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

Speaker Daniels: "The Gentleman is recorded as voting 'aye'. Representative.. Ladies and Gentlemen of the House, I recognize each and every one of you. I now have Representative Leinenweber standing up and I'll be happy to recognize him. What purpose do you rise, Sir?"

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Leinenweber: "Well, while there is a lull, I just wanted to announce that I have three tickets left for the annual German-American Legislative Dinner which is May 26. Now, they're going fast and if anybody would like one, if they get over here I will try to accommodate you."

Speaker Daniels: "Representative Meyer. Roland Meyer, for what purpose do you arise or why are you waving your arms at me? Representative Bianco. Representative Bianco from Cook wishes to be recorded as voting 'aye'. Anyone else? Mr. Clerk, what's the count? On this Bill, House Bill 900 there are 89 voting 'aye', 75 voting 'nay', and three voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Leinenweber."

Leinenweber: "Yes, as a result of that announcement I sold two so I only have one left."

Speaker Daniels: "House Bill 1019, Representative Birkinbine. Read the Bill, Mr. Clerk. Excuse me, Mr. Clerk. Mr. Davis, for what purpose do you arise?"

Davis: "Well, just a small moment of personal privilege, Mr. Speaker."

Speaker Daniels: "Proceed."

Davis: "A great number of us are on and off the floor and there's a lot of Bills flying on and off all the time. We normally tell our seatmate, 'I've got a Bill I'm really interested in and would you vote me 'yes'?' And I have to admit I made a terrible mistake. My seatmate wanted to be voted 'yes' on House Bill 682, Representative Wikoff. And I hit the 'present' button and when he came back he was very interested in the Bill, personally interested, and I said I didn't do it. And so in a rare and probably unusual move, I ask leave that Mr. Wikoff be recorded 'yes' on House Bill 682. It won't affect the outcome."

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Speaker Daniels: "Was that a verified Roll Call? No it was not. Does the Gentleman have leave? Leave being granted, show Representative Wikoff as voting 'aye' on House Bill 682. House Bill 1019. Representative Vinson, for what purpose.. or excuse me, Representative Ewing, for what purpose do you arise?"

Ewing: "Mr. Speaker, having voted on the prevailing side by which House Bill 600..900 was.. I would move that we reconsider that vote."

Speaker Daniels: "The Gentleman has moved for reconsideration of House Bill 900. Representative Johnson, for what purpose do you arise?"

Johnson: "Yes, I move that that Motion lie on the table."

Speaker Daniels: "The Gentleman has moved that Motion lie upon the table. All those in favor signify by saying 'aye', all those opposed. The 'aye' have it. House Bill 1019, Representative Birkinbine."

Clerk Leone: "House Bill 1019, a Bill for an Act relating to certain investments of public funds by public agencies. Third Reading of the Bill."

Speaker Daniels: "Representative Birkinbine. Excuse me, Representative Birkinbine. Representative Zito, for what purpose do you rise?"

Zito: "Mr. Speaker, I might be a new Member, but a Roll Call was asked for on that Motion. I'd appreciate... There was a Roll Call asked for on that Motion. I'd appreciate your recognizing that."

Speaker Daniels: "I understood the Motion was on the Motion to reconsider the Roll Call, but there was a Motion to table. We heard the oral Motion. That Motion carried and we declared it as passed. Representative Madigan, for what purpose do you rise?"

Madigan: "The same purpose, Mr. Speaker. If you wish to follow

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in the pattern that's been established by your predecessors, then that's your decision, but I've told your predecessors that any person who serves in the Chair will develop their personal reputation for fairness. You heard a request for a Roll Call. You chose to ignore that request. You chose to gavel it through. You chose to abuse the privileges of the Chair on that last Roll Call, so go ahead and make your record, Sir."

Speaker Daniels: "Okay. House Bill 1019, Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On that congenial note, I offer House Bill 1019 which relates to an Act involving investments of public funds by public agencies. Specifically, it provides that banks and Savings and Loans associations must file a copy of statement resources before receiving any public funds from any public agencies also that amounts of deposits may not exceed 75% of the capital stock and surplus of such bank and savings and loan association. This language runs throughout our statutes at about 80 different times involving the banks, not quite as many times involving Savings and Loans. We wish to make it uniform throughout. The language is designed to protect the public funds by making sure that the financial institutions in which they are invested are indeed safe. There was one problem that we found with the Bill in that it could adversely impact on university towns, particularly down south. So I have Amendment #2 which I promise will be added onto the Bill in the Senate because time does not permit it to be done here. I think that with that Amendment there are no problems that I know of with the Bill, and I urge your favorable support."

Speaker Daniels: "Gentleman has moved for the passage of House

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Bill 1019. Is there any discussion? Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, as I understand the underlying Bill, it limits the amount of public funds that can be deposited in any one financial institution be it bank or savings and loan. Is that correct?"

Birkinbine: "Limits it as far as not exceeding 75% of the capital stock and surplus."

Brummer: "You mean, in some instances the amount of public funds put in one bank would exceed 75% of... what were the two figures?... surplus and capital?"

Birkinbine: "Surplus and cap...In some of these smaller university towns, particularly around SIU, that was a problem. Actually it's a problem that only lasts for about a day or so because you might have a large amount of money plunked in at one time, drawn out rapidly such as for salaries or what have you. Because of that problem involving the university, the Amendment would say that this language does not apply to the various state universities."

Brummer: "If the universities can do so, why should not some municipality be able to do so or other public unit of local government?"

Birkinbine: "I don't think it's a good idea for the universities, but they seem to be a financial world under themselves. If you look in the statutes, there seems to be virtually no language whatsoever that has any kind of restrictions or care, if you will, on how our universities handle their money. In fact, I know that Representative Friedrich has an ongoing investigation, if you will, into looking at exactly how our university systems handle their monies."

Brummer: "Your proposal in the Senate is to put on Amendment #2 rather than Amendment #1."

Birkinbine: "Right. Amendment #1 raised problems in itself..."

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Brummer: "With the public agency definition?"

Birkinbine: "Yes."

Brummer: "Thank you."

Speaker Daniels: "Any further discussion? Gentleman from Knox, Representative McGrew."

McGrew: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise to oppose House Bill 1019. A while ago we had a vote on banks and we were talking how much we need to protect them and so on and so forth. The fact of the matter is, most banks in downstate Illinois are small banks. To try to put the requirement that their surplus is 75% greater than public funds being deposited, frankly, would eliminate most local banks. The irony of all of this is that the Bill doesn't do what it is intended to do because it says that each and every one of these public funds will be considered separately against that 75% limit, not collectively to see how much would be the total amount of public funds that are deposited in the bank. Even the Bill itself does not accomplish what he thinks it would do. You haven't answered such questions like what would be the federal positions, especially with FDIC requirements. How would that fit in or would it under this legislation? In essence, if you consider it, even with the Amendment to remove the universities, this is still a bad piece of legislation. I'd ask for a 'no' vote."

Speaker Daniels: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield for some questions, please? Representative, I'm not clear from your earlier response to a question. Does the Bill have Amendments on it or is it in its original form?"

Birkinbine: "No. It will be amended in the Senate with Amendment #2 that I worked out in talking with some of the downstate

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Representatives who were concerned about it."

Satterthwaite: "So it is in its original form. Does the Bill now remove language that was inserted into the law a year or so ago in regard to investment of public funds?"

Birkinbine: "No, as a matter of fact, it adds language that, in the case of banks, is already in the Code in better than 80 different areas. So this is not going to effect banks. If anything, it just adds language putting Savings and Loans under the same care, if you will, as far as how funds are deposited as banks already are. This does not change anything as far as banks. The language is already in the Code for banks."

Satterthwaite: "Does it remove language from the Act pertaining to county treasurers and their obligation to invest public monies?"

Birkinbine: "No. County treasurers already have that language in effect and I think I have the specific..."

Satterthwaite: "The Democratic analysis says this Bill takes wording from the County Treasurer Act that pertains to the deposit of public funds and places analygus language in the statute effecting savings and loan associations."

Birkinbine: "That's right. What they meant when they said takes from the language, they don't mean take away they mean it simply takes the same language that's in, specifically, on page 1771..."

Satterthwaite: "I see. So it duplicates the language that is currently in the Treasurers Act."

Birkinbine: "Right. It would make that safe language uniform throughout. It's not taking away anything. It's simply adding safety language."

Satterthwaite: "Thank you."

Speaker Daniels: "Representative Flinn."

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

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Speaker Daniels: "Gentleman has moved the previous question. The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', all those opposed. The 'ayes' have it. The main question is put. Representative Birkinbine, to close."

Birkinbine: "Thank you, Mr. Speaker. As I mentioned before, the language effecting banks is already in the Code. This does not add anything new effecting banks. It adds the same language uniformly throughout the Code for savings and loan. The Bill is supported, in fact, by both the Savings and Loan League and AMBI. So I urge your support. It's designed to protect public funds to make sure that they're deposited in a safe manner."

Speaker Daniels: "Gentleman has moved for the passage of House Bill 1019. All those in favor signify by voting 'aye', all those opposed by voting 'nay'. The record is open. Gentleman from Cook, Representative Leverenz, to explain his vote. Timer's on."

Leverenz: "Thank you, Mr. Speaker. The Sponsor of the Bill indicated that there were... there is an investigation by the Audit Commission of the universities and how they handle their funds and deposits. That is not true. There is no investigation like that going on and we should not have our universities rapped in that fashion. Further, the Bill provides for an additional filing apparently by the financial institutions in the State of Illinois. I really don't know of any reason to have the Bill in the first place unless it's his first Bill. I'll vote 'no.'"

Speaker Daniels: "Gentleman from Marion, Representative Friedrich, to explain his vote. The timer's on."

Friedrich: "Mr. Speaker, I don't know how they're reading all those things into this Bill. All it really does is says if they deposit their money in the savings and loan they have

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to meet the same requirement as banks. Now that's not very complicated and I don't know how they read all these other things into it."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? The Gentleman from Livingston, Representative Ewing, to explain his vote. The timer's on."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, very simply, I don't understand the reason for this. It looks like more work and more filing for financial institutions and what is the benefit? Is there a problem that we're trying to cure here or are we trying to fix something that isn't broke?"

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill, House Bill 1019, there are 98 voting 'aye', 24 voting 'nay', 24 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Jones."

Jones: "Thank you, Mr. Speaker, Ladies and Gentlemen. Mr. Speaker, just a point of information. I talked to the Speaker and he indicated to me that we would be adjourning at 7:00..."

Speaker Daniels: "I'm sorry..."

Jones: "Yes, I talked to the real Speaker, Huskey, and he indicated to me we would be adjourning at 7:00. Several of my Members have asked me, does that still hold true at this time."

Speaker Daniels: "The Speaker right now is in a meeting and we are attempting to get an answer for you, Representative Jones. As soon as I receive the answer, I will announce it to the floor and I'll try to do that as quickly as possible."

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Jones: "In about two minutes. Thank you."

Speaker Daniels: "I'll do my best, Sir. House Bills, Third Reading, Short Debate, Priority of Call. First Bill is House Bill 1246, Representative Capparelli. Read the Bill."

Clerk Leone: "House Bill 1246, a Bill for an Act to add Sections to the Illinois Municipal Code. Third Reading of the Bill."

Speaker Daniels: "Representative Capparelli."

Capparelli: "Mr. Speaker, House Bill 1246 amends the Illinois Municipal Code to prohibit any municipality from mandatory retiring anybody who is under age 56 and I would just recommend an 'aye' vote. Thank you."

Speaker Daniels: "Is there any discussion? Question is, 'Shall House Bill 1246 pass?'. All those in favor signify by voting 'aye', all those opposed by voting 'no'. The record is open. Mr. Miller, Daniels 'aye'. Have all those voted who wish? Have all those voted who wish? Clerk will take the record. Excuse me. Representative O'Connell, from Cook."

O'Connell: "Mr. Speaker, for the record, does this Bill require 107 votes?"

Speaker Daniels: "We'll take a look. Hold on. According to the Parliamentarian, this only requires 89 votes. Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill, House Bill 1246, there is 142 voting 'aye', 1 voting 'nay', 17 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1259, Representative Meyer."

Clerk Leone: "House Bill 1259, a Bill for an Act to amend the Personnel Code. Third Reading of the Bill."

Speaker Daniels: "Representative Meyer."

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Meyer(Ted): "Thank you, Mr. Speaker. House Bill 1279 cures a problem that five state employees had when they got laid off when Governor Walker turned over 'Osha' to the Federal Government and these fellows fell between the cracks when they came back with state employment, namely that they had been gone over a year and had lost their sick day and pension benefits. I urge your approval."

Speaker Daniels: "Is there any discussion? Being none, the Gentleman moves for the passage of House Bill...Excuse me. Representative Ewell."

Ewell: "Sponsor, I just want to know. These weren't patronage employees were they?"

Meyer: "If you consult with Representative DiPrima behind you. One of them was one of his friends."

Speaker Daniels: "Representative Lechowicz. Representative Lechowicz, your light is on. Did you want to be recognized, Sir?"

Lechowicz: "Will the Sponsor yield to a question?"

Speaker Daniels: "He indicates he will."

Meyer: "Yes, Sir."

Lechowicz: "This only includes five state employees?"

Meyer: "Yes, Sir."

Lechowicz: "Thank you."

Speaker Daniels: "Any further discussion? Gentleman, Representative Meyer, to close. Representative Meyer."

Meyer: "I urge your approval."

Speaker Daniels: "Gentleman has moved for the passage of House Bill 1259. All those in favor signify by voting 'aye', those opposed by voting 'nay'. The record is open. Mr. Miller. Have all those voted who wish? All those voting who wish? All those voting who wish? The Clerk will take the record. This Bill having received 123 'aye', 21 'nay', 5 voting 'present'. House Bill 1259 having received a

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Constitutional Majority is hereby declared passed. House Bill 1277, Representative Stuffle. Read the Bill, Sir."

Clerk Leone: "House Bill 1277, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Daniels: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, this Bill simply provides for the university retirement system what we already provide for the downstate teacher pension system and that is to allow remarriage by an annuitant and to allow the annuitant's surviving spouse thereafter to collect survivors benefits."

Speaker Daniels: "Anyone in opposition? Being no one in opposition, Gentleman moves for the passage of House Bill 1277. All those in favor signify by voting 'aye', all oppose by voting 'nay'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill having received 122 'aye', 20 'no', 8 voting 'present'. House Bill 1277 receiving the Constitutional Majority is hereby declared passed. House Bill 1280, Representative Stuffle. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1280, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Daniels: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, this Bill simply provides a 100 dollar increase in the maximum survivors benefits allowed under the university retirement system. It is consistent with the position and the policy of the State Pension Laws Commission with regard to survivors benefits. It is included in at least two other Bills, one of which has already gone out of this House this week. As I

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indicated, it is supported by the Pension Laws Commission, and I would ask for an affirmative Roll Call."

Speaker Daniels: "Anyone in opposition? Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, you know, I stand up and I just want to point out certain things. On this particular Bill give you some idea regarding the dollars involved. It's only 64,000 dollars a year I think for the first year payout and then the increase in the annual unfunded accrued liability about a million dollars, but I'd like to make one other point here. You know, it's difficult to say no when you're on the Pension Committee and I have been one of those who've had the intestinal fortitude to try to say no. If the Bills that are going out of here one by one with all of these overwhelming majority votes that passed out of Personnel and Pensions are on the floor right now and on Third Reading, some of them are over in the Senate, but the total increase in annual costs is over 65 million dollars and in the unfunded accrued liability is just shy of a half a billion dollars. Just keeping passing them out of here one by one and pass that payment to these young people out there on the horizon to take care of it in the years ahead plus what has to come out of the General Revenue Fund, not only in the years ahead, but annual costs. Just keep doing it."

Speaker Daniels: "Representative Stuffle, to close."

Stuffle: "Yes, only two very brief points. I think the Representatives know that the Pension Laws Commission does not normally approve Bills that cost money. They have approved this one and they've approved it because since the maximums that are in effect now in this system have gone into effect the cost of living has increased by over 50%. Salaries have increased in a similar fashion so that the

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employee contributions, as the Commission indicates, have gone up steadily to create a reserve for this particular benefit. We're in a situation where generally the survivors benefit, based on the final rate of earnings, is already higher than the dollar maximum. That's why the Pension Laws Commission has given its assent to this Bill. I'd ask for an affirmative Roll Call."

Speaker Daniels: "Gentleman has moved for the passage of House Bill 1280. All those in favor signify by voting 'aye', all those opposed by voting 'nay'. The record is open. Representative Schuneman, to explain his vote. The timer's on."

Schuneman: "Mr. Speaker, Ladies and Gentlemen of the House, we should pay attention to what Representative Ebbesen just said. Now, I'm not particularly opposed to this Bill. Neither am I particularly opposed to any of the other pension Bills that have gone out of here and I'm sure the Sponsors can offer reasonable, logical reasons why they should vote for them, but we should take a look at what we are doing cummulatively here. We are increasing the state debt by 500 million dollars if we pass all these Bills. Now, somewhere we have to stop and we may as well begin that slow down process here I think."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Gentleman from Cook, Representative Wolf, to explain his vote. Timer's on."

Wolf (J. J.): "Thank you, Mr. Speaker, Members of the House. As most of you know, I usually oppose pension Bills but we're talking... I don't necessarily say you should vote for this, but what you're talking about here is peanuts. A little while ago you had a Bill by Mr. Neff and Stuffle that had a 15 million dollars the first year and that went out of here like a greased pig through a shoot and now

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you're quibbling over pennies. If you're going to make a speech, you ought to make it on something where it really counts."

Speaker Daniels: "The gentle Lady from Champaign, Representative Satterthwaite, to explain her vote. The timer's on."

Satterthwaite: "Mr. Speaker and Members of the House, here is another instance where we are putting a penalty on employees whose portion of the contributions to the pension systems are being paid into the system every working period. Because of that amount of money which is in the pension system fund and is drawing interest, we are saying with a Bill like this that their benefits should be increased proportionately to keep up with the rising inflation rate. It is only because the state is not contributing its portion to the funding system that they are so grossly underfunded. Do not penalize the employee because their contributions are keeping up their end of the bargain and I urge a 'yes' vote."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill there are 93 'ayes', 59 'nos', 8 voting 'present'. House Bill 1280 having received a Constitutional Majority is hereby declared passed. House Bill 1348, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1348, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Daniels: "Representative Giorgi."

Giorgi: "Here is one you can sink your teeth into. Get the hounds out. This Bill... You can all get even on this one."

Speaker Daniels: "Is there any opposition?"

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Giorgi: "This Bill... Now, the Secretary of State, under the Motor Vehicle Code, allows hearings when you revoke, suspended or whatever reason, DWI, reckless driving, leaving the scene and so on. There are two instances where the Secretary of State does not allow you a hearing. One is if you forget to file an accident report and you don't have to be guilty of that accident report. Your license is revoked and you don't have a hearing. You're suspended similarly and the other is in the event you have a perfect driving record and you pass a school bus, you file a bond, you don't show up in court and they take your bond money. You're similarly dismissed without a hearing even if you had a 20 year perfect driving record. These two... This Bill allows hearings for those two instances. It allows you to have a hearing before the Secretary of State's Office in the event a hardship will result from those two suspensions. You want to vote for this Bill, vote for this Bill. If you want to take your revenge out on this Bill, go ahead and take it out."

Speaker Daniels: "This Bill having failed to have any revenge, Gentleman moves for the passage. Is there anyone in opposition? Gentleman moves for the passage of House Bill 1348. All those in favor signify by voting 'aye', all those against by voting 'no'. The record is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill having received 141 'yes', 12 'nay', 5 voting 'present'. House Bill 1348 having received a Constitutional Majority is hereby declared passed. House Bill 1354, for revenge, Representative Giorgi. The Clerk will read the Bill."

Clerk Leone: "House Bill 1354, a Bill for an Act to add Sections to the Environmental Protection Act. Third Reading of the

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Bill."

Speaker Daniels: "Representative Giorgi."

Giorgi: "Now, I don't know how I got this Bill, but this they tell me is the Chamber of Commerce and the Association of Manufacturers Bill and it's too hot for me to handle. This is House Bill 1354 and it authorizes the Environmental Protection Agency to issue air pollution permits on the basis of the overall pollution source in an area which is more commonly known as the bubble concept. For example, if a factory has two or more emission stacks, they are currently permitted individually whereas with this Bill the pollution emission source would be evaluated together. Thus, two stacks that are side by side can be discharged different levels of pollutants. As long as the overall average of discharge was within the air quality standards, the permit for new sources could be issued. Both federal and state regulations require that in that air quality benefit must result from the use of the bubble concept. This approach is subject to compliance to all other restrictions that apply under the Federal Clean Air Act. I understand the Chamber is interested in this Bill, the Association of Manufacturers. I don't know why I'm handling the Bill, but I'd appreciate your support."

Speaker Daniels: "Anyone in opposition? There being no one in opposition, the Gentleman moves for the passage of House Bill 1354. All those in favor signify by voting 'aye', those opposed by voting 'nay'. The record is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill having received 143 'aye', 6 'nay', 5 voting 'present', House Bill 1354 having received a Constitutional Majority is hereby declared passed. House Bill 1405, Representative Bartulis. The Clerk will read

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the Bill."

Clerk Leone: "House Bill 1405, a Bill for an Act to amend Sections of the Illinois Vehicle Code."

Speaker Daniels: "Representative Bartulis..."

Clerk Leone: "Third Reading of the Bill."

Speaker Daniels: "With leave of the chamber, he is outside in the rotunda. We'll pass this one Bill, go to the next one. We'll come back to it when he comes back in with leave of the chamber. Leave granted? Leave is granted. Alright. Next. House Bill 1409, Representative Leverenz. Clerk will read the Bill."

Clerk Leone: "House Bill 1409, a Bill for an Act to add Chapters to the Illinois Vehicle Code, Third Reading of the Bill."

Speaker Daniels: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1409 would incorporate specific portions of the Federal Motor Carrier Safety Regulations into Illinois law. It would provide for uniformity. Currently, the state must enforce the Illinois State Safety Test requirements or the Federal Motor Carrier Safety Regulations depending upon interstate or intrastate. The Bill puts the following into our laws: The general description, the qualifications of drivers, driving of motor vehicles, parts and accessories necessary for safe operation, hours of service of drivers, and the inspection, repair and maintenance sections. All but six states have already adopted part or total...in total these parts of the federal regulations. It would be enforced by the State Police only. I would answer any questions you might have. It provides the uniformity for the State Police, and I would ask for your 'aye' vote. All organizations involved have worked out all differences. All the trucking organizations are in favor. The State

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Police is in favor, and I would solicit your 'aye' vote."

Speaker Daniels: "The Gentleman from Cook, Representative Bluthardt, in opposition."

Bluthardt: "Not necessarily, but in view of your last statement, would you explain, if you can, the conclusion of the Republican analysis. I'll read it to you, 'Interested parties such as the Illinois State Police, Department of Transportation, Midwest Truckers, the Illinois Trucking Association, and the Motor Vehicle Laws Commission have indicated the desire to study the proposal in Subcommittee'. Would you answer that? Explain it."

Speaker Daniels: "We're in Short Debate. Maybe the Gentleman could answer that question in closing. Would that be alright, Sir? Representative Leverenz to close and answer the question in closing."

Leverenz: "Thank you, Mr. Speaker. There were multiple meetings by those that Representative Bluthardt has mentioned, and the differences were worked out by an Amendment that was jointly drafted by those affected. I draw your attention to Amendment #1 that solves those problems, and it does solve in the Republican analysis that part which said in the first draft of the analysis, that the Midwest truckers were in opposition. And with Amendment #1 we have eliminated that in total. So to my knowledge, there is no one in opposition. And we did have enough time that we brought the Bill out, held it on Second Reading until the Amendment was put together, and that is the point we are at now. Again, I would ask for your 'aye' vote."

Speaker Daniels: "The Gentleman has moved for the passage of House Bill 1409. All those in favor signify by voting 'aye', opposition by voting 'nay'. The voting is open. Representative Bluthardt."

Bluthardt: "Yeah, I think I ought to explain. Kathy, the person

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who put together the Republican staff analysis, advises me that Amendment #1 has taken care of the objections that appeared in the analysis, and I withdraw any opposition I have to it."

Speaker Daniels: "Any other discussion? Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill, House Bill 1409, having received 140 'aye', 2 'nay', 10 'present', having received the Constitutional Majority is hereby declared passed. Now back to Representative Bartulis on House Bill 1405. Mr. Clerk, read the Bill."

Clerk Leoen: "House Bill 1405, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Daniels: "Representative Bartulis."

Bartulis: "Thank you... Thank you, Mr. Speaker and Members of the House. House Bill 1405 establishes a minimum fine of 75 dollars for a first or second offense of throwing glass or nails or any injurious substances on the highway. The present statute provides for a penalty of a petty offense for individuals violating this Section for a first or second time. A third or fourth offense within a year and the first violation would constitute a Class C misdemeanor, and I ask for a favorable Roll Call."

Speaker Daniels: "Is there anyone in opposition? Gentleman has moved for the passage of House Bill 1405. All those in favor signify by voting 'aye', opposed by voting 'nay'. The record is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill having received 144 'aye', no 'nay', 7 voting 'present'. House Bill 1405 having received a Constitutional Majority is hereby declared passed. House Bill 1440, Representative

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Friedrich. Clerk will read the Bill."

Clerk Leone: "House Bill 1440, a Bill for an Act to add Sections to the Illinois Banking Act. Third Reading of the Bill."

Speaker Daniels: "Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, an occasion arose for me to talk to Commissioner Harris and Commissioner Banks and I found that there was nothing in the Illinois statute to allow him to prevent coercion by bankers in connection with providing insurance, legal services, real estate and so on, and together we worked this Bill out which is identical to the Federal Act which is enforceable by the Comptroller of the currency. This Bill has been amended to be acceptable to the AMBI group and Illinois Bankers and the Illinois Association of Insurance Agents and as far as I know there's no opposition."

Speaker Daniels: "Anyone standing in opposition? Being none, Gentleman has moved for the passage of House Bill 1440. All those in favor signify by voting 'aye', against by voting 'no'. Voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill having received 144 'aye', no 'nay', 8 voting 'present'. House Bill 1440 having received the Constitutional Majority is hereby declared passed. Representative Collins, on House Bill 1475. The Clerk will read the Bill."

Clerk Leone: "House Bill 1475, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker Daniels: "Representative Collins."

Collins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1475 does three things. Number one... it does more than that. It does a number of things, but the main body is that it requires the Circuit Court to fill

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vacancies on Boards of Election Commissioners within 60 days after the creation of a vacancy or the expiration of a term. It also permits outside employment by members of the Chicago Board of Election Commissioners. They are the only Election Commissioners in the state who are not allowed to have outside employment and the Chairman of that Board also is allowed to have outside employment. Then Amendment #1 which was adopted at the request of the State Board of Elections would revise the filing of verification procedures, for petitions for proposed constitutional Amendments and statewide advisory public questions. I would invite your support and attempt to answer any questions."

Speaker Daniels: "Anyone standing in opposition? Representative Lechowicz. Gentleman from Cook."

Lechowicz: "Mr. Speaker, Ladies and Gentlemen of the House, this Body passed a Bill permitting that the Chairman of the Chicago Board of Election Commissioners could have outside employment last year. I don't believe there's been any criticism in the way that Body has conducted its business in providing fair and just elections. I don't believe there's been any criticism in reference to the Chairman of that Body or any member of that Body and now we have a Bill before us to take away something that was given to the individual last year and ... I'm sorry. Am I incorrect, Phil?"

Collins: "No, Mr. Speaker. The Gentleman is absolutely right. Last year we passed a Bill that would allow the Chairman to have outside employment. He enjoys that now. This would extend that same right to the other two members of that Board that they could also have outside employment."

Lechowicz: " ... Thank you. I misunderstood the Bill."

Speaker Daniels: "Being no opposition. No one standing in

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opposition, the Gentleman moves for the passage of House Bill 1475. All those in favor signify by voting 'aye', and against by voting 'no'. Voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill having received 141 'aye', 6 'nay', 6 voting 'present'. House Bill 1475 having received the Constitutional Majority is hereby declared passed. Representative Hoxsey, House Bill 1497. The Clerk will read the Bill."

Clerk Leone: "House Bill 1497, a Bill for an Act to amend the Illinois Valley Regional Port District Act. Third Reading of the Bill."

Speaker Daniels: "Representative Hoxsey."

Hoxsey: "Yes, Ladies and Gentlemen of the House and Mr. Speaker, what this Bill does it amends the Illinois Valley Regional Port District Act and only involves that one particular district. I will read exactly what the Bill does. It says upon the petition of at least 5% of the registered voters within that district the district shall cause to be submitted to the voters of the district at the next General Election the question, shall name of unit of local government disconnect from the Illinois Valley Regional Port District and if 51% of those voting on the question vote in favor of disconnection the unit of local government shall be disconnected. At the present time, there is absolutely no provision made for disconnection in the Act at all. This does very little for it. I can't imagine what kind of a selling job they would have to do in the whole district to be able to disconnect but it does provide that possibility. I would ask for a favorable Roll Call."

Speaker Daniels: "Anyone standing in opposition? Representative Mautino from Bureau County in opposition."

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Mautino: "Thank you, very much, Mr. Speaker. I would hope that the Lady from Ottawa would answer one or two questions as well and then I'll address the legislation. Representative Hoxsey, this is the first time I've ever seen legislation that is drafted in this fashion that allows for a referendum that does not include..."

Speaker Daniels: "Excuse me, Representative Mautino. It seems like everytime we get a new Member in the House they get loaded with flowers. So Representative Barr has just got loaded with some flowers. So excuse the interruption. Proceed, Sir."

Mautino: "No problem. This is the first time I've seen the drafting of legislation that allows for a petition for removal from a district without... with a rather general term including the name of the unit of the local district in parenthesis. I've never seen one like this before and I'm not quite sure that this is even authorized anywhere within our statutes to do it in that manner, number one. Is it technically correct? I don't know."

Speaker Daniels: "The Lady from LaSalle, Representative Hoxsey, in closing will attempt to answer your question."

Hoxsey: "Representative Mautino, as far as I know it's technically correct because it would have to be that particular Section or township or whatever local government segment that wish to connect... disconnect would have to have that on its petition and would also have to have that on the ballot. The first step, of course, is that 5% of the registered voters within the whole district, Representative, if you can imagine what that would be. That would take considerable work for one segment to be able to get that much done and then that would have to go on a referendum, and it would take 51% of the people voting on the total question to allow for disconnection on the

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ballot. So you can see that it's almost impossible provision that's allowed but yet it does provide a means and that's all it does."

Speaker Daniels: "Representative Mautino."

Mautino: "In response to the Representative's comments, I'd like to point out that that basically then is we would have to have a referendum throughout the whole port district on that particular question and you would have to remove from the district a township, if it were a township and I think you're probably addressing 'Walthum' Township with... Wallas or 'Walthum' Township with this provision. You would be basically removing the whole township or a whole municipality if they so desire. Is that ... If that's your intention of the legislation, I think that should have probably been addressed when the port district, by those who were here at the time during the inception, because from that point on that port district has received funds for the operation of the port district and has expended them throughout the whole port district authority."

Speaker Daniels: "Representative Hoxsey, to close."

Hoxsey: "Alright. Representative Mautino, you are aware as well as I am that this has been a bone of contention from the time that this port district was organized and the people of one particular township felt that they had never had the information they should have had at the time it was organized. There has been no provision over the years for them to get out. They have not participated in the port district and never have wanted to be part of it and never will want to be part of it. Now, what I'm saying to this Body is that I'm not providing an easy way out, but there is just one small chance that they could get out, but they would have to do a tremendous selling job to be able to attain any success. All I'm doing is giving them that

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provision and it would be up to them to be able to sell it."

Speaker Daniels: "The gentle Lady from LaSalle has moved for the passage of House Bill 1497. All those in favor will signify by voting 'aye', all those by voting 'nay'. The record is open. Have all those voted who wish? Representative Ebbesen, from DeKalb, to explain his vote. The timer's on. No, Sir? No explanation. Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill having received 119 'aye', 19 'no', 17 voting 'present'. House Bill 1497 having received a Constitutional Majority is hereby declared passed. House Bill 1501, Representative Abramson. The Clerk will read the Bill."

Clerk Leone: "House Bill 1501, a Bill for an Act to amend Sections of an Act in relationship to rate of interest. Third Reading of the Bill."

Speaker Daniels: "Representative Abramson."

Abramson: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1501 amends the Interest Act, deletes the provisions stating that unless authorized by federal law no mortgage can provide for a change in a contract rate of interest during the term of a mortgage, written contract, agreement, or bond for deed. What this deals with is that we've had a couple of exceptions of this already. State chartered and federal chartered banks and Savings and Loans are exempted from variable rate mortgages. Right now the only thing that's left is contracts for deed. The common practice now is to have..."

Speaker Daniels: "Excuse me, Sir. Excuse me. For what purpose does the Gentleman from Effingham, Representative Brummer rise?"

Brummer: "Yes, maybe it's because of the noise level, but it's

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absolutely impossible to hear this explanation. I wonder if the Gentleman could begin again so we can understand what the Bill is about."

Speaker Daniels: "Ladies and Gentlemen of the House, may we please have some order? Ladies and Gentlemen of the House, we have a lot of Bills that we have to take care of. Could we please have some order? Representative Abramson, would you please start over on your explanation?"

Abramson: "House Bill 1501 amends the Interest Act, deletes the provision stating that unless authorized by Federal law, no mortgage can provide for a change in the contract rate of interest during the term of the mortgage, written contract, agreement for bond or deed."

Speaker Daniels: "Ladies and Gentlemen of the House, wait a second. Wait a second. We'll try it this way. Members of the House, may we please have your attention? May we please have your attention? Representative Abramson, one more time. Please speak up. Go."

Abramson: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1501 deletes the provision in the Interest Act which provides that unless authorized by Federal law no mortgage can provide for a change in the contract rate of interest during the term of the mortgage, written contract, agreement for bond or deed. The purpose of this Bill is that last year we passed an exemption for Federal home loan bank board, regulated agencies. This year on the Consent Calendar we sent out House Bill 430 which exempted financial institutions regulated by the Controller of the Currency. What we've got left is contracts for deed. The common practice now in Chicago is with the inability to get regular mortgage rates. What we have is a contract for deed normally about three or four years and what the people would like to have is an additional option year in case

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there's no mortgage money available three or four years from now, but at a different rate. Okay. Chicago Title refuses to insure over these things because it's a change of rate during the term of the mortgage or contract for deed. So this solves a problem that's currently a very serious one in my area where people can only sell their houses under contract for deed. I ask for an affirmative Roll Call."

Speaker Daniels: "Gentleman from Macon, Representative Dunn."

Dunn (John): "Mr. Speaker, I request, if the requisite number of other Members will join me, that this Bill be removed from Short Debate and placed on the Full Debate."

Speaker Daniels: "Are there ten Members joining in the Gentleman's request? There are ten Members. This will be removed from Short Debate. Representative Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. My questions really arise out of a failure to either hear or understand the explanation of the Bill. If a mortgage is on the books at the present time, will it be effected by this legislation?"

Speaker Daniels: "Will the Gentleman yield? He indicates he will. Representative Abramson."

Abramson: "It does not effect current contracts."

Dunn: "What impact will it have on future mortgages?"

Abramson: "Future mortgages written by institutions controlled by the Controller of the Currency or the Federal home loan bank, none because those are already exempted from this under existing law."

Dunn: "Who writes other mortgages and who does it effect?"

Abramson: "We've got contracts for deed which is why the Bill is in to exempt them and I'm not really sure about maybe credit unions. I think we gave them the power to write mortgages. I'm not sure who they're regulated by."

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Dunn: "If this Bill does not become law, what mortgages... what mortgage lenders will be prohibited from writing variable rate mortgages in this state?"

Abramson: "Please repeat the question."

Speaker Daniels: "Gentleman from Effingham, Representative Brummer."

Brummer: "He's got a question."

Speaker Daniels: "Are you done, Sir?"

Dunn: "No."

Speaker Daniels: "Alright. Do you wish to address the Bill, Sir?"

Dunn: "I'm waiting for the answer to a question, Mr. Speaker."

Speaker Daniels: "Excuse me."

Abramson: "I couldn't hear the question. There's a lot of talking going on over here."

Speaker Daniels: "Ladies and Gentlemen of the House, the noise level is too high."

Dunn: "All I'm trying to find out, Mr. Speaker and Mr. Sponsor, is, if this Bill becomes law, it is my understanding that every mortgage can have a variable interest rate. At the present time, what mortgages are prohibited from having such a variable interest rate and the reason for asking the questions is to try and determine what lenders this Bill will effect who write mortgage contracts."

Abramson: "It's my understanding that, under the current law and under House Bill 430 which has passed out of here, all federally insured or regulated institutions, that includes State chartered banks, federally chartered banks, federally chartered Savings and Loans and state chartered Savings and Loans can write variable rate mortgages."

Dunn: "I'm asking... the question was addressed to the current law. The Bill that passed the House is not law yet."

Abramson: "Under current law, Chicago Title and Trust says that mortgages written by institutions regulated by the

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Controller of the Currency do not have the power to write variable rate mortgages."

Dunn: "And what institutions are regulated by the Controller of the Currency? I presume you mean... Controller of the Currency."

Abramson: "Yes. National banks."

Dunn: "Are state banks regulated by the Controller of the Currency?"

Abramson: "I think if they're federally insured."

Dunn: "And what percentage of state banks in this state are federally insured?"

Abramson: "All of them, to my knowledge."

Dunn: "I don't believe they all are, but I think the point is... so we're still trying to pen down who this Bill effects and who it doesn't and I still... I think what you're saying is that right now very few institutions in the State of Illinois can, without fear of legal challenge, write variable rate mortgages. Is that correct, fair statement?"

Abramson: "Savings and loans can, federally chartered Savings and Loans can write variable rate mortgages currently."

Dunn: "And if this Bill passes every lender will be able to write a variable rate mortgage instrument."

Abramson: "That's correct."

Dunn: "As well as an agreement for deed."

Abramson: "That's correct."

Dunn: "Mr. Speaker, in addressing the Bill."

Speaker Daniels: "Proceed, Sir."

Dunn: "The purpose of the question was to highlight what this Bill does and who it effects so that as we vote upon this Bill we will be well aware of what we are doing. There is a trend in this state to move toward variable rate mortgages and they are being sold to the public as a consumer item because the rate of the mortgage can go up or

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down, and the mortgages are sold with the understanding that a borrower can get into a house with payments they can hopefully afford and bet that in the future inflation will take care of them if the payments go up or the rates will go down. I submit to the Members of this Body that we certainly don't need this legislation. We have fixed rate mortgages now. A homeowner who enters into a mortgage contract at the present time agrees with the lender on a rate of interest and monthly payments which are of the size and kind that the borrower feels he or she can afford to make for the length of the contract, and they also dream that at some point that home will be paid for and the only obligations they will have for it in their senior citizen or twilight years are the expenses of taxes and maintenance and upkeep. If interest rates go down, it only becomes a matter of refinancing a loan. There might be closing costs or there might be some title expenses, but if the interest rates go down and your lender won't reduce the rate on your loan, you can pay him off and go to someone who will. So, we don't need variable rate mortgages if interest rates go down. What if they go up, however? This simply means that if your payments stay the same, you'll never pay for your house. Or your payments can go up. They can double. They can triple, and you may be forced out of your house because you can't meet the payments. This is not consumer legislation. This is bankers legislation, pure and simple, plain and simple. If you're for the homeowner, if you have any homeowners in your district, condominium owners in the city, if you have anyone who owns property that you represent who borrowed money to pay for it, then I suggest you vote 'no' on this Bill. If you don't represent any of those kinds of people and only represent bankers, then it is probably a good Bill

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for you."

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

Brummer: "Yes, briefly, will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Brummer: "Does this Bill apply to contracts for deed?"

Abramson: "Yes, it does."

Brummer: "Our analysis, for some reason which is unexplained,
indicates that in order to accomplish the task of allowing
variable rate mortgages on contracts for deed, the Bill
will have to be amended. Has it been amended?"

Abramson: "Our analysis didn't indicate that."

Brummer: "Your analysis didn't indicate it was amended?"

Abramson: "No, it has not been amended, and I don't think it
needs to be."

Brummer: "Okay, you're not aware...it is your intention that the
provisions of this allowing variable rate mortgages be
applicable as well to contracts for deed."

Abramson: "That was the intention of the Bill."

Brummer: "And you're...satisfied as the Sponsor and as a lawyer
that it does?"

Abramson: "Yes, I am."

Brummer: "Thank you."

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

Mautino: "I would like to move the previous question, Sir."

Speaker Daniels: "The Gentleman has moved the previous question.
The question is 'Shall the main question be put?' All
those in favor signify by saying 'aye', opposed 'no'. The
'ayes' have it. Representative Abramson to close."

Abramson: "Mr. Speaker and Ladies and Gentlemen of the House,
this Bill fulfills the need whereby people who want to sell
real estate under contract or buy real estate under

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contract can agree to varying the interest rate during the term of the contract. We passed legislation out of here already that exempts the banks and Savings and Loans, so this is the only significant change that this Bill makes. I ask for a favorable Roll Call."

Speaker Daniels: "The Gentleman has moved for the passage of 1501. All those in favor shall signify by voting 'aye', and those opposed by voting 'nay'. The voting is open. Representative Bowman to explain his vote. The timer's on, Sir."

Bowman: "Thank you, Sir. Just to say that I think this is unwise to make the exemption without some kind of consumer protections written into the law. This provides the possibility that the interest rate will be lowered at the front end in such a way that you wind up actually borrowing money to pay the later interests on the loan. And I think without some consumer protections written in here, it is unwise."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Representative Schuneman to explain his vote. The timing is...the timer is on, Sir."

Schuneman: "Mr. Speaker, I think there is a lot of misunderstanding about this Bill. The Sponsor has just, once again, explained that we've already passed out a Bill on this subject that would give this right to banks and Savings and Loans. That has already been passed out. What this does as he explained it to me, was simply allow private contracts for deed to be subject to this same provision. So I really don't think the Bill is that bad. I think it is good. I think we ought to pass it."

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

Friedrich: "Mr. Speaker, I would just add that unless there is a

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prepayment penalty in the contract, there is nothing to keep the borrower or the buyer from paying off if the rate goes down and he can get a better rate. That is always in there, and I don't know any contract that I've ever seen on a contract for deed where there is a prepayment penalty. So all this hogwash about protection, the buyer has the protection of being able to pay off."

Speaker Daniels: "The Gentleman from Champaign, Representative Johnson."

Johnson: "Well, I say, to begin with, that this Bill is simply meant to try to direct itself to a problem in the market place. The Illinois Realtors' Association has unequivocally endorsed this Bill and supports it, and I think that their effort, like the effort of the Sponsor and others, is simply to provide a meaning in the market place so we can...so we can deal with modern fiscal realities, and I urge a 'yes' vote."

Speaker Daniels: "The Gentleman from Cook, Representative Collins. The Gentleman from Will, Representative Leinenweber."

Leinenweber: "Well, I just wanted to announce that I don't have any tickets left now. So you'll have to see one of the other Committee Members. I understand Representative Bluthardt has plenty of tickets."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. Mr. Abramson."

Abramson: "Postponed."

Speaker Daniels: "Postponed Consideration. House Bill 1535, Representative McAuliffe. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1535, a Bill for an Act to establish local governmental law enforcement officers fund, Third Reading of the Bill."

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Speaker Daniels: "Representative McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill would create from the bail bond surcharge and from the penalty assessment on traffic tickets a fund to finance the training of all police officers in the State of Illinois. It would be a boom to local governments because they would be relieved of paying for half of the cost of training the police officers, and the state, through this fund at no cost to the state, would fund the training of all police officers in the state. And I ask your favorable consideration."

Speaker Daniels: "Anyone standing in opposition? There being no opposition, the Gentleman moves for the passage of House Bill 1535. All those in favor signify by voting 'aye', all those opposed by voting 'nay'. The record is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill having received 137 'aye', six 'nay', six voting 'present', House Bill 1535 having received the Constitutional Majority is hereby declared passed. Representative Bell. Representative Bell."

Bell: "Mr. Speaker, Ladies and Gentlemen of the House, having voted on the prevailing side, I move to reconsider the vote on House Bill 1072. I do this for several reasons. One, there is a Bill pending the year.... waiting on our outcome and two, I would like the opportunity to give the Sponsor the chance to put this on Interim Study so we can study this further. I ask for your favorable support on this Motion."

Speaker Daniels: "Representative Wolf."

Wolf, J.J.: "Yes, thank you, Mr. Speaker and Members of the House. I have talked to a number of Members and I would appreciate your vote to reconsider so this could be placed

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under Interim Calendar. 1072."

Speaker Daniels: "The Gentleman, Representative Bell, has moved to reconsider the vote by which House Bill 1072 passed. The question is, 'Shall.. lost, excuse me. Lost. The question is, 'Shall House Bill 1072 be reconsidered?' All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Now, this question, having received 133 'aye', 1 'nay' and 4 'present' on the Motion reconsidered, the vote by which House Bill 1072 failed is now reconsidered. Representative Wolf, on 1072."

Wolf, J.J.: "Thank you, Mr. Speaker. I would now ask leave to place this in Interim Study."

Speaker Daniels: "The Gentleman asks leave to place it in Interim Study. Does he have leave? Leave is granted. House Bill 1072 is placed in Interim Study. Representative Reilly, for an announcement."

Reilly: "Yes, thank you, Mr. Speaker. The House Elementary and Secondary Education Committee will not meet in the morning. Doctor Love will be in town, but will not be arriving in time for the meeting. And we'll reschedule a meeting with her later. So we will not meet. The Elementary and Secondary Education Committee will not meet in the morning. Thank you."

Speaker Daniels: "The Gentleman from Cook, Representative Jones, for what purpose do you rise?"

Jones: "Thank you, Mr. Speaker. I move that we adjourn till eight o'clock tomorrow morning."

Speaker Daniels: "The Gentleman, Representative Cook from... Representative Jones from Cook, has moved that we adjourn till eight o'clock tomorrow morning. All those in favor will signify by voting... Alright. The Gentleman has

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moved to adjourn until eight o'clock tomorrow morning. Eight a.m. That is the Motion. I am going to put that to a vote, but before I put it to a vote, there are several lights flashing, and I will be happy to hear from Representative Younge from St. Clair. Representative Younge."

Younge: "Yes, Mr. Speaker. I would greatly appreciate if that Motion would wait for one more Bill. I've got a wonderful Bill right before the Soul Food Dinner. It is a perfect Bill."

Speaker Daniels: "Representative Younge, you have heard the Motion. The Motion will be put. Is there anyone else that wishes to discuss the Motion? Representative Johnson."

Johnson: "I just wonder if he would amend the Motion to make it 10. We've been working 16 and 18 hours a day here, and I don't see any problem with 10 o'clock the way we have been convening. This morning we didn't get started till noon anyway, so I just wonder if 10 o'clock would seem to be a reasonable time. That is when we have been starting. I don't know what the...if Representative Jones is here at eight o'clock tomorrow I will be surprised anyway."

Speaker Daniels: "Okay, the Gentleman from Cook, Representative Madigan, for what purpose do you rise?"

Madigan: "Speaking to the suggestion from Representative Johnson regarding the time for convening tomorrow morning. Does the...does the Chair know what the projected schedule will be for tomorrow? Because if we're projected to work until midnight or until there is a change of plan, then I would think that we might come in a little later."

Speaker Daniels: "Representative Madigan, as you know, there is a deadline tomorrow night at midnight."

Madigan: "It was supposed to be last night."

Speaker Daniels: "Yes, I know, Sir."

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Madigan: "I hope they tell you about the next change."

Speaker Daniels: "Yes, Sir. The Motion is for eight in the morning. Does the Gentleman... Representative Schuneman."

Schuneman: "Point of Order, Mr. Speaker. I think the Motion to adjourn is not debatable, and I would ask that you call for the question."

Speaker Daniels: "Representative Jones, will you please restate your Motion?"

Jones: "I move that we adjourn till eight a.m. tomorrow morning."

Speaker Daniels: "Ladies and Gentlemen of the House, you have heard the Motion to adjourn until eight o'clock tomorrow morning. The question is 'Shall we adjourn till eight in the morning?' All those in favor signify by voting 'aye', and all those opposed by voting 'nay'. The record is open. Have all voted who wish? Representative Jones to explain his vote."

Jones: "Thank you, Mr. Speaker. You know, it is not too often that I ask this Body for any personal favors. Now, my colleagues on this side of the aisle know why the Motion is being made. Now, if you want to vote red, you go right ahead and vote red. But I don't appreciate you voting red on a Motion to adjourn. Now, you know that the black Legislators are having a dinner tonight. It begins at 7 o'clock. Listen, this is the Motion. So I would appreciate a green vote from this side of the aisle."

Speaker Daniels: "Representative Bullock."

Bullock: "Well, I want a real Speaker in that Chair so we can get some order in this House. I think Representative Jones ought to withdraw his Motion or let us amend it. I've got some meetings in the morning, and I would like to come in at 10 o'clock. So, Representative Jones, if you'll withdraw this Motion and get the real Speaker in the Chair, we can get something done in here."

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Speaker Daniels: "Representative Madigan."

Madigan: "After this Motion is disposed of, Mr. Speaker."

Speaker Daniels: "Thank you, Sir. Any other people wish to address? Representative Jones, your light is on, Sir."

Jones: "As I indicated, the Motion is to adjourn till 8 o'clock tomorrow morning. This matter has been discussed, and I would appreciate the Members on this side of the aisle supporting that Motion."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This matter, this Motion to adjourn till 8 o'clock tomorrow morning having received 94 'ayes', 61 'nay', no voting 'present'. This House is adjourned until 8 o'clock tomorrow morning. Representative Madigan, you asked for...Representative Madigan waives that right. This House is adjourned till 8 a.m. tomorrow morning."

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